

1Supporting Statement – Part A

**Confidentiality Change**

OMB No. 3145-0245

**A. JUSTIFICATION**

In accordance with requirements of the Paperwork Reduction Act of 1995, NCSES is requesting an emergency approval. Under the provisions of 44 U.S.C. 3507(j) (1), permits an agency head to request OMB issue an expedited clearance of a collection of information if it is needed sooner than the expiration of usual processing times, provided that it is essential to the mission of the agency, and the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court-ordered deadline to be missed.

This Information Collection Request (ICR) will revise the confidentiality pledge made by NCSES to all respondents on all data collection efforts. The change will incorporate provisions that became law as a part of the Consolidated Appropriations Act for Fiscal Year 2016. This was signed on December 17, 2015, and included the Federal Cybersecurity Enhancement Act of 2015 (H.R. 2029, Division N, Title II, Subtitle B, Sec. 223).

This single request will serve as an overall approval for all NCSES data collection requests. This emergency request will be active for six months, during which time NCSES will submit another request that will give the public an opportunity to comment on the permanent change.

Upon approval of this emergency request, NCSES will change the confidentiality statement on all questionnaires to the newly approved statement.

Questionnaires that NCSES has already printed and are in use at this time or in the near future will still be used. However, web pages and other electronic documents addressing the topic of confidentiality will be updated. The Federal Register Notice containing the revised confidentiality statement will serve as a notification to the public of the change in confidentiality pledge wording, a result of the implementation of the Federal Cybersecurity Enhancement Act of 2015.

- 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 National Center for Science and Engineering Statistics' primary function is to collect, interpret, analyze, and disseminate objective data on the science and engineering enterprise. NCSES collects and publishes information related to the following topics:

- Research and Development
- The science and engineering workforce
- U.S. competitiveness in science, engineering, technology, and R&D, and
- The condition and progress of STEM education in the United States.

These data are collected through a portfolio of surveys conducted by NCSES, or its agents, which are included in 7 Information Collections currently approved by OMB.

General authority for these data collection activities is granted under the NSF Act of 1950, as amended, and the America COMPETES Act of 2010, which specifies that the National Center for Science and Engineering Statistics "serve as a central Federal clearinghouse for the collection, interpretation, analysis, and dissemination of objective data on science, engineering, technology, and research and development."

- 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.**

NCSES data are used by policy makers, practitioners, researchers, and the public in their various activities. It is crucial that NCSES be able to collect data from respondents and to assure them of the security of the data they provide.

- 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.**

Automated, electronic, mechanical, or other technological collection techniques are not an issue with this ICR.

- 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.**

Duplication is not an issue with this ICR.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.**

Burden is not an issue with this ICR.

- 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.**

Any delays in this approval could significantly impact the availability of NCSES data being available to data users.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the general information guidelines in 5 CFR 1320.5.**

There are no special circumstances with this ICR.

- 8. Provide a copy and identify the date and page number of publication 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.**

The Federal Register notice was published on February 7, 2017, at 82 FR 9599, and no comments were received. Simultaneously, the notice seeking emergency clearance was published on February 7, 2017, at 82 FR 9597.

**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 record-keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

NCSES also relied on qualitative and quantitative research conducted by other federal statistical agencies addressing this topic. NCSES also consulted with the NSF Office of General Counsel.

**9. Explain any decision to provide any payment or gift to respondents.**

There are no payments or gifts to respondents with this ICR.

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

Once this ICR is approved and the new confidentiality statement is approved, NCSES will update the confidentiality statement on all affected questionnaires before data collection begins. NCSES will add the following sentence to its questionnaires, cover letters, follow-up letters, websites, and other locations where confidentiality is addressed:

Per the Federal Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through screening of the systems that transmit your data.

**11. Provide additional justification for any questions of a sensitive nature.**

There are no questions of a sensitive nature with this ICR.

**12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

No burden is associated with this ICR. The one hour of burden reported in the ROCIS submission system serves as a place holder for the system.

**13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the collection of information.**

There is no annual cost burden to respondents with this ICR.

- 14. Provide estimates of annualized cost to the Federal government; provide a description of the method used to estimate cost which should include quantification of hours, operational expenses, and any other expense that would not have been incurred without this collection of information.**

There is no cost associated with this ICR.

- 15. Explain the reasons for any program changes or adjustments (reasons for changes in burden).**

There are no changes in burden. The revision to the confidentiality pledge is required as a result of the passage and implementation of provisions of the Federal Cybersecurity Enhancement Act of 2015 (H.R. 2029, Division N, Title II, Subtitle B, Sec. 223),

- 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.**

Nothing will be published as a result of this ICR.

- 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.**

There is no request for approval of non-display of the expiration date.

- 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 statement.

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