

CRITICAL ENERGY / ELECTRIC INFRASTRUCTURE INFORMATION
FEDERAL AGENCY ACKNOWLEDGMENT AND AGREEMENT

The _____ [agency] has requested certain documents from the Federal Energy Regulatory Commission (Commission) that contain Critical Energy / Electric Infrastructure Information (CEII) as defined in 18 C.F.R. §388.113.

The undersigned acknowledges on behalf of _____ [agency] that 44 U.S.C. § 3510(b) protects interagency disclosures as follows:

(b)(1) If information obtained by an agency [e.g. the Commission] is released by that agency to another agency _____ [agency], all the provisions of law (including penalties) that relate to the unlawful disclosure of information apply to the officers and employees of the agency to which information is released to the same extent and in the same manner as the provisions apply to the officers and employees of the agency which originally obtained the information.

(2) The officers and employees of the agency to which the information is released, in addition, shall be subject to the same provisions of law, including penalties, relating to the unlawful disclosure of information as if the information had been collected directly by that agency.

CEII is not subject to release under either the Freedom of Information Act or other Sunshine Laws. *See* 16 U.S.C. § 215A(d)(1). If the _____ [agency] receives a Freedom of Information Act (FOIA) request under 5 U.S.C. § 552 for any documents provided to it by the Commission, consistent with Department of Justice guidance, the request will be referred to the Commission's FOIA office for processing. The _____ [agency] also agrees to consult with the CEII Coordinator and the Commission's Associate General Counsel for General and Administrative Law or his designee prior to making any other release of this information.

All CEII shall be maintained by Recipient in a secure place in a manner that would prevent unauthorized access.

Signature

Name (printed)

Title/Agency

Date