

General Instructions

A Supporting Statement must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below. **If an item is not applicable, provide a brief explanation.** When Item 17 of the OMB 83-I is checked “**YES**”, Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Instructions for the Supporting Statement

Each request for OMB approval of an information collection must include a Supporting Statement. Following is a template to be used for the Supporting Statement. Each item must be addressed. In response to statistical methods, provide a statement indicating that the information collection does not employ statistical methods. If statistical methods are used, contact EIA.

To use the template, replace the “*italics verbiage*” with the appropriate response.

U.S. Department of Energy
Supporting Statement
Privacy Act Administration (proposed change from current name, “Records and Administration”)
OMB Control Number 1910-1700

This supporting statement provides additional information regarding the Department of Energy (DOE) request to extend the information collection, *Records and Administration*. The numbered questions correspond to the order shown on the Office of Management and Budget (OMB) Form 83-I, “Instructions for Completing OMB Form 83-I.”

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the information collection.**

The Privacy Act establishes practices and processes governing the collection, maintenance, use, and dissemination of personally identifiable information about individuals that is maintained in a Privacy Act system of records by a federal agency. The Department of Energy’s (DOE) Privacy Act Request Office, under the DOE Privacy Program, processes Privacy Act requests submitted by an individual or their authorized representative requesting records that DOE may maintain on the individual. Records maintained in a Privacy Act System of Record are retrieved by an individual's name or some other unique personal identifier, such as a Social Security number. This information collection assists DOE in processing Privacy Act requests submitted by individuals or an authorized representative requesting records the Department may maintain on the individual. This collection of information provides for faster processing of Privacy Act requests by asking individuals or an authorized representative pertinent information needed for records retrieval. The Privacy Act of 1974 (5 U.S.C. § 552a) and 10 C.F.R § 1008.7, DOE’s Privacy Act implementation regulations, authorizes this information collection.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection**

Any individual or an authorized representative acting on behalf of an individual may request access or amendment of records specific to that individual. The Privacy Act mandates that federal agencies allow an individual the rights to see records about his or herself, subject to the Privacy Act's exemptions. Individuals also are given the right to amend a nonexempt record if it is inaccurate, irrelevant, untimely, or incomplete. In order to process these requests in a timely manner, DOE requests individuals to submit identifying information in a form (DOE F 531), along with documentation to verify identity (e.g., a Federal agency badge, a state-issued driver’s license or photo id, etc.) that will provide the Department pertinent information for easy record retrieval. Pertinent information includes the requester’s name, mailing address, phone number,

email address, previous work location, the requested action, and any identifying data that will help locate the records (e.g., maiden name, occupational license number, time and place of employment).

- 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, e.g., permitting electronic submission of responses.**

The Department will collect the form via fax or mail. These two submission options have minimum burden on the public.

- 4. Describe efforts to identify duplication.**

A review of all DOE forms and current collection instruments was performed to ensure this information is not currently being collected. This collection of information is unique to DOE, therefore this information cannot be collected from other agencies.

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

This collection of information does not have an impact on small businesses.

- 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.**

If the collection is not conducted, DOE will not be able to process Privacy Act requests in a timely manner, as required by DOE's Privacy Act Implementation regulations, 10 C.F.R. § 1008(7).

- 7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines. (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to product valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in stature of regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; (h) requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can**

demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are none. The package is consistent with OMB guidelines.

- 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 5CFR 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 to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or report.**

The Department published a 60-day Notice and Request for Comments concerning this collection in the Federal Register on April 10, 2017, FR Volume 82, Number 67, Page 17227. No comments were received.

The Department published a 30-day Notice announcing its submission of the information collection for Office of Management and Budget (OMB) review. The Notice was published in the Federal Register on September 18, 2017, FR Volume 82, Number 179, Page 43531. The comment period is scheduled to close on October 18, 2017.

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

There is no remuneration given for submission of any information.

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

Where confidential information is involved in an information collection, the provisions for dealing with this confidential information are set forth in the related Departmental regulations; these are the normal regulations for 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. This justification should include the reasons why DOE considers the questions necessary, the specific uses to be made of the information., the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

However, there are two proposed changes to the content of the collection instrument from the previous submission. First, the form has been modified to comply with new requirements outlined in OMB Circular A-108, *Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act* (December 2016), including updates to the Privacy Act Statement on the form. Second, the Department is changing the title of the collection to “Privacy Act Administration” from the current “Records and Administration,” which reflects a change in the owner of this information collection from the agency’s Records Management Officer to the agency’s Chief Privacy Officer.

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

This package contains no collection whose results will be published for statistical use.

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 not seeking approval to not display the OMB expiration date.

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

The Department is not requesting any exceptions to the Certification Statement.