

March 2024

**SUPPORTIN**

## **G STATEMENT**

### **A. Justification**

The Federal Communications Commission (Commission) is requesting that the Office of Management and Budget (OMB) approve a revision of OMB Control No. 3060-1163 to incorporate new requirements adopted by the Commission in the *Executive Branch Review Order*<sup>1</sup> and the *Executive Branch Standard Questions Order*.<sup>2</sup> The Commission also seeks approval for online electronic forms that are currently under development as part of the Commission's modernization of its online, web-based electronic filing system -- the International Communications Filing System (ICFS).<sup>3</sup> The Commission has developed new ICFS forms to improve the Commission's collection of information related to foreign ownership petitions for declaratory ruling under section 310(b) of the Communications Act of 1934, as amended (the Act),<sup>4</sup> (section 310(b) petitions or petitions) related to common carrier wireless, aeronautical en route and aeronautical fixed radio station licenses (collectively, wireless common carrier licenses) and to incorporate the new requirements.

First, the *Executive Branch Review Order* and the *Executive Branch Standard Questions Order* create new requirements associated with certain applications, including section 310(b) petitions that will be reviewed by the relevant Executive Branch agencies for national security, law enforcement, foreign policy and trade policy issues as well as other changes.

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<sup>1</sup> *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16-155, Report and Order, 35 FCC Rcd 10927 (2020) (*Executive Branch Review Order*); *Erratum* (Appendix B – Final Rules), 35 FCC Rcd 13164 (OMD/IB 2020).

<sup>2</sup> *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16-155, Second Report and Order, 36 FCC Rcd 14848 (2021) (*Executive Branch Standard Questions Order*).

<sup>3</sup> See Federal Communications Commission, International Communications Filing System (ICFS), <http://licensing.fcc.gov/myibfs/>.

<sup>4</sup> 47 U.S.C. § 310(b). Section 310(b) petitions are filed regarding proposed foreign ownership in broadcast, common carrier wireless, aeronautical en route and aeronautical fixed radio station licenses. To date the Commission has not received any section 310(b) PDRs regarding aeronautical en route and aeronautical fixed radio station licenses.

In the *Executive Branch Review Order*, the Commission adopted rules and procedures to facilitate a more streamlined and transparent review process for coordinating applications with the Executive Branch agencies.<sup>5</sup> The Commission also established firm time frames for the Executive Branch agencies to complete their review consistent with Executive Order 13913, which established the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (the Committee).<sup>6</sup> Specifically, under the new rules, the Committee has 120 days for initial review, plus an additional 90 days for secondary assessment if the Committee determines that the risk to national security or law enforcement interests cannot be mitigated with standard mitigation measures.<sup>7</sup> The Commission also adopted and codified five categories of information for which applicants must provide detailed and comprehensive information to the Committee.

In the *Executive Branch Standards Questions Order*, the Commission adopted the Standard Questions – a baseline set of national security and law enforcement questions covering the five categories of information described above. The responses to the Standard Questions will replace the information that petitioners currently provide to the Committee on an individualized basis. The Standard Questions consist of six separate questionnaires (based on subject matter) and a supplement for the provision of personally identifiable information (PII). Petitioners will be required to submit their responses to the Standard Questions and a copy of the section 310(b) petition, directly with the Committee. Broadcast petitioners will be required to answer Standard Questions specific to broadcast licensees and common carrier wireless petitioners will be required to answer Standard Questions specific to common carrier licenses as well as a general PII supplement applicable to all respondents to the Standard Questions.<sup>8</sup> The Standard Questions are set out in appendices in the *Executive Branch Standard Questions Order*: Attachment E (broadcast petitioners), Attachment F (common carrier wireless petitioners) and Attachment G (PII supplement).

Second, the Commission is in the process of modernizing ICFS<sup>9</sup> (ICFS Modernization). Common carrier wireless section 310(b) petitions are filed through ICFS while broadcast section

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<sup>5</sup> *Executive Branch Review Order*, 35 FCC Rcd at 10927, para. 1. The Executive Branch agencies include the Departments of Justice, Homeland Security, Defense, State, and Commerce, as well as the United States Trade Representative.

<sup>6</sup> *Executive Branch Review Order*, 35 FCC Rcd at 10927, para. 1.

