

*Estimated Total Annual Burden Hours:* 8.

Dated: April 24, 2023.

**Seth D. Renkema,**

*Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.*

[FR Doc. 2023-08881 Filed 4-26-23; 8:45 am]

**BILLING CODE 9111-14-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

[1651-0093]

#### Declaration of Owner and Declaration of Consignee When Entry Is Made by an Agent

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security.

**ACTION:** 30-Day notice and request for comments; extension of an existing collection of information.

**SUMMARY:** The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

**DATES:** Comments are encouraged and must be submitted (no later than May 30, 2023) to be assured of consideration.

**ADDRESSES:** Written comments and/or suggestions regarding the item(s) contained in this notice should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, telephone number 202-325-0056 or via email [CBP\\_PRA@cbp.dhs.gov](mailto:CBP_PRA@cbp.dhs.gov). Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY)

1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This proposed information collection was previously published in the **Federal Register** (88 FR 9889) on February 15, 2023, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

#### Overview of This Information Collection

**Title:** Declaration of Owner and Declaration of Consignee When Entry is made by an Agent.

**OMB Number:** 1651-0093.

**Form Number:** CBP Form 3347, 3347A.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the estimated burden hours or to the information collected.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses and Individuals.

**Abstract:** CBP Form 3347, *Declaration of Owner*, is a declaration from the owner of imported merchandise stating that he/she agrees to pay additional and increased duties, therefore releasing the importer of record from paying such duties. This form must be filed within

90 days after the date of entry. CBP Form 3347 is provided for by 19 CFR 24.11 and 141.20.

When entry is made in a consignee’s name by an agent who has knowledge of the facts and who is authorized under a proper power of attorney by that consignee, a declaration from the consignee on CBP Form 3347A, *Declaration of Consignee When Entry is Made by an Agent*, shall be filed with the entry documentation or entry summary. If this declaration is filed, then no bond to produce a declaration of the consignee is required. CBP Form 3347A is provided for by 19 CFR 141.19(b)(2).

CBP Forms 3347 and 3347A are authorized by 19 U.S.C. 1485(d) and are accessible at <http://www.cbp.gov/newsroom/publications/forms>.

**Type of Information Collection:** Declaration of Owner (Form 3347).

**Estimated Number of Respondents:** 900.

**Estimated Number of Annual Responses per Respondent:** 6.

**Estimated Number of Total Annual Responses:** 5,400.

**Estimated Time per Response:** 6 minutes.

**Estimated Total Annual Burden Hours:** 540.

**Type of Information Collection:**

Declaration of Importer Form (3347A).

**Estimated Number of Respondents:** 50.

**Estimated Number of Annual Responses per Respondent:** 6.

**Estimated Number of Total Annual Responses:** 300.

**Estimated Time per Response:** 6 minutes.

**Estimated Total Annual Burden Hours:** 30.

Dated: April 24, 2023.

**Seth D. Renkema,**

*Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.*

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## DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA-2023-0001]

#### Agency Information Collection Activities: Request for Comment on Secure Software Development Attestation Common Form

**AGENCY:** Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

**ACTION:** 60-Day notice and request for comments; new collection (request for a new OMB control number).

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995, the Cybersecurity and Infrastructure Security Agency (CISA) of the Department of Homeland Security (DHS), is soliciting public comment on a self-attestation form to be used by software producers in accordance with the Executive Order on Improving the Nation's Cybersecurity and the Office of Management and Budget's guidance in OMB M–22–18, *Enhancing the Security of the Software Supply Chain through Secure Software Development Practices*. In accordance with OMB M–22–18, Section III.C, CISA has agreed to serve as steward for this collection. After obtaining and considering public comment, CISA will prepare the submission requesting clearance of this collection as a Common Form to permit other agencies beyond DHS to use this form in order to streamline the information collection process in coordination with OMB.

**DATES:** Comments are encouraged and will be accepted until June 26, 2023.

**ADDRESSES:** You may submit comments, identified by docket number Docket # CISA–2023–0001, at:

○ *Federal eRulemaking Portal:* <https://www.regulations.gov>. Please follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name and docket number Docket # CISA–2023–0001. All comments received will be posted without change to <https://www.regulations.gov>, including any contact information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <https://www.regulations.gov>.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In response to incidents such as the Colonial Pipeline and Solar Winds attacks, on May 12, 2021, President Biden signed E.O. 14028,<sup>1</sup> Improving the Nation's Cybersecurity. This order outlines over 55 actions. This Executive order addresses seven key points:

- Remove barriers to cyber threat information sharing between government and the private sector
- Modernize and implement more robust cybersecurity standards in the Federal Government
- Improve software supply chain security

<sup>1</sup> 86 FR 26633, available at <https://www.federalregister.gov/documents/2021/05/17/2021-10460/improving-the-nations-cybersecurity>.

