

U.S. Department of Energy
Washington, D.C.

ORDER

DOE O 200.2A

Approved: 01-19-2025

SUBJECT: INFORMATION COLLECTION MANAGEMENT PROGRAM

1. PURPOSE. To define and set forth the Department of Energy (DOE) requirements and responsibilities for implementing the information collection management provisions of the Paperwork Reduction Act of 1995 (PRA). This order addresses adherence to the Office of Management and Budget's (OMB) regulation "Controlling Paperwork Burdens on the Public" as contained in Title 5 Code of Federal Regulations (CFR), Part 1320.
2. CANCELS/SUPERSEDES. DOE O 200.2, Information Collection Management Program, dated 10-11-2006.
3. APPLICABILITY.
 - a. Departmental Applicability. Except for the exclusions in paragraph 3c, this Order applies to all Departmental elements, including those created after the Order is issued.

The Administrator of the National Nuclear Security Administration (NNSA) will assure that NNSA employees comply with their respective responsibilities under this directive. Nothing in this Order will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (P.L.) 106-65, National Nuclear Security Administration Act (Title 32), to establish Administration-specific policies, unless disapproved by the Secretary.
 - b. DOE Contractors. This Order does not apply to contractors.
 - c. Equivalencies/Exemptions for DOE O 200.2A. Equivalencies and exemptions to this Order are processed in accordance with DOE O 251.1, Departmental Directives Program, current version.

Exemption. This Order does not apply to collections of information made during the conduct of intelligence activities as defined in section 3.4(e) of Executive Order No. 12333, issued December 4, 1981, or successor orders, or during the conduct of cryptologic activities that are communications security activities.

Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production operations, are excluded from the PRA.

4. REQUIREMENTS. Under the Paperwork Reduction Act, every federal agency must obtain approval from OMB's Office of Information and Regulatory Affairs (OIRA) prior to conducting or sponsoring a collection of information from 10 or more persons from the public. Under the PRA, OIRA approval and authorization is required for each information collection. Collections will remain valid for a maximum of three years after approval if no substantive or material changes are made. The following requirements must be met by each Departmental Element to ensure implementation of an information collection program that meets the objectives of this Order. (See Appendix 1 for definitions and examples of information collections.)
- a. Obtain OMB approval before collecting information as defined in 5 CFR Part 1320.
 - b. Ensure that the information collected is the minimum amount necessary for the proper performance of DOE and its missions, does not duplicate information available elsewhere unnecessarily, and maximizes the usefulness of information.
 - c. Minimize the burden of the collection of information on respondents, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology (e.g., permitting electronic submission of responses).
 - d. Evaluate information collection activities on an ongoing basis, at a minimum annually, to determine where the number of respondents/responses and burden hours can be reduced or eliminated (e.g., by collecting information less frequently, consolidating report instruments, or eliminating the collection in its entirety).
 - e. Coordinate with the Office of the Chief Information Officer (OCIO) to develop and submit input for DOE's comprehensive report in response to OMB's Annual Data Call for the Information Collection Budget (ICB).

Failure to meet these requirements may open the subsequent work, including decisions made based on the information, to legal challenge. If uncleared collections are discovered, OMB may insist that the collections are stopped and may report these violations to Congress and the President in the Information Collection Budget.

5. RESPONSIBILITIES.

- a. DOE Chief Information Officer, through the PRA Clearance Officer.
 - (1) Develops and administers DOE policies and directives related to the requirements of the Information Collection Management Program (ICMP).
 - (2) Provides overall leadership and management of the ICMP as required by Federal laws, Executive orders, regulations, DOE directives, and Departmentally established or -accepted standards.

