

Supporting Statement for Paperwork Reduction Act Submissions

Title: Critical Infrastructure Private Sector Clearance Program Request (PSCP)

OMB Control Number: 1670-0013

A. 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.

Partnerships between the U.S. Government and the private sector at times necessitate the sharing of classified information. The Private Sector Clearance Program for Critical Infrastructure (PSCP) facilitates this sharing by sponsoring security clearances for certain members of each sector based on either their membership on a Sector Coordinating Council (SCC)/association or their infrastructure protection job-related duties. In order to begin this process of approving an applicant to participate in the clearance program, the applicant's employment information and Personally Identifiable Information (PII) is collected. Their association/SCC membership or employment information is reviewed for approval, and their PII is input into e-QIP, the Office of Personnel Management's (OPM) secure portal for investigation processing.

The U.S. Government is authorized to ask for this information under Section 201 of the Homeland Security Act (Pub. L 107-296, 6 U.S.C. § 121), and Executive Orders 12968, 13526, and 13549, which authorize the collection of this information.

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.

The PSCP is designed to sponsor security clearances for private sector officials involved in the infrastructure protection mission. These partners are subject matter experts within specific industries and have specialized knowledge not available within the Department of Homeland Security (DHS). Private citizens do not receive monetary compensation for their time. DHS has created this program to sponsor clearances for these individuals who are not employed by or contracted with another Federal agency (the traditional means of obtaining a clearance) and must have clearances. Each applicant completes the DHS Form 9014, Critical Infrastructure Private Sector Clearance Program Request, excluding their date and place of birth and social security number and submits the form to the appropriate Federal employee within DHS's National Protection and Programs Directorate/Office of Infrastructure Protection who is nominating them for a security clearance. The nominator will sign and submit the form via email to the PSCP Administrator. Upon receipt of the DHS Form 9014, the PSCP Administrator will capture first and last name, clearance level, which sector they are involved in, company, job title, city and state they

are located, work email and work phone number in order to track clearance process and provide status of applications to Federal nominators and DHS employees with a need to know.

The PSCP Administrator will then submit the form for approval to the Assistant Secretary for Infrastructure Protection. If approved by the Assistant Secretary, the DHS Form 9014 is sent to the IP Security Office. IP Security contacts the Subject to obtain their social security number, date of birth and place of birth. This information is only available to the Security Specialist within the IP Security Office working on the program and is maintained in the Integrated Security Management System (ISMS), which is “owned” by the OCSO. This two-part process helps minimize the collection of sensitive PII for only those Subjects who meet the threshold and are sponsored by DHS.

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.

Each applicant completes the DHS Form 9014, Critical Infrastructure Private Sector Clearance Program Request, and emails the form to the appropriate Federal employee within DHS’s National Protection and Programs Directorate/Office of Infrastructure Protection who is nominating them for a security clearance. Upon approval to process, IP Security contacts the nominee to obtain the social security number, and date and place of birth, which is the information required to initiate their e-QIP access. (e-QIP is the online version of the Standard Form 86 – OMB No.3206 0005.) There are multiple levels of approval that the applicant needs to receive prior to the applicant being processed. Every form is individually reviewed by the appropriate Sector Specialist and/or Protective Security Advisor, as well as multiple officials in the Office of the Assistant Secretary (Director of Management, Chief of Staff, Deputy Assistant Secretary and Assistant Secretary) This review process prevents the Program from processing individuals who do not meet the Program’s criteria

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 Item 2 above.

The DHS Office of Intelligence and Analysis sponsors the State and Local Clearance Program, which currently uses a form that asks for similar information; however, it is designed specifically for state and local government individuals, is law enforcement and fusion center focused, and does not have a DHS form number. This collection of information is also used for internal Office of Infrastructure Protection purposes—to demonstrate to auditors why specific individuals need a clearance and provide information about who nominated them.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.

This form does not negatively affect small businesses.

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

The mission of the PSCP is to facilitate the clearance process for members of the Private Sector. Information sharing between the private sector and the Federal Government is critical to protect the Nation's resources. There are times when the information discussed or visited may be access-restricted. Collecting this information from each applicant is strictly for the purpose of authorizing the individual to be processed for a security clearance. If DHS is unable to collect this information, we will not be able to process any private sector individuals for security clearances, preventing between 400 and 500 individuals from having access to classified information they may need to protect their companies/infrastructure.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

(a) Requiring respondents to report information to the agency more often than quarterly.