- Establish a Cybersecurity Safety Review Board
- Create a standard playbook for responding to cyber incidents
- Improve detection of cybersecurity incidents on Federal Government networks
- Improve investigative and remediation capabilities

Section 4, Enhancing Software Supply Chain Security, observed, “The development of commercial software often lacks transparency, sufficient focus on the stability of the software to resist attack, and adequate controls to prevent tampering by malicious actors.” To address these concerns, the Executive order required the National Institute of Standards and Technology (NIST) to issue guidance including standards, procedures, or criteria to strengthen the security of the software supply chain.

To put this guidance into practice, the Executive order, through the Office of Management and Budget (OMB), requires agencies to only use software provided by software producers who can attest to complying with Federal Government-specified secure software development practices, as described in NIST Special Publication (SP) 800–218 *Secure Software Development Framework*.<sup>2</sup> OMB implemented this requirement through OMB memorandum M–22–18 dated September 14, 2022.<sup>3</sup> Specifically, M–22–18 requires agencies to “obtain a self-attestation from the software producer before using the software.” This requirement applies to new software developed after the date of memo issuance (September 14, 2022) as well as existing software that is modified by major version changes after the date of memo issuance. OMB M–22–18 brings into existence a new and sizeable conformity assessment community. The memorandum introduces conformity assessment expectations and activities for the supply chain starting with the software producer and ending with the federal agency putting the software in to use. CISA's common self-attestation form does not preclude agencies from adding agency-specific requirements to the minimum requirements in CISA's common self-attestation form. However,

<sup>2</sup> Nat'l. Institute of Standards & Tech., SP 800–218, *Secure Software Development Framework (SSDF)* Version 1.1 (2002), available at <https://csrc.nist.gov/publications/detail/sp/800-218/final>.

<sup>3</sup> Off. of Mgmt. & Budget, Exec. Off. of the President, M–22–18, *Enhancing the Security of the Software Supply Chain through Secure Software Development Practices* (2022), available at <https://www.whitehouse.gov/wp-content/uploads/2022/09/M-22-18.pdf>.

any agency specific attestation requirements, modification and/or supplementation of these common forms will require clearance by OMB/OIRA under the PRA process and are not covered by this notice.

##### II. Invitation to Comment

The following analysis of the burden associated with this proposed information collection is specific to DHS as the agency sponsoring the common form. For the purposes of estimating the number of respondents, DHS has made the following assumptions and welcomes comments on all assumptions.

1. DHS is assuming vendors would have 2,689 initial form submissions and 1,345 resubmissions of the form, due to major software changes, per year. This estimate applies across DHS, including all component agencies. DHS based this estimate on initial contract award data for Fiscal Years 2019 through 2022 from DHS's Federal Procurement Data System (FPDS). DHS utilized data for contract awards that could, in the future, include a response to this collection based on FPDS Product and Service Code (PSC) of “D” Automatic Data Processing and Telecommunication and “R” Professional, Administrative and Management Support.

Time burden for the attestation form includes time to review the form and understand requirements, gather information, review, and approve the release of information and submission. DHS assumes a three-hour burden per initial submission<sup>4</sup> for a software quality assurance analyst or tester and an additional 20 minutes per initial submission for a Chief Information Security Officer (CISO). Vendors would have to resubmit the attestation form for major software changes, and DHS assumes half the number of initial submissions will result in a resubmission. DHS assumes that resubmissions would take 1 hour and 30 minutes for a software quality assurance analyst or tester and retains 20 minutes for a CISO. DHS acknowledges the information collection request allows for a vendor to use a prior submitted form for multiple agencies. DHS welcomes public comment on how frequently this might happen and how

<sup>4</sup> DHS based the estimated 3 hours on an information collection request related to contractor information security for certain telecommunications and video surveillance services or equipment. While not exactly the same requirements or scope, DHS found the burdens of 0199 collection to be similar to the burden in this proposed new collection. For more information, see Supporting Statement for OMB Control Number 9000–0199. [https://www.reginfo.gov/public/do/PRAViewDocument?ref\\_nbr=202009-9000-002](https://www.reginfo.gov/public/do/PRAViewDocument?ref_nbr=202009-9000-002).

to reduce respondent burdens due to this collection, where feasible.

