

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

OMB Number: 1810-New

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 hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section. Please limit pasted text to no longer than 3 pages. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.*

The *Executive Order on America's Cybersecurity Workforce* (Executive Order 13870), signed by President Trump on May 2, 2019, included a directive for the U.S. Department of Education (Department) to accomplish the following:

Within 1 year of the date of this order, the Secretary of Education, in consultation with the DAPHSCT and the National Science Foundation, shall develop and implement, consistent with applicable law, an annual Presidential Cybersecurity Education Award to be presented to one elementary and one secondary school educator per year who best instill skills, knowledge, and passion with respect to cybersecurity and cybersecurity-related subjects. In developing and implementing this award, the Secretary of Education shall emphasize demonstrated superior educator accomplishment — without respect to research, scholarship, or technology development — as well as academic achievement by the educator's students.

Pursuant to 5 CFR 1320.13, the Department requests that OMB review this new collection under its emergency procedures, to fulfill President of the United States Executive Order directive.

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 information maintained in this system will be used to (1) review and evaluate nominations of candidates, including, but not limited to, assessing candidate eligibility, in order to select one elementary and one secondary educator to whom the Department will present on an annual basis, the Presidential Cybersecurity Education Award; (2) develop and implement the Presidential Cybersecurity Education Award program's annual recognition component; and, (3) carry out the responsibilities set forth in Section 3(c) the authorizing Executive Order 13870.

The Department will conduct internal reviews of the nomination received from February 1, 2020 to approximately April 2020. The Department may disclose information from its system of records pursuant to published routine use disclosures (see notice of a new system of records for the listing of the Department's proposed routine use disclosures, which include, but are not limited to, disclosures to permit the Department's review and evaluation of candidate

applications and nominations and to promote the selection and recognition of recipients of the Presidential Cybersecurity Education Award, along with the visibility of the awards itself).

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision of adopting this means of collection. Also describe any consideration given to using technology to reduce burden.*

Once the Department's Award announcement press release is posted, nominators will be able to access the "Rules, Terms, and Conditions" electronically. The "Rules, Terms, and Conditions" for the Award will be a 508 compliant document to reduce burden on nominators and reviewers.

Nominations should be submitted to CyberAwards@ed.gov. Microsoft Word and Adobe Portable Document (.pdf) are accepted. The educator's name, educator's contact information, and page numbers should be on each page of the nomination. Once a nomination is submitted, an automated email response will be generated from the Department to confirm receipt to the person who submitted the nomination. Therefore, educators who are nominated by someone else will not be notified unless they are elected for the Presidential Cybersecurity Education Award.

Because of the requirements of subsection (e)(4) of the Privacy Act of 1974, as amended (5 U.S.C. 552a(e)(4)) (Privacy Act) and Office of Management and Budget Circular No. A-108, the Department is establishing a new system of records to protect the privacy of the records that the Department will collect about the nominees. Because the Department must wait until its notice of a new systems of records (SORN) is published in the Federal Register in order to collect the records, nominations will not be able to be accepted at the start of the nomination period. The Department anticipates that the SORN should be published by December 2019, leaving nominations plenty of time to be submitted. Please refer to the website for updated details on when nominations can be submitted to the Department.

For technical assistance or questions, nominators can CyberAwards@ed.gov and an ed staffer will do its best to provide assistance in a timely fashion.

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 Question 2 above.*

These nominations are unique to the Presidential Cybersecurity Education Award and do not duplicate other efforts.

5. *If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.*

N/A

6. *Describe the consequences 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.*

If emergency approval to collect this data is not approved, the Department will fail to fulfill a President of the United States Executive Order directive.

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

- *requiring respondents to report information to the agency more often than quarterly;*
- *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- *requiring respondents to submit more than an original and two copies of any document;*
- *requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;*
- *in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;*
- *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- *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 that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*
- *requiring respondents to submit proprietary trade secrets, 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.*

There are no special circumstances that would require OMB approval.

8. *As applicable, state that the Department has published the 60 and 30 Federal Register notices as 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. Specifically address comments received on cost and hour burden.*

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

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The Department is requesting emergency approval of these new data collections and will publish an emergency notice in the Federal Register.

The Department requests OMB approval on or by September 20, 2019.

