

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Licensing of Private Remote-Sensing Space Systems
OMB Control No. 0648-0174

Abstract

This is a request for revision and extension of an approved information collection, to which NOAA is proposing to update existing forms and add 5 optional forms to be usable with a new, online platform to manage license actions called the Commerce Licensing and Compliance System for Space (CLCSS). The changes impose no new information collections. The optional new forms are time-saving forms that licensees may use for the existing information collections involving notices of anomalies, disposal of on-orbit components, financial insolvency, and launch or deployment and one form to simplify the submission process for licensee annual compliance certifications required by the regulations. The modifications to existing forms also are intended to streamline communications with the Commercial Remote Sensing Regulatory Affairs (CRSRA) and its upcoming online CLCSS platform to streamline, clarify, and expedite paperwork submissions. NOAA is also removing licensee notification form. That form was initially created to provide a single form for all notification requirements. However, licensees have not used that form and submitted individualized notifications through other means, so NOAA has made the decision to remove that information collection from this OMB Control Number.

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The information is being collected as a necessary step to regulate the private space-based remote sensing industry, which involves issuing licenses to applicants and ensuring their compliance with license terms. The Department of Commerce (DOC), through the National Oceanic and Atmospheric Administration (NOAA), has the authority to regulate private space-based remote sensing under the Land Remote Sensing Policy Act of 1992, 51 U.S.C. § 60101 *et seq.* (the Act) and regulations at 15 CFR Part 960. The regulations facilitate the development of the U.S. private remote sensing industry and thus promote the collection and widespread availability of remote sensing data, while preserving essential U.S. national security interests and observing international obligations.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

NOAA's Commercial Remote Sensing Regulatory Affairs (CRSRA) collects the information authorized to be collected under this OMB Control Number. CRSRA does not disseminate this information to the public, because all or nearly all of it is commercial and/or proprietary. Aside from the *Initial Contact Form* for potential applicants, the information is only collected from CRSRA licensees. The information is collected over the Internet using CLCSS or emails. The scope of this collection has not changed since the regulations at 15 CFR Part 960 were last modified (2020). The information includes several subtypes, addressed below:

Initial Contact Form (ICF). The optional Initial Contact Form (ICF) standardizes communications with potential applicants prior to the submission of a formal license application in order to reduce back-and-forth correspondence and allow NOAA to more efficiently determine whether a license is needed. If NOAA determines after reviewing the ICF that an application is not required, the potential applicant will save 40-50 hours of paperwork by not submitting the application. Additionally, the ICF gives NOAA the opportunity to provide early feedback and guidance on an application package, lowering the likelihood of time-consuming rewrites and edits to an application before it can be deemed complete. ICF information includes contact information and the general remote sensing system criteria needed to determine whether a proposed system is licensable under U.S. jurisdiction, including operational and technical specifications.

Applications. Applicants will apply for a license to operate a private remote sensing space system. CRSRA uses the application information to determine if the applicant meets the legal criteria for issuance of a license. Application information includes information about the applicant (such as corporate information), the launch dates of any components going to space, and technical specifications of all components (especially the components in space that are capable of collecting imagery data). This information is necessary for CRSRA to determine whether CRSRA has jurisdiction over the system; the technical capabilities of the system (for purposes of assigning the system to the proper license tier under the final rule), and to determine whether the applicant can be relied on to comply with all legal requirements, which is the statutory threshold for granting a license.

License Modification Request (optional). If a licensee wishes to modify its license, either to reflect changes in its business practices or technical changes to its system, or to request different license conditions, it may submit such a request to CRSRA and explain why the change is sought. CRSRA needs this information to be able to keep licenses accurate and to respond to the regulated community's needs. Additionally, one type of license modification is to notify CRSRA of a "significant or substantial foreign agreement," which the Act requires.