<sup>7</sup> Executive Order No. 13913 (Executive Order 13913), Sec. 5(b), (c); 47 CFR § 1.40004(b), (c).

<sup>8</sup> *Executive Branch Standard Questions Order*, 36 FCC Rcd 14848, Appendixes.

310(b) petitions are filed through the Media Bureau's Licensing and Management System (LMS) when submitted with a broadcast construction permit, assignment, or transfer of control application.<sup>10</sup> The ICFS Modernization includes developing forms for the submission of petitions related to common carrier wireless licenses to improve the Commission's information collection and comply with the new requirements.<sup>11</sup> Until the new ICFS forms are approved, common carrier wireless section 310(b) petitioners will be required to provide the information required by *Executive Branch Review Order* and the *Executive Branch Standard Questions Order* by filing current petitions and filing separate documents into ICFS to comply with the rules. We estimate that the projected completion date for the modernized ICFS, including all forms related to common carrier wireless section 310(b) petitions, will be July 2024.

These new requirements account for an increase in the annual number of responses from 26 to 52 (an increase of 26), annual burden hours from 712 to 1,219 hours (an increase of 507 hours) and an increase in annual costs to applicants from \$251,210 to \$407,000 (an increase of \$155,790). The vast majority of this increase is a result of the rules adopted in the *Executive Branch Review Order* and *Executive Branch Standard Questions Order*, which required applicants to submit additional information to the Commission and Committee, including providing significant detailed responses to the Standard Questions that will be filed directly with the Committee. This change accounts for 1,694 burden hours. This replaces the burden applicants currently have by providing national security and law enforcement information to the Committee on an individualized basis. The increase is also associated with revisions to current forms and new forms that increase the burden hour estimates for this collection. The increase in the annual cost is also due to a recent Commission order that increased the application fees.<sup>12</sup> The

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<sup>9</sup> ICFS was previously called the International Bureau Filing System (IBFS).

<sup>10</sup> See 47 CFR § 1.5000(b).

<sup>11</sup> If there is no associated construction permit, assignment, or transfer of control application, broadcast section 310(b) petitions are filed via the Commission's Electronic Comment Filing System (ECFS). Broadcast section 310(b) petitions not be affected by the ICFS Modernization and will continue to be filed through LMS and ECFS.

<sup>12</sup> *Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules*, MD Docket No. 20-270, Report and Order, 35 FCC Rcd 15089 (2020); Erratum, 36 FCC Rcd 14848 (2021) (*2020 Application Fees Report and Order*). The Commission updates the application fees every even-numbered year, and most recently in 2022. See *Amendment of the Schedule of Application Fees Set Forth*

Commission has also reevaluated and raised the estimate of how many hours outside counsel spend assisting respondents prepare and submit 310(b) petitions and filings.

**1. Explain the circumstances that make the collection of information necessary.**

***Executive Branch Review Order and Executive Branch Standard Questions Order.*** The Commission adopted the *Executive Branch Review Order* and *Executive Branch Standard Questions Order* to provide greater regulatory certainty for petitioners and to facilitate foreign investment in, and the provision of new services and infrastructure by, U.S. licensees in a more timely manner, while continuing to ensure that the Committee receives the information needed for its review and the Commission receives the benefit of the agencies' views as part of its public interest review of an application. The information is necessary as it will be used by the Commission staff in carrying out its duties under the Act. The information collections pertaining to section 310(b) petitions are necessary to determine whether and under what conditions the Commission should grant a section 310(b) petition. The information obtained from section 310(b) petitioners in the Standard Questions will be used by Committee staff in carrying out its duties under Executive Order No. 13913.

***ICFS Modernization of Electronic Forms for Common Carrier Wireless Petitions.*** The Commission seeks OMB approval for new forms for the filing of common carrier wireless section 310(b) petitions that will be electronically filed through ICFS. The new online forms will ensure the Commission and the Committee collect the information required by the Commission's rules. The use of such online forms will reduce costs and administrative burdens on petitioners, resulting in greater efficiencies, and improve transparency to the public. Once the Commission receives approval for the new forms from OMB, as required by section 1.10006 of the Commission's rules, we will announce the availability of mandated e-forms and their effective dates.