Pursuant to 5 CFR 1320.13, the Department requests that OMB review this collection under its emergency procedures, based on harm to not fulfill a President of the United States Executive Order directive.

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

No payment or gifts will be provided to nominators or awardees.

10. *Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the ICRAS' Part 2 IC form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided. Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information). If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data.*

The citation for the Systems of Record Notice is 18-15-01; however, the SORN has not been published in the Federal Register yet. This ICR contains PII and therefore, a SORN and PIA are currently in the process for approval. They will be in place prior to the collection of any PII.

The Privacy Act Statement is as follows and will appear on the “Rules, Terms, and Conditions” document:

The Department’s authority to ask for this information is Executive Order 13870 issued on May 2, 2019. The information provided is voluntary. The main purpose for which the information will be used is to make awards. Should nominations not provide the information requested, nominations may be deemed ineligible. The routine use disclosures which may be made of the information will be published in a SORN in the Federal Register. The Department will be able disclose information from this SORN for certain enumerated purposes to specific users without the nominees’ or awardees’ prior written consent pursuant to such routine use disclosures. The routine use disclosures are expected to include disclosures to references listed in applications and nominations in order to permit the Department to determine that applicants and nominees meet the criteria for the Presidential Cybersecurity Education Award, to the general public to announce the awardees, to the media to announce the awardees and to respond to inquiries about them, to government officials to notify them of the awardees in their

States or districts, to assist with preparing congratulatory letters, certificates, or other honors, or to schedule events and office visits, to state and local education official to inform them of awardees in their states, districts, or schools, to White House or other Federal agencies for speechwriting and briefings of officials who will be addressing the awardees at events or to obtain needed security clearances at such events, to individuals and entities, such as vendors, in preparation for the awards ceremony or related educational and celebratory activities, to the Department's contractors as needed to carry out any function of the Department, to members of Congress in response to an inquiry made at the nominee's or awardee's written request, to the Department of Justice to obtain advice, to the Department of Justice, parties, counsel, representatives, witnesses, courts, or other adjudicative authorities as relevant and necessary to administrative or judicial litigation, to appropriate parties and entities to respond to a breach of data, to researchers to carry out research on the purposes and functions of the system of records, to law enforcement officials if information in the system of records on its face or in connection with other information indicates that there has been a violation of statute, regulation, or order, and to the Department of Justice or the Office of Management and Budget if the Department concludes that disclosure is desirable or necessary in determining whether particular records are required to be disclosed under the Freedom of Information Act or the Privacy Act.

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. The 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.*

This collection does not ask questions of a sensitive nature.

12. *Provide estimates of the hour burden of the collection of information. The statement should:*
 - *Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in Question 12. 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 desirable. 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.*
 - *If this request for approval covers more than one form, provide separate hour burden estimates for each form. (The table should at minimum include Respondent types, Number of Respondents and Responses, Hours/Response, and Total Hours)*
 - *Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting*

out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Question 14.

The total number of respondents is 120. The total number of responses is 120. Respondents are expected to spend 41 minutes per response. The total burden hours are 4,290 hours.

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 Questions 12 and 14.)*
- *The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.*
 - *If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.*
 - *Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Question 12.*

Total Annualized Capital/Startup Cost:

Total Annual Costs (O&M):

Total Annualized Costs Requested:

This collection does not require Capital/Start-up cost or equipment and maintenance costs.

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 not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Questions 12, 13, and 14 in a single table.*

We estimate that Federal staff will spend an average of 1 hour per application to review this information. The total number of nominations is estimated to be 120. We estimate total hours of review for these applications to be 120 hours (one application per hour). Different staff members at different pay levels are likely to participate in review, so we will use \$40 as the average hourly

rate, which is approximately the GS-12 level for a Federal employee in Washington, DC. At \$40 per hour, the total hours of review come to an annual cost of \$4,800 to the Federal government.

15. *Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).*

This is a new request; therefore, all burden is new. This results in an increase in burden and responses of 4,920 hours and 120 responses respectively.

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.*

The Department will publish information on the awardees only. There are no plans at this time for publishing complex analyses of the data contained in the applications. The Department anticipates that the awardees will be posted online during Teacher Appreciation Week May 2020 when awards will be made.

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.*

The expiration date for OMB approval of the information collection will be displayed.

18. *Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.*

We do not propose any exceptions to the certification statements identified in the Certification of Paperwork Reduction Act.