Notifications: The licensee is required to notify CRSRA when a spacecraft launches or deploys; upon disposal of an on-orbit component of the licensed system; and upon detection of an anomaly; and upon the licensee's financial insolvency or dissolution. These events occur on occasion. This information is required to be collected under the Act, and it is critical to fulfilling one of the United States' key international obligations, which is to authorize and continually supervise U.S. nationals' activities in space. CRSRA, therefore, must be notified when spacecraft are deployed and disposed of so that CRSRA can supervise the space activities of U.S. nationals. Similarly, anomalies may indicate loss of control of a spacecraft, so CRSRA must monitor any anomalies to meaningfully supervise the activities of U.S. nationals in space. Finally, the

financial insolvency or dissolution of a licensee may indicate that a change in control of the spacecraft will follow, because an insolvent licensee may go through a bankruptcy process that might put the licensed system's ownership in question. It is critical that CRSRA be able to intervene as early as possible in this process so that a sensitive system does not pass into the ownership of an entity who might jeopardize national security or international obligations.

To further standardize CRSRA notifications, ensure only requirements information is submitted for the relevant notification, and allow CRSRA to efficiently record important events in the lifecycle of a licensed remote sensing system, CRSRA has a form for each type of event: (1) the launch or deployment of a system component; (2) the disposal of a system component; and (3) the detection of an anomaly in a system. A form is not provided for the financial insolvency requirement since NOAA has never received a notice of insolvency from a licensee and will address these notifications without a designated form.

Annual compliance certification. CRSRA requires licensees to submit an annual compliance certification, which requires the licensee to verify that all facts in the license remain true. CRSRA has turned prior guidance on these certifications into a form to expedite the process in the CLCSS platform. Facts that must be verified in this certification include the technical specifications of the system and other foundational facts that CRSRA relies upon in reviewing license applications. This information is critical to ensuring that only those entities who are legally fit to obtain a license do so, and therefore, CRSRA will use the annual certification to remind licensees of their duty to keep this information updated and accurate.

Data Availability Notification (DAN). The optional Data Availability Notification (DAN) standardizes communications with external parties and ensures that only required information is submitted in order to reduce back-and-forth correspondence and allow NOAA to more efficiently determine whether new data is available from a foreign or domestic remote sensing system. If NOAA determines after reviewing the DAN that new data is available, the conditions within some licenses may be reduced or removed. DAN information includes contact information and the general market details needed to begin an investigation into the commercial availability of remote sensing system data, including operational and technical specifications.

The new forms are described below:

Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
1	Launch and/or Deployment Notification	351 U.S.C. § 60101	15 CFR Part 960.8(e)(1)	LDN	<ul style="list-style-type: none"> Used by NOAA to record the details of a launch or deployment of a licensed remote sensing system.
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
2	Disposal Notification	351 U.S.C. § 60101	15 CFR Part 960.8(e)(2)	DN	Used by NOAA to record the details of a disposal of part of a licensed remote sensing system.

Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
3	Anomaly Notification	351 U.S.C. § 60101	15 CFR Part 960.8(e)(3)	AN	Used by NOAA to record the details of an anomaly from a licensed remote sensing system.
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
4	Financial Insolvency Notification	351 U.S.C. § 60101	15 CFR Part 960.8(e)(4)	FIN	Used by NOAA to record the details of financial insolvency or dissolution of a licensee.
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
5	Annual Compliance Certification	351 U.S.C. § 60101	15 CFR Part 960.8(g)	ACC	Used by NOAA to confirm the contents of the license remain accurate. Used by licensees to streamline the license certification requirement process.

It is anticipated that the information collected relating to applications, amendments, and foreign agreements will be disseminated, as specified in the Act, to other appropriate U.S. Government agencies as part of NOAA's requirement for consultation when making licensing decisions. As explained in the preceding paragraphs, the information gathered has utility. NOAA will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines.