- (3) Provides consultative services concerning the management and implementation of the ICMP, as needed, including assistance to process unplanned and emergency information collection requests.
 - (4) Serves as the DOE liaison with DOE elements, OMB, other Federal agencies, and the public sector for issues concerning day-to-day communications and operations related to the ICMP.
 - (5) Coordinates, reviews, and finalizes input from DOE elements to prepare the annual ICB submission to OMB and other special initiatives as determined by OMB.
- b. Administrator, Energy Information Administration.
 - (1) Manages and implements an information collection management program for energy and statistical information collections.
 - (2) Provides input to the OCIO in response to OMB's annual Information Collection Budget in data call¹.
- c. Heads of Departmental Elements.
 - (1) Establish, implement, and sustain processes within their respective organizations to ensure that all information collections subject to PRA requirements are formally submitted to the OCIO for review and are approved by OMB before initiating the collection, record keeping requirement, and/or third-party disclosure of information in accordance with the requirements of all Federal laws and regulations, DOE directives, and accepted external standards and authoritative issuances.
 - (2) Provide resources to support information collections within their respective organizations.
 - (3) Ensure the appointment of Information Collection Clearance Managers (ICCMs) to serve as program liaisons between DOE Elements and the OCIO.
 - (4) Provide contact information of the designated ICCMs to the OCIO. New or updated ICCM information should be formally submitted

¹ The Department of Energy Organization Act (P.L. 95-91, Section 205) provides the administrator of the Energy Information Administration with specific responsibilities and authorities for the collection and analysis of energy information. Section 205(d) states in part that "the Administrator shall not be required to obtain the approval of any other officer or employee of the Department in connection with the collection or analysis of energy information; nor shall the Administrator be required, prior to publication, to obtain the approval of any other officer or employee of the United States with respect to the substance of any statistical or forecasting technical report which he has prepared in accordance with law."

using DOE Form 241.5, Information Collection Clearance Manager Appointment.

- (5) Maintain documentation of actions related to information collection management activities in accordance with Federal laws, regulations, and DOE directives governing recordkeeping requirements.

d. Information Collection Clearance Managers.

- (1) Serve as the program liaison with the coordination of information collections within their respective organizations to ensure compliance with this Order.
- (2) Conduct only information collections that have been reviewed by the OCIO and approved by OMB.
- (3) Identify, review, and submit to the OCIO information collections sponsored by their respective organizations.
- (4) Ensure that information collection requests to be submitted to the OCIO (for formal submission to OMB) include:
 - (a) A completed OMB 83-I, Paperwork Reduction Act Submission, signed by the ICCM (in block 19) to certify that the information collections covered by the request comply with 5 CFR Part 1320;
 - (b) Supporting Statement A and Supporting Statement B (if required);
 - (c) Any instruments used to collect information and any associated manuals, guides, letters, or instructions sent to or used by the public;
 - (d) The published 60-day and 30-day *Federal Register Notices (FRN)*, any public comments received, and DOE's responses to the comments; and
 - (e) copies of the relevant statutes and regulations.
- (5) Approve information collection requests before they are submitted to the OCIO for review and formal submission to OMB.
- (6) Serve as the program liaison with the DOE Paperwork Reduction Act Clearance Officer sites/labs/offices and the OCIO.
- (7) Assess information collection management activities and methods to streamline or reduce information collection burden hours.

- (8) Create, maintain, and preserve information collection management and information collection budget records in accordance with National Archives and Records Administration (NARA) approved records disposition schedules.
- (9) Provide input to the OCIO concerning initiatives to reduce or streamline information collection activities as required for the annual ICB submission to OMB.
- (10) Coordinate with DOE Forms Management for the development of collection instruments (including webforms, excel spreadsheets, and PDFs).
- (11) Identify the requirement for a System of Record Notice (SORN) and coordinate as appropriate with DOE Records Management and Privacy Offices.

e. DOE Privacy Officer.

Ensure that appropriate privacy compliance documentation is completed for information collection activities, including System of Records Notices (SORNs), and Privacy Act Statements, when applicable.

f. Office of General Counsel.

- (1) Reviews FRNs for legal requirements and provides concurrence as part of the PRA process.
- (2) Coordinates with the Office of the Federal Register (OFR) to publish 60-day and 30-day FRNs in compliance with the PRA.
- (3) Coordinates rulemakings that have PRA impact with the OCIO.

g. DOE Forms Manager.