**2. Indicate how, by whom, and for what purpose the information is to be used.**

***Executive Branch Review Order and Executive Branch Standard Questions Order.*** As described below, the new information collections from these orders apply to all section 310(b) petitions, except that petitioners for broadcast section 310(b) petitions need only make 3 of the 5 national security/law enforcement certifications.

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*in Sections 1.1102 through 1.1109 of the Commission's Rules, MD Docket No. 20-270, Order, 37 FCC Rcd 14994 (2022) (2022 Application Fees Order).*

- **Responses to Standard Questions (47 CFR § 1.40003).**<sup>13</sup> Under section 1.40003(a)(1) and (c), each section 310(b) petitioner must submit responses to the Standard Questions directly to the Committee prior to or at the same time the petition is filed at the Commission. Under section 1.40003(a)(2), the petitioner must also send a copy of the petition to the Committee within 3 business days after filing the petition with the Commission. These rules will allow the Committee to begin their review earlier in the process than is now the case and may eliminate the need to send a specifically tailored questionnaire (Tailored Questions) to each petitioner.
- **Exclusion to the Referral to the Committee (47 CFR § 1.40001(a)(2)).** Under section 1.40001(a)(2), a petition may be excluded from referral to the Committee if it meets certain requirements. Under section 1.40001(a)(3), if the Commission determines that the petition does not qualify for an exclusion from referral or otherwise decides in its discretion to refer the petition, the Commission will notify the petitioner who will then be required to submit responses to the Standard Questions directly to the Committee. The responses will assist the Committee in its review and may eliminate the need to send Tailored Questions.
- **National Security/Law Enforcement Certifications (47 CFR § 1.5001(n)).** Section 1.5001(n) requires all petitioners to attest to certain certifications.<sup>14</sup> One of the requirements is that all petitioners must designate a point of contact who is located in the United States and is a U.S. citizen or lawful U.S. permanent resident, for the execution of lawful requests and as an agent for legal service of process. These certifications should facilitate faster reviews, make mitigation unnecessary for a number of petitions reviewed by the Committee, strengthen compliance, and assist the Commission in its ongoing regulatory obligations.

***ICFS Modernization of International Section 214 Authorization Application Electronic Forms.*** As part of the Commission's modernization of ICFS, we are making developing

<sup>13</sup> See also 47 CFR § 1.5001(m).

<sup>14</sup> Petitioners who file a common carrier wireless section 310(b) petition will need to make five certifications. Petitioners who file a broadcast section 310 petition will only make three certifications; they will not need to certify to compliance with the Communications Assistance for Law Enforcement Act (CALEA) or records access requirements. Compare 47 CFR § 1.5001(n)(1), 1.5001(n)(2).

electronic forms for the filing of common carrier wireless section 310(b) petitions and once OMB approves the new forms, petitioners will be required to use the new forms to file their petitions in ICFS. The information will be used to ensure compliance with the Commission's rules, and include the new requirements adopted in *Executive Branch Review Order* and the *Executive Branch Standard Questions Order*. A complete list of the section 310(b) petition forms under development is in Appendix A

- 1) ISP-PDR –Common Carrier Wireless License Section 310(b) Petition for Declaratory Ruling (new form);
- 2) ISP-AMD - Common Carrier Wireless License Section 310(b) PDR Amendment (new form); and,
- 3) ISP-WAV - Common Carrier Wireless License Section 310(b) PDR Waiver Request (new form).

The statutory authority for Part 1 for this information collection is contained in 47 U.S.C 151, 154(i), 154(j), 155, 225, 303(r), 309, and 325(e).

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

*Executive Branch Review Order and Executive Branch Standard Questions Order.* The Commission offers electronic filing for filing section 310(b) petitions and 100% of all documents related to section 310(b) petitions are filed with the Commission electronically. Common carrier wireless petitioners will continue to file section 310(b) petitions through ICFS. ICFS allows petitioners to submit the petition and upload responsive documents to comply with the Commission's rules. Broadcast petitioners will continue to file their section 310(b) petitions electronically in LMS as an attachment to the underlying applications for a construction permit, assignment, or transfer of control. A broadcast petition filed in the absence of an underlying broadcast construction permit, assignment, or transfer of control application shall be initially submitted electronically with the Commission's Office of the Secretary via ECFS as a non-docketed filing. The petition will receive a docket number, and a public notice seeking comment will be released. ICFS, LMS and ECFS are secure systems that ensure the confidentiality of information, if requested.

