

Supporting Statement for Requests for OMB Approval For Revised CIPSEA Pledge

Summary

This request covers an update to the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) pledge to modify the existing CIPSEA pledge for the Information Collections listed in the table below. This request is due to an unanticipated event from a recent change in the law that affects the confidentiality pledges that EIA uses in surveys protected under the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA).

The Federal Cybersecurity Enhancement Act of 2015 permits and requires Department of Homeland Security (DHS) to provide Federal civilian agencies' information technology systems with cybersecurity protection for their Internet traffic. The purpose of this emergency clearance is to implement a change in the CIPSEA pledge to notify respondents of the security monitoring by DHS. This clearance is needed prior to the expiration of these information collections for immediate use this month in its normal weekly and monthly data collections. These information collections support EIA's ability to assess energy supply and consumption for the nation and are essential to EIA's mission to collect, analyze, and disseminate independent and impartial energy information.

OMB NUMBER	TITLE OF SURVEY
1905-0174	Form EIA-863, "Petroleum Product Sales Identification Survey"
1905-0174	Form EIA-878, "Motor Gasoline Price Survey"
1905-0174	Form EIA-888, "On-Highway Diesel Fuel Price Survey"
1905-0175	Form EIA-910, "Monthly Natural Gas Marketers Survey"
1905-0175	Form EIA-912, "Weekly Underground Natural Gas Storage Report"
1905-0205	Form EIA-914, "Monthly Crude Oil, Lease Condensate, and Natural Gas Production Report"
1905-0160	Form EIA-851Q, "Domestic Uranium Production Report – Quarterly"
1905-0160	Form EIA-851A, "Domestic Uranium Production Report – Annual"
1905-0160	Form EIA-858, "Uranium Marketing Annual Survey"
1905-0145	Form EIA-871, "Commercial Buildings Energy Consumption Survey"
1905-0092	Form EIA-457, "Residential Energy Consumption Survey"

As per OMB instruction, this single ICR is being submitted to update the CIPSEA confidentiality pledges for all above listed packages and will not otherwise affect the content, scope, burden, or the current expiration dates of any of these packages.

Emergency clearance procedures are being used to obtain approval from OMB under the Paperwork Reduction Act (PRA) for the referenced ICRs, in order to implement revised CIPSEA pledge language that is resulting from the mandatory implementation of Einstein

3A cyber security monitoring by DHS. More specifically, the Cybersecurity Act of 2015 mandates that Federal information systems be protected from malicious activities through cybersecurity screening of transmitted data. Approval of this ICR using emergency clearance procedures is necessary to implement a change to the CIPSEA pledge to notify respondents of the cyber security monitoring. EIA is required to implement Einstein by December 18, 2016, in accordance with the law. *See* 44 U.S.C. § 3507(j) and 5 C.F.R. § 1320.13.

A. Justification

1. Necessity of Collection:

No change from currently approved underlying packages.

2. Description of the Information Collected:

No change from currently approved underlying packages.

3. Use of Technology to Reduce Burden:

No change from currently approved underlying packages.

4. Identification of Duplication and Availability or Similar Information:

No change from currently approved underlying packages.

5. Small Businesses:

No change from currently approved underlying packages.

6. Less Frequent Conduct of Study:

No change from currently approved underlying packages.

7. Special Circumstances:

No change from currently approved underlying packages.

8. Consultation with Persons Outside EIA:

This ICR is being submitted under PRA emergency clearance procedures. EIA will submit a 60-day FRN for publication and will consider public comments received in response to that document.

9. Gifts or Payments to Respondents:

No change from currently approved underlying packages.

10. Confidential Responses:

The Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA) safeguards the confidentiality of individually identifiable information acquired under a pledge of confidentiality by controlling access to, and uses made of, such information. CIPSEA includes fines and penalties for any knowing and willful disclosure of individually identifiable information by an officer, employee, or agent of EIA.

As required by the passage of the Federal Cybersecurity Enhancement Act of 2015, the Federal Statistical community has implemented the DHS' Einstein Cybersecurity Protection Program and is modifying the CIPSEA pledge language to notify respondents of this monitoring. EIA will use the following pledge for protecting information collected under the CIPSEA statute:

“The information you provide on Form EIA-xxx will be used for statistical purposes only and is confidential by law. In accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 and other applicable Federal laws, your responses will not be disclosed in identifiable form without your consent. Per the Federal Cybersecurity Enhancement Act of 2015, Federal information systems are protected from malicious activities through cybersecurity screening of transmitted data. Every EIA employee, as well as every agent, is subject to a jail term, a fine, or both if he or she makes public ANY identifiable information you reported.”

A shorter version of the CIPSEA pledge is used for telephone surveys:

“The information you provide on Form EIA-xxx will be used for statistical purposes only and is confidential by law. Per the Federal Cybersecurity Enhancement Act of 2015, Federal information systems are protected from malicious activities through cybersecurity screening of transmitted data. Every EIA employee, as well as every agent, is subject to a jail term, a fine, or both if he or she makes public ANY identifiable information you reported.”

11. Sensitive Questions:

No change from currently approved underlying packages.

12. Burden of Collection:

No change from currently approved underlying packages. (Due to system limitations, a burden of 1 response requiring 5 minutes has been entered into the database.)

13. Capital/Start-up Cost

There are no capital/start-up costs in any of the currently approved underlying packages.

14. Cost to the Federal Government:

No change from currently approved underlying packages.

15. Changes in Burden:

There is no change in respondent burden for the currently approved underlying packages by the addition of the new sentence notifying of DHS security monitoring of transmissions to and from EIA's data systems.

16. Publication Plans/Schedule:

No change to plans from the currently approved underlying packages.

17. OMB Approval Expiration Date:

No change to current requests not to display the expiration dates for the currently approved underlying packages.

18. Exception to Certification Statement:

There are no exceptions to the certification statement.

Part B—Statistical Methods

The Department has determined no Part B is needed for this ICR, as there is no change to the statistical methods from those in the currently approved underlying packages.