



6712-12

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket No. 20-58; FCC 20-15; FRS 16594]

Closure of FCC Lockbox 979088 Used to Collect Payment of Forfeiture Penalties Imposed by the Commission

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) adopts an Order that closes Lockbox 979088 and modifies the relevant rule provisions to require electronic payment of forfeiture penalties imposed by the Commission.

DATES: Effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Warren Firschein, Office of Managing Director at (202) 418-2653 or Roland Helvajian, Office of Managing Director at (202) 418-0444.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, FCC 20-15, MD Docket No. 20-58, adopted on February 26, 2020 and released on February 28, 2020, which is the subject of this rulemaking. The full text of this document is available for public inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW, Washington, DC 20554, or by downloading the text from the Commission's web site at <https://www.fcc.gov/document/closure-commission-lockbox-used-collect-forfeiture-payments>.

I. ADMINISTRATIVE MATTERS

A. Final Regulatory Flexibility Analysis

1. Section 603 of the Regulatory Flexibility Act, as amended, requires a regulatory flexibility analysis in notice and comment rulemaking proceedings. See 5 U.S.C. 603(a). As we are adopting these rules without notice and comment, no regulatory flexibility analysis is required.

B. Final Paperwork Reduction Act of 1995 Analysis

2. This document does not contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

C. Congressional Review Act

3. The Commission will not send a copy of the Order pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the adopted rules are rules of agency organization, procedure, or practice that do not “substantially affect the rights or obligations of non-agency parties. See 5 U.S.C. 804(3)(C).

II. INTRODUCTION

4. In the Order, we reduce expenditures by the Commission and modernize procedures by modifying § 1.80(h) of our rules, 47 CFR 1.80(h), which sets forth the method for parties to remit forfeiture penalties imposed by the Commission. The rule amendment reflects the

closure of the P.O. Box¹ used to collect forfeiture payments. We discontinue the option of manual fee payments and instead require the use of an electronic payment for forfeiture penalties.

5. The Commission has begun to reduce its reliance on P.O. Boxes for the collection of fees, instead encouraging the use of electronic payment systems for all application and regulatory fees and closing certain lockboxes. We find that electronic payment of forfeiture penalties imposed by the Commission reduces the agency's expenditures (including eliminating the annual fee for the bank's services) and the cost of manually processing each transaction, with little or no inconvenience to the Commission's regulatees, applicants, and the public.

6. As part of this effort, we are now closing P.O. Box 979088 and modifying the relevant rule provision that requires payment of forfeiture penalties via the closed P.O. Box. The rule change is contained in the Appendix of the Order. We make this change without notice and comment because it is a rule of agency organization, procedure, or practice exempt from the general notice-and-comment requirements of the Administrative Procedure Act, *see* 5 U.S.C. 553(b)(A).

7. *Implementation.* As a temporary transition measure, for 90 days after publication of this document in the **Federal Register**, U.S. Bank will continue to process payments to P.O. Box 979088. After that date, forfeiture payments must be made in accordance with the procedures set forth in each forfeiture order and on the Commission's web site, www.fcc.gov/licensing-databases/fees. For now, such payments will be made through the Fee

¹ A P.O. Box used for the collection of fees is referred to as a "lockbox" in our rules and other Commission documents. The FCC collects application processing fees using a series of P.O. Boxes located at U.S. Bank in St. Louis, Missouri. *See* 47 CFR 1.1101-1.1109 (setting forth the fee schedule for each type of application remittable to the Commission along with the correct lockbox).

Filer Online System (Fee Filer), accessible at <https://www.fcc.gov/licensing-databases/fees/fee-filer>. As we assess and implement U.S. Treasury initiatives toward an all-electronic payment system, we may transition to other secure payment systems with appropriate public notice and guidance.

III. ORDERING CLAUSES

8. ACCORDINGLY, IT IS ORDERED, that pursuant to sections 4(i), 4(j), 158, 208, and 224 of the Communications Act of 1934, as amended, 47 U.S.C. sections 154(i), 154(j), 158, 208, and 224, the Order is hereby ADOPTED and the rules set forth in the Appendix of the Order are hereby AMENDED effective **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

List of Subjects in 47 CFR Part 1

Administrative practice and procedure.

FEDERAL COMMUNICATIONS COMMISSION

Cecilia Sigmund,

Federal Register Liaison Officer.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47

CFR part 1 as follows:

PART 1 — PRACTICE AND PROCEDURE

1. The authority citation for part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note, unless otherwise noted.

2. Amend § 1.80 by revising paragraph (h) to read as follows:

§ 1.80 Forfeiture proceedings.

* * *

(h) *Payment.* The forfeiture should be paid electronically using the Commission's electronic payment system in accordance with the procedures set forth on the Commission's web site, www.fcc.gov/licensing-databases/fees.

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