To assist petitioners, the Commission will post the Standard Questions and instructions for submitting the responses to the Committee on the FCC's website. Additionally, for purposes of its compliance with *the Executive Branch Review Order* and *Executive Branch Standard Questions Order*, the Committee is developing an electronic portal to allow filing and storage of responses to the Standard Questions.

***ICFS Modernization of Electronic Forms for Common Carrier Wireless Section 310(b) Petitions for Declaratory Ruling.*** Once OMB approves the new electronic forms for common carrier wireless section 310(b) petition, petitioners will be required to use the new forms to file their petitions and information through ICFS. Until that time, petitioners must submit the petition in ICFS and provide the additional information required by the new rules in an attachment. The modernized ICFS will allow filers to work more efficiently, which will reduce the time and effort spent on the filing of section 310(b) petitions.

**4. Describe efforts to identify duplication.**

***Executive Branch Review Order and Executive Branch Standard Questions Order.*** The Commission's rules ensured that applicants would not be providing duplicate information and will only provide information necessary to assess section 310(b) petitions and information necessary for the Committee to conduct its review of the section 310(b) petitions.

***ICFS Modernization of Electronic Forms for Common Carrier Wireless Section 310(b) Petitions for Declaratory Ruling.*** The Commission's development of new forms for common carrier wireless section 310(b) petitions were reviewed to ensure that petitioners would only provide information required by the Commission's rules for section 310(b) petitions and would not require information provided in other Commission collections. The ICFS forms will require petitioners to provide some information both in the electronic form and in a narrative attachment to the form. Having the information in an electronic format will allow the information to be searchable and for the Commission to be able to run reports and generate statistical information while the narrative will provide context to the information. This duplication should only impose a minimal burden on the applicant.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

***Executive Branch Review Order and Executive Branch Standard Questions Order.***

The Commission certifies that the requirements of the *Executive Branch Review Order* and the *Executive Branch Standard Questions Order* will not have a significant economic impact on a substantial number of small entities.

***ICFS Modernization of Electronic Forms for Common Carrier Wireless Section 310(b) Petitions for Declaratory Ruling.*** The Commission's ICFS modernization of forms for filing common carrier wireless section 310(b) petitions will reduce burdens on small entities as the new online forms will take less time to file and reduce costs on petitioners.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the collection is not conducted or is conducted less frequently, section 310(b) petitioners will not obtain the rulings necessary to allow the foreign investment in their services and facilities. The collection is also necessary to preserve the Executive Branch agencies' and the Commission's ability to review foreign investments for national security, law enforcement, foreign policy, and/or trade policy concerns.<sup>15</sup>

**7. Describe if there are special circumstances associated with this request.**

There are no special circumstances associated with this collection of information.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the Agency in response to those comments.**

On March 16, 2023, the Commission published a 60-day notice in the Federal Register seeking comments on the information collection requirements contained in this collection.<sup>16</sup> No comments were received from the public.

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<sup>15</sup> *Executive Branch Review Order*, 35 FCC Rcd 10927.



**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

Respondents will not receive any payments or gifts.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or Agency policy.**

Any section 310(b) petitioner may request that any information supplied be withheld from public inspection, pursuant to 47 CFR § 0.459 of the FCC's rules. This request must be justified pursuant to 47 CFR § 0.457.

**11. Provide additional justification for any questions of a sensitive nature.**

The collection of information does not include any questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should: indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance.**

The information collection requirements are summarized below and described in detail in Appendix B. The new filing requirements adopted in the *Executive Branch Review Order and Executive Branch Standard Questions Order* do not have an effect on the projected number of

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<sup>16</sup> Federal Communications Commission, OMB 3060–0686, OMB 3060–0944 and OMB 3060–1163; FR ID 131013, Notice and Request for Comments, 88 Fed. Reg. 16253 (PRA Notice).

respondents. With ICFS Modernization, there will be a total of 9 international 214 application forms. There is a total of 52 responses for this collection.

