



## DEPARTMENT OF ENERGY

### Energy Information Administration

#### Agency Information Collection Request for Comments

**AGENCY:** U.S. Energy Information Administration (EIA), U.S. Department of Energy (DOE).

**ACTION:** Notice and request for comments.

**SUMMARY:** EIA invites public comment and other Federal agencies to comment on a proposed information collection. EIA plans to collect information from the public to fulfill its data security requirements when providing access to confidential microdata for the purpose of evidence building. EIA's data security agreements and other paperwork along with the corresponding security protocols allow EIA to maintain careful controls on confidentiality and privacy, as required by law. The purpose of this notice is to allow for 60 days of public comment on the proposed data security information collection, prior to submission of the information collection request (ICR) to the Office of Management and Budget (OMB).

**DATES:** EIA must receive all comments on this proposed information collection no later than **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. If you anticipate any difficulties in submitting your comments by the deadline, contact the person listed in the **ADDRESSES** section of this notice as soon as possible.

**ADDRESSES:** You may submit comments, identified by OMB control number 1905-NEW, by email at [EIA-FRNcomments@eia.gov](mailto:EIA-FRNcomments@eia.gov). Include the OMB control number listed in the subject line of the message.

**FOR FURTHER INFORMATION CONTACT:** Samson Adeshiyan, EIA Clearance Officer, at (202) 586-7777 or by email at [EIA-FRNcomments@eia.gov](mailto:EIA-FRNcomments@eia.gov).

**SUPPLEMENTARY INFORMATION:** The Foundations for Evidence-Based Policymaking Act of 2018 mandates that the Office of Management and Budget (OMB) establish a Standard Application Process (SAP) for requesting access to certain confidential data assets. While the adoption of the SAP is required for statistical agencies and units designated under the Confidential Information Protection and Statistical Efficiency Act (CIPSEA), it is recognized that other agencies and organizational units within the Executive branch may benefit from the adoption of the SAP to accept applications for access to confidential data assets. The SAP is a process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply to access confidential data assets held by a Federal statistical agency or unit for the purposes of developing evidence. With the Interagency Council on Statistical Policy (ICSP) as advisors, the entities upon whom this requirement is levied are working with the SAP Project Management Office (PMO) and with OMB to implement the SAP. The SAP Portal is a single web-based common application for the public to request access to confidential data assets from Federal statistical agencies and units. The National Center for Science and Engineering Statistics (NCSES), within the National Science Foundation (NSF), submitted a *Federal Register* Notice in September 2022 announcing plans to collect information through the SAP Portal (87 FR 53793). Once an application for confidential data is approved through the SAP Portal, EIA will collect information to meet its data security requirements. This collection will occur outside of the SAP Portal.

(1) *OMB No.:* 1905-New;

(2) *Information Collection Request Title:* DATA SECURITY REQUIREMENTS FOR ACCESSING CONFIDENTIAL DATA;

(3) *Type of Request*: Intent to seek approval to collect information from the public to fulfill the EIA security requirements allowing individuals to access confidential data assets for the purposes of building evidence;

(4) *Purpose*: Title III of the Foundations for Evidence-Based Policymaking Act of 2018 (hereafter referred to as the Evidence Act) mandates that OMB establish a Standard Application Process (SAP) for requesting access to certain confidential data assets. Specifically, the Evidence Act requires OMB to establish a common application process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply for access to confidential data assets collected, accessed, or acquired by a statistical agency or unit. This new process will be implemented while maintaining stringent controls to protect confidentiality and privacy, as required by law.

Data collected, accessed, or acquired by statistical agencies and units is vital for developing evidence on conditions, characteristics, and behaviors of the public and on the operations and outcomes of public programs and policies. This evidence can benefit the stakeholders in the programs, the broader public, as well as policymakers and program managers at the local, State, Tribal, and National levels. The many benefits of access to data for evidence building notwithstanding, EIA is required by law to maintain careful controls that allow it to minimize disclosure risk while protecting confidentiality and privacy. The fulfillment of EIA's data security requirements places a degree of burden on the public, which is outlined below.

The SAP Portal is a web-based application for the public to request access to confidential data assets from Federal statistical agencies and units. The objective of the SAP Portal is to increase public access to confidential data for the purposes of evidence building and reduce the burden of applying for confidential data. Once an individual's application in the SAP Portal has received a positive determination, the data-owning

agency(ies) or unit(s) will begin the process of collecting information to fulfill their data security requirements.

The paragraphs below outline the SAP Policy, the steps to complete an application through the SAP Portal, and the process for agencies to collect information fulfilling their data security requirements.

### *The SAP Policy*

At the recommendation of the ICSP, the SAP Policy establishes the SAP to be implemented by statistical agencies and units and incorporates directives from the Evidence Act. The policy is intended to provide guidance as to the application and review processes using the SAP Portal, setting forth clear standards that enable statistical agencies and units to implement a common application form and a uniform review process. The SAP Policy was submitted to the public for comment in January 2022 (87 FR 2459).