Ensures collection instruments are digitized as per the 21st Century Integrated Digital Experience Act and otherwise in compliance with applicable federal requirements.

- 6. INVOKED STANDARDS. This Order does not invoke any DOE technical standards or industry standards as required methods. Note: DOE O 251.1E, Appendix D provides a definition for "invoked technical standard"
- 7. REFERENCES. The references listed below provide additional clarifications and/or requirements for the DOE Information Collection Management Program.
 - a. Controlling Paperwork Burdens on the Public (Title 5 CFR Part 1320).

- b. P.L. 104-106, Information Technology Management Reform Act of 1996, Division E.
 - c. NARA-approved DOE administrative, programmatic, and site-specific records disposition schedules.
 - d. P.L. 106-65, National Nuclear Security Administration Act (Title 32), as amended.
 - e. P.L. 104-13, Paperwork Reduction Act (44 U.S.C. Chapter 35).
 - f. P.L. 93-579, Privacy Act (5 U.S.C. 552a).
 - g. Information Collection Management section of the DOE Chief Information Officer Web site (<http://www.energy.gov/cio/office-chief-information-officer/services/guidance/information-collection-management>).
 - h. Improving Access to Public Benefits Programs Through the Paperwork Reduction Act, OMB Memorandum M-22-10.
8. DEFINITIONS. See Appendix 1. Also, reference the PRA and Title 5 CFR Part 1320.
9. CONTACT. Questions concerning this Order should be addressed to the Information Collection Management Program at doepra@hq.doe.gov.

BY ORDER OF THE SECRETARY OF ENERGY:



DAVID M. TURK
Deputy Secretary

APPENDIX 1 DEFINITIONS

Agency. Any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government, or any independent regulatory agency, but does not include:

1. The General Accounting Office;
2. Federal Election Commission;
3. The governments of the District of Columbia and the territories and possessions of the United States, and their various subdivisions; or
4. Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities.

Burden. The total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. (See Guide to Estimating Burden: <https://pra.digital.gov/burden/estimation/>)

Collection of Information. The PRA defines a collection of information as the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either: (1) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities (part of the Federal Government created by Congress through legislation), or employees of the United States; or (2) answers to questions posed to agencies, instrumentalities (part of the Federal Government created by Congress through legislation), or employees of the United States which are to be used for general statistical purposes.

Title 5 CFR Part 1320.3 further defines collection of information as obtaining, causing to be obtained, soliciting, or requiring a disclosure to an agency, third parties or the public, information described above, in any format. Typical information includes financial loan applications, job applications, questionnaires, compliance reports, and business records, which are not required under a Federal procurement contract. Information pursuant to Federal procurement contracts are generally required and submitted on forms that have been approved by OMB. The Federal Acquisition Regulations (FAR) requiring information under the PRA are listed in FAR 1.106.

Except as provided in § 1320.4, collection of information means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public, of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, ten or more persons, whether such collection of information is mandatory, voluntary, or required to obtain or retain a benefit.

Collection of information includes any requirement or request for persons to obtain,

maintain, retain, report, or publicly disclose information. As used in this Part, collection of information refers to the act of collecting or disclosing information, to the information to be collected or disclosed, to a plan and/or an instrument calling for the collection or disclosure of information, or any of these, as appropriate.

A collection of information may be in any form or format, including the use of report forms; application forms; schedules; questionnaires; surveys; reporting or recordkeeping requirements; contracts; agreements; policy statements; plans; rules or regulations; planning requirements; circulars; directives; instructions; bulletins; requests for proposal or other procurement requirements; interview guides; oral communications; posting, notification, labeling, or similar disclosure requirements; telegraphic or telephonic requests; automated, electronic, mechanical, or other technological collection techniques; standard questionnaires used to monitor compliance with agency requirements; or any other techniques or technological methods used to monitor compliance with agency requirements. A collection of information either implicitly or explicitly may include related collection of information requirements.