<b>Information Collection Requirements</b>	<b>Estimated Annual # of Respondents</b>	<b>Estimated Annual # of Responses</b>	<b>Total # of Annual Burden Hours</b>
	20	52	2,437 <sup>17</sup>

**Cumulative Total Number of Respondents (annualized basis (2020-2022)) = 20** respondents

**Cumulative Total Annual Responses = 52** responses

**Cumulative Total Annual Burden Hours: = 2,437** hours

**Therefore, the respondent’s burden hours are: 1,219 (rounded)**

### **In-House Cost to Respondent**

We estimate that 50% of the burden hours are incurred by in-house staff. We estimate that in-house staff is paid at an estimated rate of \$40 per hour.

**Cumulative Total In-House Cost to Respondent – 2,437 hours x 50% X \$40 per hour = \$48,740.**

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<sup>17</sup> This chart shows the total number of responses and the combined burden hours for in-house and outside counsel to provide the responses. We estimate that 50% of the burden hours are incurred in-house and 50% by outside counsel.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

Annual Burden Cost:

(a) Capital and Start-up Costs: 0<sup>18</sup>

(b) Operation and Maintenance Costs

Outside Legal/Engineering Assistance: We estimate that the respondent will require outside legal and engineering assistance for 50% of the burden hours. The cost of outside legal and engineering assistance is estimated at \$300 per hour. The figure is based on a small survey of local firms in the D.C. area and is considered a conservative estimate.

$$2,437 \text{ hours} \times 50\% \times \$300 = \text{\$365,550 Total Outside Legal/Engineering Costs}$$

Application Filing Fees:

As shown on the chart below, the total of application filing fees is \$42,000.

<b>Section 310(b) Petition Application Filing Fees</b>	<b>Number of Applicants</b>	<b>Application Fees</b>	<b>Total Costs</b>
Section 310(b) Petition	15	\$2,775	\$41625
Waiver <sup>19</sup>	1	\$375	\$375

<sup>18</sup> The rules and requirements in this collection will not require respondents to maintain any special equipment.

<b>Totals:</b>	<b>17</b>	<b>\$42,000</b>
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Notifications of Non-compliance with an existing foreign ownership ruling do not have an application fee.<sup>20</sup>

(c) Total Annual Cost Burden

Description of Estimated Costs to Respondents	Total Costs
Outside Legal/Engineering Assistance	\$365,550
Application Filing Fees	\$42,000
<b>Total Cost:</b>	<b>\$407,000</b>

**14. Provide estimates of annualized cost to the Federal government.**

We make the following estimates for the total annual cost to the Federal Government to review and process the international 214 applications that applicants file annually, in accordance with OMB guidance.<sup>21</sup> Below, we address Commission and Committee annualized costs separately. While we are utilizing the best available cost information, there are certain limitations to our data. For example, we only have aggregated total costs for ICFS that are not broken down

<sup>19</sup> Application fees for waiver requests are only applied to common carrier wireless section 310(b) petitions. Broadcast waiver requests do not have a filing fee.

<sup>20</sup> These notifications account for 4 annual filings.

<sup>21</sup> 5 CFR 1320.5(d)(iii) (“The agency shall also seek to minimize the cost to itself of collecting, processing, and using the information, but shall not do so by means of shifting disproportionate costs or burdens onto the public.”).

by incremental costs due to the difficulty in identifying with any more precision what those incremental costs are. We utilized the lowest cost collection and analysis methodology consistent with the ultimate purpose and goals of mandatory electronic filing, which are to simplify and reduce filing burdens for applicants and review burdens for the Federal Government.

***Federal Communications Commission Cost.*** As the Commission stated in the *2020 Application Fees Notice* and adopted in the *2020 Application Fees Report and Order*, the review of all international 214 applications includes industry analyst processing and review, staff attorney review, and supervisory review and vary based on the complexity of the application, and whether the application is referred to the Committee.<sup>22</sup>

The estimated annual cost to the government for staff review of the estimated 16 section 310(b) petitions for which there is an application fee<sup>23</sup> is below.

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<sup>22</sup> *2020 Application Fees Report and Order; Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 Through 1.1109 of the Commission's Rules*, MD Docket No. 20-270, Notice of Proposed Rulemaking, 36 FCC Rcd 1618, paras. 140-145 (2020).

