



U.S. Department of Justice

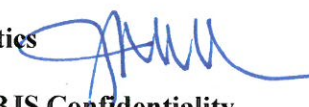
Office of Justice Programs

Bureau of Justice Statistics

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Washington, D.C. 20531

**TO:** Jennifer Park, BJS PRA Clearance Officer, Office of Management and Budget

**FROM:** Jeri Mulrow, Acting Director, Bureau of Justice Statistics 

**SUBJECT:** Emergency Clearance for Implementation of Revised BJS Confidentiality Pledge

**DATE:** December 15, 2016

The Cybersecurity Enhancement Act of 2015 mandates that federal information systems be protected from malicious activities through cybersecurity screening of transmitted data. BJS is required to implement Einstein 3A by December 18, 2016, in accordance with the law. Therefore, BJS is submitting this Information Collection Request (ICR) to the Office of Management and Budget (OMB) utilizing emergency review procedures in accordance with the PRA95 (P.L. 104-13, 44 U.S.C. Chapter 35) and 5 C.F.R. § 1320.13.

The Bureau of Justice Statistics (BJS) is seeking emergency clearance for the collections listed below in order to implement revised confidentiality pledge language in response to the mandatory implementation of Einstein 3A and cybersecurity screening of transmitted data by the Department of Homeland Security (DHS).

BJS is requesting OMB approval to add the lines in bold to its confidentiality pledge to notify respondents of the new cybersecurity screening activities:

*"The Bureau of Justice Statistics (BJS) is dedicated to maintaining the confidentiality of your personally identifiable information, and will protect it to the fullest extent under federal law. BJS, BJS employees, and BJS data collection agents will use the information you provide for statistical purposes only, and will not disclose your information in identifiable form without your consent to anyone outside of the BJS project team. All data collected under BJS's authority are maintained under the security provisions outlined in the U.S. Department of Justice statutes at 42 U.S.C. §§ [3735](#) and [3789g](#). Any person violating these confidentiality provisions may be punished by a fine up to \$10,000, in addition to any other penalty imposed by law. **Further, per the Cybersecurity Enhancement Act of 2015 (codified in relevant part at [6 U.S.C. § 151](#)), federal information systems are protected from malicious activities through cybersecurity screening of transmitted data. For more information on the federal statutes, regulations, and other authorities that govern how BJS, BJS employees, and data collection agents use, handle, and protect your information, see the [BJS Data Protection Guidelines](#)."***

OMB NUMBER	TITLE OF SURVEY
1121-0065	National Corrections Reporting Program (NCRP)
1121-0094	Deaths in Custody Reporting Program (DCRP)

BJs has consulted with OMB on this request and plans to submit an ICR seeking public comment on the revised pledge language. This ICR will be submitted to OMB under the standard clearance process to provide the public with another opportunity to comment on the revised language, though OMB has agreed to an expedited review schedule.

The Census Bureau collects data on behalf of BJS for the below listing of PRA OMB numbers and information collection titles. These collections are protected under Title 13 U.S.C. Section 9. The Census Bureau issued an FRN and submitted an emergency clearance request to OMB for revised confidentiality pledge language, with the new line to address the new cybersecurity screening requirements bolded for reference:

*“The U.S. Census Bureau is required by law to protect your information. The Census Bureau is not permitted to publicly release your responses in a way that could identify you. **Per the Federal Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through screening of the systems that transmit your data.**”*

<u>OMB Control No.</u>	<u>Information Collection Title</u>
1121-0111	National Crime Victimization Survey (NCVS)
1121-0184	School Crime Supplement to the NCVS
1121-0317	Identity Theft Supplement to the NCVS
1121-0260	Police Public Contact Supplement to the NCVS
1121-0302	Supplemental Victimization Survey to the NCVS

The FRN submitted by the Census Bureau can be accessed at <https://www.federalregister.gov/documents/2016/12/14/2016-30014/confidentiality-pledge-revision-notice>, and the Census Bureau’s PRA clearance request can be accessed at [https://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201612-0607-001](https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201612-0607-001).

**Attachment 1. Abbreviated Supporting Statement – Part A.**