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, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

Documents may be transmitted by any means, although NOAA requests that electronic submission especially through the Commerce Licensing and Compliance System for Space (CLCSS) be used in order to facilitate more timely dissemination of information to reviewing agencies and U.S. Government response to the applicant.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2

The information collected relates to a unique benefit and no duplication has been identified. Information that is required by other agencies will not be required and NOAA will obtain this information directly from the relevant U.S. government agency. Examples of these include Securities and Exchange Commission forms 10K and 10Q, and Committee on Foreign Investment in the United States reviews. Any information that is similar to the information collected in the ICF, DAN, or notification forms is likely to be considered protected proprietary information and unable to be easily shared.

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

While small businesses may be respondents, the collection would not have any significant impact upon them and the information requested is the minimum needed to make the necessary determinations.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The Act requires the Secretary to grant licenses only when the Secretary determines that the applicant will comply with the Act, CRSRA's regulations, and any applicable international obligations and national security concerns of the United States. As stated above, the information sought is the minimum amount necessary to make that determination. Therefore, without collecting this information, CRSRA would be legally prohibited from granting licenses to operate remote sensing space systems, which would prohibit all space-based remote sensing, and would effectively eliminate the U.S. remote sensing industry.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.

This information collection will be conducted in a manner consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Federal Register notice published on January 15, 2025 (90 FR 3800) soliciting public comment. Two comments were received.

The comments made the following recommendations regarding the forms:

- Provide space for comments and supplementary information which users can use to provide non-standardized additional information.
- Recommendations included avoiding use of entry fields that restrict the type of input

which can be provided.

NOAA appreciates the submitted comments and accepts the suggestions. NOAA will provide space for additional comments or supplementary information on its forms and space for attachments.

NOAA will also utilize open entry fields to allow for various types of input to the maximum extent practical. NOAA anticipates using field restrictions in limited circumstances including: contact information (i.e. email addresses, phone numbers, etc.) are valid and inputs that have to be in certain units of measurements to enable automatic computations of other values. CRSRA anticipates in many cases, field restrictions will be implemented through warnings that the input does not match the type of information requested.

The comments also provided input regarding the functioning of the CLCSS platform. CRSRA thanks the respondents for these additional comments and provides the following responses:

Public Comment	CRSRA Response
Make the CLCSS platform searchable by date and keyword for both CRSRA and licensees.	CRSRA intends for users of CLCSS to be able to search through their own records based on a number of search queries.
Implement security best practices to safeguard confidential information.	CRSRA agrees that using the best security practices is critical and will also ensure the system is compliant with the Trade Secrets Act.
Recommend review of design, development, and progress of the CLCSS system with licensees.	CRSRA agrees user testing is important and will not implement the CLCSS system without beta-testing with volunteer users/licensees.
Institute automatic approvals of non-substantive modification requests.	CRSRA is generally supportive of this comment and understands it can alleviate the administrative burden on licensees and CRSRA.
Autosave end user's inputs in the system.	For authenticated users of the system, there will be an opportunity to save inputs. CRSRA will explore the potential of autosave functions.
Save uploaded attachments in a variety of file formats.	CRSRA will explore maximizing the number of file formats that can be uploaded with its developers.
Provide insight into the status of the review	CRSRA is committed to a high level of

workflow which can include which federal officers are reviewing open actions and their contact information.	transparency. CRSRA will consult with the developers about how to provide insight into the review workflow. CRSRA will also consider additional transparency as CRSRA develops the platform and grows in staff. Currently, the CRSRA email is monitored by all Federal officers and the CLCSS will include an option to request a virtual meeting.
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NOAA consulted with interagency partners part of the Department of Defense, as well as with advisors from the Aerospace Corporation, to obtain input on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported. No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided. The information collected is required for regulatory compliance.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Protection of proprietary information would be in accordance with the [Federal Trade Secrets Act](#) and the [Freedom of Information Act](#), and the Departmental procedures for compliance with the Freedom of Information Act (see [15 CFR 4](#)). In addition, CRSRA provides context for respondents clearly identifying the underlying authority, purposes, routine uses, and disclosure requirements of the collection. Applications will not be made available to the public, since almost all this information is proprietary. This assurance is included in the applicable regulations. Information will not be contained in a system of records.