<sup>23</sup> Of the 228 international 214 applications anticipated each year, 212 are associated with application filing fees. Application fees are not required for the remaining 16 international 214 applications (i.e., amendments, quarterly reports and route lists). We also note that consummation notifications and surrenders/retirement letters are not being counted here. Those are accounted for in a separate collection. See OMB Control No. 3060-1108, *Consummations of Assignments and Transfers of Control of Authorization*.

<b>Federal Government Staff</b>	<b>Number of Staff</b>	<b>Salary Per Hour</b>	<b>Hourly Cost</b>	<b>Annual Burden Hours</b>	<b>Annual Costs</b>
GS-15/Step 5 Attorney	1	\$89.04	\$89.04	120	\$10,685
GS-14/Step 5 Attorney	1	\$75.70	\$75.70	165	\$12,491
GS-11/Step 5 Industry Analyst	1	\$44.94	\$44.94	52	\$2,337
	<b>3</b>				<b>\$ 25,513</b>

*Committee Cost.* The Commission coordinated with the Committee on its costs for reviewing the petitions for national security and law enforcement concerns. The Committee provided the information included here. The Committee anticipates that it will incur costs for development and maintenance of an online portal for the filing and retention of Standard Question responses. A portion of the technical cost for the Committee’s portal is attributable to one-time start-up costs. According to the Committee, current budgetary estimates prevent the Committee from determining precisely how much of technical cost can be attributed to start-up costs. The Committee also anticipates that it will incur staff costs for review of the responses. The costs provided by the Committee costs are summarized below:

<b>Technical Costs</b>	<b>Cost<sup>24</sup></b>
Fixed Start Up, Implementation and Hosting Cost for Public Portal <sup>25</sup>	<b>\$232,026</b>
<b>Annual Labor Costs</b>	
Attorney Review Cost (10 Hours Per Matter x \$109.82 Per GS-15 Attorney x 14 Matters)	\$15,375
Support Staff Cost (14 Hours Per Matter x \$157.90 Per Hour x 14 Matters)	\$30,948
<b>Total Annual Labor Cost</b>	<b>\$46,323</b>

<sup>24</sup> The costs shown in this table are based on cost information provided to the Commission by the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector.

<sup>25</sup> The Committee’s portal is designed to process and store all Standard Questions responses, not only those for international 214 applications. Three types of Commission applications (and consequently three different Commission information collections) are associated with the Standard Questions: international Section 214 authorization applications (OMB Control No. 3060-0686), submarine cable applications (OMB Control No. 3060-0944), and section 310 foreign ownership petitions for declaratory ruling (OMB Control No. 3060-1163). The overall total technical cost that the Committee estimated for its portal is \$2,416,934. The Committee estimates that 9.6% of all Commission applications referred to the Committee will be section 310 petitions for a declaratory ruling and the proportionate amount of portal technical costs that can be attributed to submarine cable applications is \$ 232,026 (i.e., 9.6% of \$2,416,934). The Committee similarly estimate and report below the proportional amount of labor costs associated with the Committee’s review of Standard Questions in connection with submarine cable applications.

- 1) Estimate of Total Annualized Cost to the Federal Government (Commission and Committee Cost)

The estimated total annualized cost to the Federal Government for this collection is the sum of the Commission costs and the Committee's annual costs:

$$\text{\$ } 25,513 + \text{\$ } 232,026 + \text{\$ } 46,323 = \text{\$ } 303,862$$

**15. Explain the reasons for any program changes or adjustments.**

The Commission is reporting program changes to this information collection. As a result of the rules adopted in the *Executive Branch Review Order* and *Executive Branch Standard Questions Order*, international 214 applicants will be required to submit additional information to the Commission and Committee, including providing significant detailed responses to the Standard Questions that will be filed directly with the Committee. The changes are also associated with revisions to current forms and new forms required for section 310(b) petitions that increase the burden hour estimates for this collection. The Commission has also reevaluated and raised the estimate of how many hours outside counsel spend assisting respondents prepare and 310(b) petitions and filings. Therefore, the Commission's program changes for the collection are as follows: -6 to the number of respondents, +26 to the annual number of responses, +507 to the annual burden hours and +\$155,790 to the annual cost.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

The Commission does not plan to publish the information for statistical use.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

A waiver of the OMB expiration date is necessary.

