

Non-substantive change request:

EIA would like to make three non-substantive changes to the 2025 Annual Manufacturing Energy Consumption Survey (AMECS):

1. Adjust the language of Supporting Statement B describing the primary disclosure avoidance method we were planning on using for the 2025 AMECS and,
2. Adjust the authority and confidentiality language of our initial mailout letter from Census' authority to conduct the survey to EIA's authority.
3. Adjust the main paragraph of our originally submitted escalation letter to reference the correct collection authority and confidentiality protections.

Non-substantive Change #1

Background: EIA relies on the U.S. Bureau of the Census as the collection agent for both the Manufacturing Energy Consumption Survey (MECS) and Annual Manufacturing Energy Consumption Survey (AMECS). Accordingly, data collected on these surveys are protected under Titles 13 and 26 U.S.C. Historically, MECS data would go through a disclosure avoidance process, specifically, cell suppression, before leaving the Census Bureau.

For the inaugural AMECS, EIA had planned to use a form of data perturbation, specifically multiplicative noise, as the primary disclosure avoidance method. However, on June 4, 2026, the Department of Commerce issued Department Administrative Order (DAO 216-26), [Disclosure Avoidance for Statistical Products](#). This directive limits the U.S. Census Bureau and the Bureau of Economic Analysis (BEA) to specific data-masking methods, explicitly prohibiting noise infusion and prioritizing methods such as coarsening and data suppression. The directive further states that cell suppression should be used only as a last resort. EIA was not made aware of this new directive until recently. Consequently, EIA seeks to amend the sentence in Supporting Statement B that identifies multiplicative noise as the primary disclosure avoidance method. Since the data are protected under Titles 13 and 26 U.S.C. these data will still need to go through a disclosure avoidance process.

Following is a comparison of the currently approved sentence and the revised sentence:

Current Version:

The 2025 Annual MECS will use a form of data perturbation as the primary disclosure avoidance method, specifically multiplicative noise.

Revised Version:

The 2025 Annual MECS data must go through a disclosure avoidance process prior to being publicly released.

Since some type of disclosure avoidance is needed, the revised sentence in Supporting Statement B not only adheres to the Department of Commerce's issued order (DAO 216-26) but also allows EIA and the U.S. Bureau of the Census the flexibility to examine several disclosure avoidance methods that will protect the AMECS data.

Non-substantive Change #2

Background: As previously noted, EIA uses the U.S. Bureau of the Census as the collection agent for both the MECS and AMECS. On the back of our initial mailout letter to respondents includes a section titled *Authority & Confidentiality*. In this section, EIA's authority to collect data is described, and it explains that the Census Bureau protects the collected data from disclosure under Title 13 of the U.S. Code. In the *Authority & Confidentiality* section of the initial mailout letter submitted with the 2025 AMECS OMB Information Collection Review, the referenced titles, U.S. codes, and laws were incorrect. The revised *Authority & Confidentiality* section will include the correct titles, U.S. codes, and laws.

Following is a comparison of the currently approved section and the revised section:

Current Version:

Authority and Confidentiality

*This survey is **mandatory** under the Federal Energy Administration Act of 1974, Pub. Law No. 93-275, and under Title 3, Subtitle B, of the Omnibus Budget Reconciliation Act of 1986, Pub. Law No. 99-509, as amended by Title 1, Subtitle G, of the Energy Policy Act of 1992, Pub. Law No. 102-486. Failure to respond may result in criminal fines, civil penalties, and other sanctions as provided by law.*

Title 13, United States Code, Sections 131 and 182, authorizes this collection. Sections 224 and 225 require your response. The U.S. Census Bureau is required by Section 9 of the same law to keep your information confidential and use your responses only to produce statistics. The Census Bureau is not permitted to publicly release your responses in a way that could identify your business, organization, or institution. Per the Federal Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through screening of the systems that transmit your data.

Revised Version:

Authority and Confidentiality

*This survey is **mandatory** under the Federal Energy Administration Act of 1974, 15 U.S.C. 772(b) and under Title 3, Subtitle B, of the Omnibus Budget Reconciliation Act of 1986, 42 U.S.C. 7135, as amended by Title 1, Subtitle G, of the Energy Policy Act of 1992, 42 U.S.C. 7135(i)(1). Failure to respond may result in criminal fines, civil penalties, and other sanctions as provided by 15 U.S.C. 797.*

Under Section 9 of Title 13, U.S. Code, your submitted report to the Census Bureau may be seen only by persons sworn to uphold the confidentiality of Census Bureau information and may be used only for statistical purposes. No data are published that could reveal the identity or activities of any specific individual or firm. Further, copies retained in respondents' files are immune from legal processes.

Communicating precise collection authority and confidentiality laws to the public is important as it maintains the public's trust and confidence of their government by clearly explaining how their provided information is protected and used only for authorized statistical purposes.

Non-substantive Change #3

Background: Further, within the main body of our escalation letter, which is only sent to respondents who have not yet reported, the main paragraph references the collection authority and confidentiality protections. In this section, EIA's authority to collect data is described, and it explains that the Census Bureau protects the collected data from disclosure under Title 13 of the U.S. Code. In this paragraph of the escalation letter submitted with the 2025 AMECS OMB Information Collection Review, the referenced titles, U.S. codes, and laws were incorrect. The revised paragraph will include the correct titles, U.S. codes, and laws.

Following is a comparison of the currently approved paragraph and the revised paragraph:

Current Version:

YOUR RESPONSE IS REQUIRED BY LAW and will be kept strictly **CONFIDENTIAL**. Your response is required by law under the Federal Energy Administration Act of 1974, Pub. Law No. 93-275, and under Title 3, Subtitle B, of the Omnibus Budget Reconciliation Act of 1986, Pub. Law No. 99-509, as amended by Title 1, Subtitle G, of the Energy Policy Act of 1992, Pub. Law No. 102-486. Under Section 9 of Title 13, U.S. Code, your submitted report to the Census Bureau may be seen only by persons sworn to uphold the confidentiality of Census Bureau information and may be used only for statistical purposes. No data are published that could reveal the identity or activities of any specific individual or firm. Further, copies retained in respondents' files are immune from legal process.

Revised Version:

YOUR RESPONSE IS REQUIRED BY LAW and will be kept strictly **CONFIDENTIAL**. Your response is required by law under the Federal Energy Administration Act of 1974, 15 U.S.C. 772(b) and under Title 3, Subtitle B, of the Omnibus Budget Reconciliation Act of 1986, 42 U.S.C. 7135, as amended by Title 1, Subtitle G, of the Energy Policy Act of 1992, 42 U.S.C. 7135(i)(1). Under Section 9 of Title 13, U.S. Code, your submitted report to the Census Bureau may be seen only by persons sworn to uphold the confidentiality of Census Bureau information and may be used only for statistical purposes. No data are published that could reveal the identity or activities of any specific individual or firm. Further, copies retained in respondents' files are immune from legal process.

Once more, communicating precise collection authority and confidentiality laws to the public is important as it maintains the public's trust and confidence of their government.