Requirements by an agency for a person to obtain or compile information for the purpose of disclosure to members of the public or the public at large, through posting, notification, labeling or similar disclosure requirements constitute the collection of information whenever the same requirement to obtain or compile information would be a collection of information if the information were directly provided to the agency. The public disclosure of information the Federal government originally supplied to the recipient for the purpose of disclosure to the public is not included within this definition.

Conduct or Sponsor. A Federal agency is considered to "conduct or sponsor" a collection of information if the agency collects the information, causes another agency to collect the information, contracts or enters into a cooperative agreement with a person to collect the information, or requires a person to provide information to another person, or in similar ways causes another agency, contractor, partner in a cooperative agreement, or person to obtain, solicit, or require the disclosure to third parties or the public of information by or for an agency.

DOE Paperwork Reduction Act Clearance Officer. The authorized representative responsible for certifying compliance with requirements of 5 CFR Part 1320 and any other applicable information policy directives. The DOE Paperwork Reduction Act Clearance Officer is also the liaison between the Office of Management and Budget and Departmental elements.

Information Collection Budget. OMB's annual report to Congress, providing a detailed accounting of the information collection activities of the Federal Government in a given fiscal year.

Information Collection Clearance Managers. Persons responsible for reviewing, analyzing, and clearing information collections for their respective programs before submitting them to the DOE Paperwork Reduction Act Clearance Officer.

Normal Business Record Exclusion. The time, effort, and financial resources necessary to comply with a collection of information that would be incurred by persons in the normal

course of their activities (e.g., in compiling and maintaining business records) will be excluded from the burden if the agency demonstrates that the reporting, recordkeeping, or disclosure activities needed to comply are usual and customary.

OMB-83-I, Paperwork Reduction Act Submission. Office of Management and Budget (OMB) form used to: (1) request OMB review of a regulation under Executive Order 12291; and (2) request OMB approval of collections of information, recordkeeping requirements, and third-party disclosures under the Paperwork Reduction Act and 5 CFR Part 1320. (DOE 200.2A covers only requests for OMB approval of collections of information, recordkeeping requirements, and third-party disclosures.)

Person. An individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government.

Rulemaking. The policy-making process for Executive and Independent agencies of the Federal government.

Ten or more persons. The persons to whom a collection of information is addressed by the agency within any 12-month period, and to any independent entities to which the initial addressee may reasonably be expected to transmit the collection of information during that period, including independent State, territorial, tribal, or local entities and separately incorporated subsidiaries or affiliates. For the purposes of this definition of ten or more persons, persons does not include employees of the respondent acting within the scope of their employment, contractors engaged by a respondent for the purpose of complying with the collection of information, or current employees of the Federal government (including military reservists and members of the National Guard while on active duty) when acting within the scope of their employment, but it does include retired and other former Federal employees. Any collection of information addressed to all, or a substantial majority of an industry is presumed to involve ten or more persons.

Burden. The total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency.

APPENDIX 2 CLEARANCE TYPES

1. Normal Clearance. Over a 12-month period, if you are requesting the same information from ten or more people or entities, PRA clearance is required. Most PRA approvals go through the normal clearance process, detailed in Appendix 3. Normal clearance applies to new requests, revisions, extension requests, and reinstatement requests.
 - a. New Request: When the collection has not previously been used or sponsored by the agency.
 - b. Revision: When the collection is currently approved by OMB, and the agency request includes a material change to the collection instrument, instructions, its frequency of collection, or the use to which the information is to be put.
 - c. Extension: When the collection is currently approved by OMB, and the agency wishes to only extend the approval past the current expiration date without making any material changes in the collection instrument, instructions, frequency of collection, or the use to which the information is to be put.
 - d. Reinstatement: When the collection previously had OMB approval, but the approval has expired or was discontinued before the submission was made.
2. Generic Clearance. Suitable for similar method collections, primarily surveys, enabling quicker subsequent clearance following initial approval. Customer satisfaction surveys, focus group tests, and website usability surveys are all good fits for generic clearance. Generic clearances require the initial collection to go through the normal clearance process.

