

Supporting Statement: Human Reliability Program
OMB Control Number 1910-5122

1. Explain the circumstances that make the collection of information necessary.

This package contains information collections that are used by the Departmental management to exercise management oversight and control over management and operating (M&O) contractors of DOE's Government-owned contractor-operated (GOCO) facilities, offsite contractors, and grantees. The contractor management oversight and control function concerns the ways in which DOE contractors provide goods and services for DOE organizations and activities in accordance with the terms of their contracts; the applicable statutory, regulatory and mission support requirements of the Department; and regulations in the functional area covered by this package.

Prior to 1983, under the previous interpretation of the Paperwork Reduction Act by the Department, information collections from contractors were considered to be outside the coverage of the Act. However, the issuance of 5 CFR 1320, "Controlling Paperwork Burdens on the Public" changed this situation by including the operations of GOCO facilities under 5 CFR 1320.7(n). This new requirement necessitated the identification and clearance of these contractor-related information collections. The various information collections dealing with the functional area named in the package title are grouped in this package and are managed by the DOE organization responsible for this functional area.

The basic authority for these collections is the statute establishing the Department of Energy ("Department of Energy Organization Act", Public Law 95-91, of August 4, 1977) which vests the Secretary of Energy with the executive direction and management functions, authority and responsibilities for the Department, including contract management. The provisions of 42 USC 7254 states that "The Secretary is authorized to prescribe such procedural and administrative rules as he may deem necessary or appropriate to administer and manage the functions now or hereafter vested in him"; and 42 USC 7256(a) "the Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons, and to make such payments (in lump sum or installments, and by way of advance or reimbursement) as he may deem to be necessary or appropriate to carry out functions now or hereafter vested in the Secretary."

It should be noted that the costs incurred by DOE contractors in providing the information collections in this package are recovered in their contract fees and payments. In this sense, they differ from information collections imposed on the general public for which no cost reimbursement is provided. In addition, M&O contractors provide input concerning information collection requirements during contract negotiation. In this regard, they have agreed that the resulting information collections are required for the administration of these contracts and are accepted as a normal business practice. Finally, DOE is most interested in keeping the reporting burden at a minimum to reduce expenditures. Therefore, only basic management and program-type information is collected from contractors to properly manage these contracts and carry out the myriad statutory and other missions of the Department requiring contractor support.

2. Indicate how, by whom, and for what purpose the information is to be used.

As noted above, the information obtained from DOE contractors by these information collections is used by Departmental management at the appropriate levels to manage the contracts concerned in the best interests of the Department and the Federal Government. It is obvious that to adequately accomplish this function, certain basic management and program-type information must be

collected from contractors. If these collections were not made, it would become very difficult, if not impossible, to properly manage these contracts and carry out the statutory and other missions of the Department requiring contractor support.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Within existing budget and resource constraints, Department program managers and contractors continually work to apply the latest appropriate-level information technology (hardware and software) to reduce the contractors information collection burden and improve the timeliness and usefulness of the management information being collected. This includes automation of previously manual processes where appropriate. The forms included in this collections package primarily require only individuals' signatures and date information. Therefore, the information is not suitable for collection in an automated or electronic format.

4. Describe efforts to identify duplication.

Since the collections contained in this package are applicable only to the DOE internal program for which the information is collected, meaningful duplication of these collections in other agencies is unlikely.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The impact of the collection of information from small businesses is considered in the development of the contract requirements and documents and is minimized to the extent permitted by applicable statutory requirements and other legal and management constraints.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The frequency of collection is dictated by sound management practices, external laws and regulations, requirements of interagency reports, and Departmental orders and requirements. When any of these conditions change to permit reduction of the frequency of information collections, the reduction is made and the contract documents are changed accordingly.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

None

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE.

M&O contractors provide input concerning information collection requirements during contract negotiation. In this regard, they have agreed that the resulting information collections are required for the administration of these contracts and are accepted as a normal business practice. Private citizens and businesses are not required to provide information under this collection in order to do business with DOE.

DOE published a request for comments on this collection prior to the previous approval. The request for comments was published in the Federal Register, Volume 67, No. 212, dated Friday, November 1, 2002, page 66618.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

None

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Where sensitive and/or confidential information is involved in an information collection, the provisions for dealing with this confidential information are set forth in the contract documents and the related Departmental regulations and are normal to the handling of management and program information by the Department.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

There are no collections in this package which involve such questions of a sensitive, personal, or private nature.

12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

The estimated burden hours are the sum of the burden reported by Departmental elements and field organizations as compiled from their respective contractors or estimated by expert personnel familiar with these collections. The attached spreadsheet provides detail information for each collection. The consolidated annual burden of this package is 5750 hours.

13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

We believe the contractors responding to collections in this package would be comparable to a GS-14/5 (\$48.00 an hour). Historically, we have used this figure as the base for estimating the annualized cost to the contractor/public respondents and added in a percentage for fringe benefits, overhead and fee (a loaded figure of approximately \$77.00 an hour). Therefore, the total estimated annual cost burden for these collections is \$442,750 (\$77.00 times 5750 hours)

14. Provide estimates of annualized cost to the Federal government.

The estimated annualized cost to the Department for the data in this package is based on an assumed standard cost of \$42.00 per burden hour. This standard cost is based on the General Services Administration (GSA) formula in determination of Government paperwork and report costs, and is based on an estimate of \$42.00 per hour labor cost (GS-13), an additional 25-30% for employee fringe benefits and an additional 30% overhead cost. Using these standard costs, which have been rounded to the nearest dollar, the annualized cost of this package is:

Government cost, at \$67.00/burden hour equals \$385,250.00

15. Explain the reasons for any program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I.

The total number of respondents reported in the previous submission was an estimate, since the program was new. The program has now been in existence for three years and a more precise determination as to the number of respondents can be made. This has led to a reduction of approximately 1000 in the total number of respondents (11,500). Likewise, the total number of annual hours required for the collection has been significantly reduced based upon actual experience in the administration of the program over the previous three years (previously 54,000—currently 5,750).

16. For collections whose results will be published, outline the plans for tabulation and publication.

NA

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

DOE is requesting approval to not display the OMB package approval expiration date on the forms. Displaying the date results in additional cost to the Government for updating the form, approval of the changes, and uploading the revised version to the web page every 3 years. DOE management does not want to incur this unnecessary cost.

18. Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.

NA