To estimate opportunity costs, DHS uses an hourly compensation rate of \$67.90 for a software quality assurance analyst or tester and \$177.66 for a CISO.<sup>5</sup> DHS estimates software quality assurance analyst or tester annual hours would be 10,084 for initial and resubmissions by multiplying \$67.90 compensation rate to estimate the opportunity cost of \$684,733. DHS estimates CISO annual hourly burden of 1,345 hours and multiplying \$177.66 compensation rate to a CISO estimate the opportunity cost of \$238,890. DHS combines these two opportunity costs to calculate a total opportunity cost for the collection of \$923,623.

2. DHS is assuming if a vendor needs to provide any additional attestation artifacts or documentation, including a Software Bill of Materials (SBOMs), that this information would be readily available and would not have to be generated specifically for doing business with the government. DHS is interested in comments on the burden and costs if SBOMs or additional artifacts materials need to be generated or reformatted to fulfill an agency/component request.

3. For the purposes of this initial collection, DHS is proposing the common form be a fillable/fileable PDF form. Vendors could access the form on the DHS/CISA website and submit via the DHS website OR email the completed form to [CSCRM\\_PMO@cisa.dhs.gov](mailto:CSCRM_PMO@cisa.dhs.gov). Other agencies will be required to seek approval to use the common form by submitting their agency-specific burden and cost analyses to OMB.

Input is requested on any aspect of the proposed common form including the instructions. DHS/CISA is particularly interested in

1. If the proposed collection of information to implement requirements of both the E.O. and the OMB guidance will have practical utility;

2. If DHS has accurately estimated the burden of the proposed collection of

information, including the validity of the methodology and assumptions used;

3. Other ways for DHS to enhance the quality, utility, and clarity of the information to be collected; and

4. How DHS could minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submissions of responses.

#### Analysis

*Agency:* Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

*Title:* Secure Software Development Attestation.

*OMB Control Number:* [Insert DHS/CISA 4 Digit Prefix Then XXX].

*Type of Review:* Request for a new OMB Control Number, New Common Form.

*Expiration Date of Approval:* Not Applicable.

*Frequency:* Annually.

*Affected Public:* Business—Software Producers.

*Estimated Number of Respondents:* 2,689.

*Estimated Number of Responses per Respondent:* 1.5.

*Estimated Number of Responses:* 4,034.

*Estimated Time for Initial Submission per Respondent:* 3 hours and 20 minutes.

*Estimated Time for Resubmission per Respondent:* 1 hour and 50 minutes.

*Total Annualized Burden Hours for Initial Submissions:* 8,963 hours.

*Total Annualized Burden Hours for Resubmissions:* 2,466 hours.

*Total Annualized Burden Hours:* 11,429 hours.

*Total Annualized Respondent Opportunity Cost:* \$923,623.

#### Robert J. Costello,

*Chief Information Officer, Department of Homeland Security, Cybersecurity and Infrastructure Security Agency.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS–R4–ES–2023–0060; FXES1114040000–234–FF04EF4000]

#### Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink; Orange County, FL; Categorical Exclusion

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments and information.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce receipt of an application from Ashton Orlando Residential, LLC (applicant; Lake Dennis project) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink (*Neoseps reynoldsi*) incidental to the construction of a residential development in Orange County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the Council on Environmental Quality's National Environmental Policy Act (NEPA) regulations, the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual. To make this preliminary determination, we prepared a draft environmental action statement and low-effect screening form, both of which are also available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

**DATES:** We must receive your written comments on or before May 30, 2023.

#### ADDRESSES:

*Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS–R4–ES–2023–0060; at <https://www.regulations.gov>.

*Submitting Comments:* If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online:* <https://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2023–0060;
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2023–0060; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

<sup>5</sup>DHS uses wage estimates based on Bureau of Labor Statistics (BLS) Occupational Employment Statistics (OES). Within NAICS industry 541500—Computer Systems Design and Related Services, DHS uses mean hourly wage rates for Software Quality Assurance Analysts and Testers (SOC 15–1253) at \$47.09 and Chief Executives (11–1011) at \$123.21. DHS applies a compensation factor of 1.44191 based on total hourly compensation of \$67.64 divided by \$46.91 wages/salaries for Private Industry Workers Management, Professional, and Related Occupations Sources: [https://www.bls.gov/oes/2021/may/naics4\\_541500.htm](https://www.bls.gov/oes/2021/may/naics4_541500.htm) (BLS, OES: May 2021 National Industry Specific Occupational Employment and Wage Estimates.) BLS, Employer Cost for Employment Compensation (ECEC Table 4)): [https://www.bls.gov/news.release/archives/ecec\\_03172023.htm](https://www.bls.gov/news.release/archives/ecec_03172023.htm) (released March 17, 2023).