**18. Exceptions to "Certification for Paperwork Reduction Submissions."**

There are exceptions to the certification statement. We have adjusted the numbers that were published in the 60-day Federal Register Notice (88 FR 16253) to reflect the average number of filings for 2021 to 2023. Therefore, the number of respondents changed from 21 to 20, the annual number of responses changed from 53 to 52, the annual burden hours changed from 1,304 to 1,219 hours and the annual cost changed from \$435,825 to \$407,000. There are no other exceptions to the certification statement.



**B. Collections of Information Employing Statistical Methods**

This collection of information does not anticipate the use of statistical methods.

**APPENDIX A**

**ICFS Modernization of International Telecommunications Forms**

A complete list of the ISP related application forms in development is as follows:

<b>Name of Form</b>	<b>Brief Description</b>	<b>Rule Section</b>
1. ISP-PDR: Common Carrier Wireless Section 310(b) Petition for Declaratory Ruling	New form for petition for declaratory ruling for foreign ownership of common carrier wireless licenses under section 310(b) of the Act.	47 CFR §§1.5001-1.5004
2. ISP-AMD: Amendments	Form requesting amendment of a pending section 301(b) PDR.	47 CFR §§1.5001-1.5004
3. ITC-WAV: Rule Waiver Request	Application for waiver of an section 310(b) PDR rule.	47 CFR § 1.3

**APPENDIX B**

**Chart of Responses and Annual Burden Hours<sup>26</sup>**

<b>Information Collection</b>	<b>Number of Responses</b>	<b>Average Hours Per Response</b>	<b>Total Annual Hour Burden</b>
Common Carrier Wireless Section 310(b) Petitions <sup>27*</sup>	9	49 <sup>28</sup>	441
Broadcast Section 310(b) Petitions <sup>29*</sup>	6	47 <sup>30</sup>	282
Responses to Standard Questions for Section 310(b) Petitions <sup>31*</sup>	13	120	1,560
Request for Exclusion from Referral to Executive Branch <sup>32*</sup>	2	1	2
Responses to Standard Questions Due to	1	120	120

<sup>26</sup> This chart shows the total number of responses and the combined burden hours for in-house and outside counsel to provide the responses. We estimate that 50% of the burden hours are incurred in-house and 50% by outside counsel.

<sup>27</sup> 47 CFR § 1.5000(a)(1), (2). The certifications under 47 CFR § 1.5001(n)(2) are a new information collection pertaining to the *Executive Branch Review Order*.

<sup>28</sup> The time per response includes 46 hours to prepare a common carrier wireless section 310(b) petition and 2 hours to enter information in the relevant sections of the ICFS electronic form.

<sup>29</sup> 47 CFR § 1.5000(a)(1). The certifications under 47 CFR § 1.5001(n)(2) are a new information collection pertaining to the *Executive Branch Review Order*.

<sup>30</sup> The time per response includes 46 hours to prepare a broadcast section 310(b) petition. The Commission does not have forms for filings of broadcast section 310(b) petitions.

<sup>31</sup> 47 CFR §§ 1.5001(m), 1.40003(a)(1).

<sup>32</sup> 47 CFR § 1.40001(a)(2)

<b>Information Collection</b>	<b>Number of Responses</b>	<b>Average Hours Per Response</b>	<b>Total Annual Hour Burden</b>
Discretionary Referral to Executive Branch <sup>33*</sup>			
Submission of Petition to Committee <sup>34*</sup>	14	1	14
Notification of Insertion of New Non-Controlling Foreign-Organized Companies <sup>35</sup>	2	3	6
Amendment	2	1	2
Notification of Non-Compliance <sup>36</sup>	2	4	8
Request for Waiver of Rules <sup>37</sup>	1	2	2
<b>Totals</b>	<b>52</b>	<b>1 to 120</b>	<b>2,437</b>
An “*” indicates a new information collection pertaining to the <i>Executive Branch Review Order</i> and <i>Executive Branch Standard Questions Order</i> .			

<sup>33</sup> 47 CFR § 1.40003(a)(1).

<sup>34</sup> 47 CFR § 1.4001(a)(2).

<sup>35</sup> 47 CFR § 1.5004(c).

<sup>36</sup> 47 CFR § 1.5004(d).

<sup>37</sup> 47 CFR § 1.3.