### *The SAP Portal*

The SAP Portal is an application interface connecting applicants seeking data with a catalog of data assets owned by the Federal statistical agencies and units. The SAP Portal is not a new data repository or warehouse; confidential data assets will continue to be stored in secure data access facilities owned and hosted by the Federal statistical agencies and units. The Portal will provide a streamlined application process across agencies, reducing redundancies in the application process. This single SAP Portal will improve the process for applicants, tracking and communicating the application process throughout its lifecycle. This reduces redundancies and burden on applicants that request access to data from multiple agencies. The SAP Portal will automate key tasks to save resources and time and will bring agencies into compliance with the Evidence Act statutory requirements.

### *Data Discovery*

Individuals begin the process of accessing confidential data by discovering confidential data assets through the SAP data catalog, maintained by Federal statistical agencies at [www.researchdatagov.org](http://www.researchdatagov.org). Potential applicants can search by agency, topic, or keyword to identify data of interest or relevance. Once they have identified data of interest, applicants can view metadata outlining the title, description or abstract, scope and coverage, and detailed methodology related to a specific data asset to determine its relevance to their research. While statistical agencies and units shall endeavor to include metadata in the SAP data catalog on all confidential data assets for which they accept applications, it may not be feasible to include metadata for some data assets (e.g., potential curated versions of administrative data). A statistical agency or unit may still accept an application through the SAP Portal even if the requested data asset is not listed in the SAP data catalog.

#### *SAP Application Process*

Individuals who have identified and wish to access confidential data assets may apply for access through the SAP Portal. Applicants must create an account and follow all steps to complete the application. Applicants begin by entering their personal, contact, and institutional information, as well as the personal, contact, and institutional information of all individuals on their research team. Applicants proceed to provide summary information about their proposed project, to include project title, duration, funding, timeline, and other details including the data asset(s) they are requesting and any proposed linkages to data not listed in the SAP data catalog, including non-Federal data sources. Applicants then proceed to enter detailed information regarding their proposed project, including a project abstract, research question(s), literature review, project scope, research methodology, project products, and anticipated output. Applicants must demonstrate a need for confidential data, outlining why their research question cannot be answered using publicly available information.

### *Submission for Review*

Upon submission of their application, applicants will receive a notification that their application has been received and is under review by the data owning agency or agencies (in the event where data assets are requested from multiple agencies). At this point, applicants will also be notified that application approval does not alone grant access to confidential data, and that, if approved, applicants must comply with the data-owning agency's security requirements outside of the SAP Portal, which may include a background check.

In accordance with the Evidence Act and the direction of the ICSP, agencies will approve or reject an application within a prompt timeframe. In some cases, agencies may determine that additional clarity, information, or modification is needed and request the applicant to “revise and resubmit” their application. Data discovery, the SAP application process, and the submission for review are planned to take place within the web-based SAP Portal. As noted above, the notice announcing plans to collect information through the SAP Portal has been published separately (87 FR 53793).

### *Access to Confidential Data*

In the event of a positive determination, the applicant will be notified that their proposal has been accepted. The positive or final adverse determination concludes the SAP Portal process. In the instance of a positive determination, the data-owning agency (or agencies) will contact the applicant to provide instructions on the agency's security requirements that must be completed to gain access to the confidential data. The completion and submission of the agency's security requirements will take place outside of the SAP Portal.

### *Collection of Information for Data Security Requirements*

In order for researchers to access confidential data onsite at EIA’s headquarters in Washington, DC, they must fulfill all requirements for becoming temporary agents of

EIA. To fulfill these requirements, a Data Access Agreement (DAA) must be signed between EIA and the researcher's employing institution, and the team members must complete EIA's CIPSEA training and sign a Non-disclosure Agreement, affirming their U.S. citizenship and their commitment not to disclose confidential data to unauthorized parties.

(5) *Annual Estimated Number of Respondents*: 20;

(6) *Annual Estimated Number of Total Responses*: 20;

(7) *Annual Estimated Number of Burden Hours*: 100;

(8) *Annual Estimated Reporting and Recordkeeping Burden*: The amount of time to complete the DAA and training will vary based on the confidential data assets requested and the access modality. To obtain access to EIA confidential data assets, it is estimated that the average time to complete and submit EIA's data security agreements is 100 minutes (5 hours) per applicant. This estimate does not include the time needed to complete and submit an application within the SAP Portal. All efforts related to SAP Portal applications occur prior to and separate from EIA's effort to collect information related to data security requirements.

Comments are invited on whether or not: (a) The proposed collection of information is necessary for the proper performance of agency functions, including whether the information will have a practical utility; (b) EIA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used, is accurate; (c) EIA can improve the quality, utility, and clarity of the information it will collect; and (d) EIA can minimize the burden of the collection of information on respondents, such as automated collection techniques or other forms of information technology.

**Statutory Authority:** 15 U.S.C. 772(b) and 42 U.S.C. 7101 *et seq.*

Signed in Washington, DC, on December 16, 2025.

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**Samson A. Adeshiyan,**

*Director, Office of Statistical Methods and Research,  
U.S. Energy Information Administration.*

[FR Doc. 2025-23281 Filed: 12/17/2025 8:45 am; Publication Date: 12/18/2025]