The Generic Clearance option is best for collections which:

- a. Request similar information;
- b. Have a low burden estimate;
- c. Don't raise substantive or policy issues; and
- d. Have details that won't be known until shortly before you collect data.

The fast-track process is a specific type of generic clearance. Fast-track requests are reviewed within five business days once all materials are submitted.

The following items are considered part of the fast-track ICR package and must be included when submitting the request to OMB:

- e. Information Collection Survey
- f. Generic Submission Template

3. Expedited/Emergency Clearance. Reserved for urgent collections necessitated by unforeseen circumstances, undergoing a streamlined review process by OMB. Approval is valid for a maximum of six months, after which the agency will be required to renew the collection under the normal PRA clearance process.

An agency may request emergency clearance only when it needs to begin collecting the information more quickly than the time a full clearance will require. In every case, the agency must show that:

- a. The collection of information must be needed prior to the expiration of the normal time periods; and
- b. The collection of information is essential to the mission of the agency.

In addition, the agency must, in every case, demonstrate that one of the following four circumstances is present:

- c. Public harm is likely if normal procedures are followed; or
- d. An unanticipated event has occurred; or
- e. The use of normal procedures is likely to prevent or disrupt the collection; or
- f. The use of normal procedures is likely to cause a statutory or court ordered deadline to be missed.

The following items are considered part of the emergency ICR package and must be included when submitting the request to OMB:

- g. Emergency Processing Memo
- h. 30-day FRN
- i. Supporting Statement A (and B if applicable)
- j. Regulations and statutes that give authority to collect information

ATTACHMENT 3 NORMAL CLEARANCE PROCESS

1. Determine Need. The sponsoring office determines the need for a collection of information and informs the Information Collection Management Program (ICMP) of their intent to seek OMB approval.
2. Publish 60-Day Federal Register Notice (FRN). The 60-Day FRN is published to inform the public that DOE plans to conduct an information collection and submit it to OMB for PRA approval.

The FRN should include:

- a. A description of the information collection
 - b. A description of the intended audience
 - c. An estimate of the number of respondents expected to participate
 - d. An estimate of the time it will take each respondent to complete the information collection
 - e. An estimate of the burden hours on the public
3. Develop Package. The following items are considered part of the Information Collection Request (ICR) package and must be included when submitting an ICR to OMB:
 - a. OMB Form 83-I
 - b. Supporting Statement A (and B if applicable)
 - c. 60-day FRN
 - d. 30-day FRN
 - e. Collection Instruments
 - f. Regulations and statutes that give authority to collect information
 - g. Other supplementary documentation (Any supporting documents that are relevant to OIRA's review. *Examples include: justification statements, cost and burden analysis, summary and responses to public comment.*)

Once the ICR package is complete, the sponsoring office submits the package to the ICMP for review.

4. Publish 30-Day FRN. The 30-day FRN is published to inform the public that DOE intends to submit the information collection to OMB for PRA approval. This notice should include:

- a. Comments received during the 60-day comment period
- b. Program adjustments or changes, including changes to respondents and burden hours

The sponsoring office must submit the draft 30-day FRN to the ICMP for concurrence. Once the ICMP concurs, the draft 30-day notice is sent to the Office of the General Counsel (GC) for publication.

- 5. Submit ICR Package. Once the 30-day FRN has been published, the PRA Clearance Officer will submit the complete ICR electronically to OMB for review and approval through the Regulatory Information Service Center (RISC)/OIRA's Consolidated Information System (ROCIS), used by agencies to submit PRA clearance requests to OIRA.
- 6. Await OMB Review and Approval. DOE's desk officer at OMB's Office of Information and Regulatory Affairs (OIRA) reviews the complete ICR and evaluates whether the supporting statement and documentation satisfy the PRA's requirements.