

ACKNOWLEDGMENT AND AGREEMENT AS TO THE RECEIPT OF LNG APPLICATION MATERIALS RECEIVED FROM
FERC AND TREATED AS CRITICAL ENERGY / ELECTRIC INFRASTRUCTURE INFORMATION, PRIVILEGED
INFORMATION, AND/OR SENSITIVE SECURITY INFORMATION

The United States Coast Guard (USCG) has requested certain liquefied natural gas (LNG)-related controlled unclassified information (CUI) from the Federal Energy Regulatory Commission (FERC or Commission). The requested CUI may contain Critical Energy/Electric Infrastructure Information (CEII) as defined in 18 C.F.R. § 388.113; privileged (PRIV) information, *see* 18 C.F.R. § 388.112; or Sensitive Security Information (SSI), as defined in 49 C.F.R. § 1520.5.


The undersigned acknowledges on behalf of the USCG that 44 U.S.C. § 3510(b) protects interagency disclosures as follows:

(b)(1) If information obtained by an agency is released by that agency to another 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.

The FAST Act exempts CEII from mandatory public disclosure and unauthorized disclosure. Pub. L. No. 114-94, § 61003 (2015); *see also* 5 U.S.C. § 552(b)(3); 18 C.F.R. § 388.113(h). PRIV information may be exempt from public disclosure under FOIA. *See* 18 C.F.R. § 388.112. SSI is exempt from public disclosure under 5 U.S.C. § 552(b)(3) of the FOIA and pursuant to 49 U.S.C. § 114(r). The USCG agrees that if it receives a FOIA request for information in documents provided to it by the Commission, consistent with Department of Justice guidance, the USCG will refer the request to the Commission's FOIA office for processing. The USCG also agrees to consult with the Commission's Associate General Counsel for Energy Projects or the Associate General Counsel for General and Administrative Law or their designee prior to making any other release of this information.

All CUI material, including CEII, PRIV, and SSI, shall be maintained by the USCG in a secure place and in a manner that would prevent unauthorized access. The USCG agrees to report any inadvertent or unauthorized disclosures of CUI to the Commission. If a determination is made to dispose of CUI, the USCG agrees to destroy the CUI completely and in a way that prevents recognition or reconstruction of the information.


Signature
RICHARD V. TURNER
Name (printed)
REAR ADMIRAL, US COAST GUARD
Title/Agency
11 SEP 19
Date