This collection of information is covered by System of Records Notice (SORN) [NOAA-11](#) (<https://www.commerce.gov/node/4985>), Contact Information for Members of the Public Requesting or Providing Information Related to NOAA's Mission. This information is collected, stored, and used within the boundary of NOAA FISMA system NOAA1200.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

NOAA does not intend to collect any sensitive information. No questions pertain to race/ethnicity, disability, and other private issues such as social security numbers.

12. Provide estimates of the hour burden of the collection of information.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Mean Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
Application	General Manager	30	1	30	25	750	\$62.18	\$46,635
License Modification Request	General Manager	80	2	160	1	160	\$62.18	\$9,948.80
Notification of Launch or Deployment of Spacecraft	General Manager	15	1	15	0.5	7.5	\$62.18	\$466.35
Notification of Disposal of On-Orbit Component	General Manager	10	1	10	0.5	5	\$62.18	\$310.90
Notification of Detection of Anomaly	General Manager	20	1	20	0.5	10	\$62.18	\$621.80
Notification of Financial Insolvency or Dissolution*	General Manager	0	0	0	0.5	0	\$62.18	\$0
Annual Compliance Certification	General Manager	80	1	80	3	240	\$62.18	\$14,923.20
Initial Contact Form	General Manager	100	1	100	0.2	20	\$62.18	\$1,243.60
Data Availability Notification	General Manager	3	1	3	0.17	0.51	\$62.18	\$31.71
Totals				418		1193.01		\$74,191.40

*Although the Notification of Financial Insolvency or Dissolution is still a requirement, NOAA has not received any such notices in the past. Therefore, we are maintaining this IC in the table, but the number of responses is being reflected as 0.

Hourly Wage Rate was taken from BLS's Occupational Outlook Handbook for General and Operations Managers, 11-1021, https://www.bls.gov/oes/current/oes_nat.htm#11-0000

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	GS-15, Step 2	\$182,387	85		\$155,029
Other Federal Positions	GS-14, Step 1	\$166,162	95		\$157,854
Contractor Cost		\$100,000	20		\$20,000
Travel					
Other Costs:					
TOTAL					\$332,883

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Application	30	15	30	15	750	225	The number of respondents has grown two-fold and the number of hours to complete each application was updated based on our most recent information.
License Modification Request	80	18	160	18	160	18	Both the number of respondents and number of responses per respondent have increased for modification requests based on the most recent information.
Notification of Launch or Deployment of Spacecraft	15	1	15	1	7.5	2	The number of respondents has been increased based on the most recent information.
Notification of Disposal of On-Orbit Component	10	1	10	1	5	1	The number of respondents has been increased to reflect the most recent information.
Notification of Detection of Anomaly	20	1	20	1	10	1	The number of respondents has been increased to reflect the most recent information.
Notification of Financial Insolvency or Dissolution	1	1	0	0	0	0	Although the Notification of Financial Insolvency or Dissolution is still a requirement, NOAA has not received any such notices in the past. Therefore, we are maintaining this IC in the table, but the number of responses is being reflected as 0.
Annual Compliance Certification	80	51	80	51	240	102	The number of respondents has been increased to reflect the most recent information. The amount of burden hour per response has also been increased to reflect more recent information.
Initial Contact Form (ICF)	100	100	100	100	20	33	The estimated burden per response has decreased to reflect more recent information.
Data Availability Notification (DAN)	3	5	3	5	0.51	0.85	The estimated number of respondents was adjusted to reflect more recent information.
Licensee Notification Form (LNF)**	0	17	0	17	0	4.25	This optional form is being removed from this information collection since no licensee has used this form since its implementation.
Total for Collection	339	210	418	209	1,193.5	387.25	
Difference	+129		+209		+806.25		

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

CRSRA will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. Although the information collected is not expected to be disseminated directly to the public, cumulative results may be used in management, technical or general informational publications regarding the CRSRA program. Should CRSRA decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

The agency certifies compliance with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).