The applicant is required to complete this form once to be approved for participation in the program.

(b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

Respondents are not required to send a written response regarding this collection.

(c) Requiring respondents to submit more than an original and two copies of any document.

Individuals are not required to submit more than one copy via email.

(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.

The form does not require individuals to retain the record for any specific length of time.

(e) In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

This collection does not utilize statistical analysis.

(f) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.

This collection does not utilize statistical analysis.

(g) That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

This form does not include a pledge of confidentiality that is not supported by established authority in Section 201 of the Homeland Security Act (Pub. L 107-296, 6 U.S.C. § 121), and Executive Orders 12968, 13526, and 13549.

(h) Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

No proprietary or trade information is requested from the individuals.

8. Federal Register Notice:

a. Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice 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.

b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

c. Describe consultations with representatives of those from whom information is to be obtained or those who must compile records. Consultation should occur at least once every three years, even if the collection of information activities is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

	Date of Publication	Volume #	Number #	Page #	Comments Addressed
<i>60Day Federal Register Notice:</i>	September 24, 2014	79	185	57120	0
<i>30-Day Federal Register Notice</i>	December 12, 2014	79	239	73895	0

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

No gifts or payments of any kind will be provided to the respondents of this information collection.

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

This form does not include a pledge of confidentiality that is not supported by established authority in statute or regulation. The Program has in place an approved Privacy Impact Assessment and is covered by the following SORNS:

DHS/ALL-023 - Department of Homeland Security Personnel Security Management, 74 FR 3084 (January 16, 2009) and DHS/ALL-002 - Department of Homeland Security Mailing and Other Lists System, 73 FR 71659 (November 25, 2008).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and 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.

There are no questions of sensitive nature on DHS Form 9014.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. 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. Generally, estimates should not include burden hours for customary and usual business practices.

PSCP estimates that approx. 500 stakeholders (Critical Infrastructure private sector owners, operators and industry representatives) will request a clearance annually. PSCP individuals are required to complete the form once, at an average of 10 minutes per response.

For an estimated 500 respondents, the burden is 83.35 hours at a rate of \$70.00 per hour⁽¹⁾, the dollar value of the total annual burden hours associated with the existing elements of this information collection equals \$5,834.50. The below table shows the annual hourly and cost burden rate.

Form Name	Form Number	Number of Respondents	Number of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Wage Rate	Total Annual Respondent Cost
Critical Infrastructure Private Sector Clearance Program Request	DHS Form 9014	500	1	.1667 (10 minutes)	83.35	\$70.00	\$5,834.50
Total		500	1	.1667 (10 min)	83.35	\$70.00	\$5,834.50

13. Provide an estimate of 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 shown in Items 12 and 14.)

There is no recordkeeping, capital startup or maintenance cost burden to the respondent 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 have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

The hourly basic rate of \$48.35 for General Schedule (GS) Grade 13 step 6 for the Washington, DC locality was used for these calculations. The cost for the program is built into established budget for funding 1.5 FTEs at the GS-13 level (approximately \$150, 852.00 per year) that are currently on board and have been executing this program since its inception. The breakdown is 1.3 FTEs for administering the program and .2 FTE for the establishment and sustenance of the policy framework for the program.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. Changes in hour burden, i.e., program changes or adjustments made to annual reporting and recordkeeping **hour** and **cost** burden. A program change is the result of deliberate Federal government action. All new collections and any subsequent revisions of existing collections (e.g., the addition or deletion of questions) are recorded as program changes.

An adjustment is a change that is not the result of a deliberate Federal government action. These changes that result from new estimates or actions not controllable by the Federal government are recorded as adjustments.

The changes identified in annual burden are due to an increase in the number of respondents in 2013 and 2014. Program changes require a revision of existing collections. Changes to the form include providing a drop down capability relevant to the established criteria identified in EO 13549 Section 5.g., proximity to a secure facility and notification of nomination to company CSO.

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.

This information collection will not be published for statistical purposes.

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

The Program Office is not seeking this exemption.

18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.

There are no exceptions to the certification statements identified for this collection.