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# Supporting Statement for Privacy Act Administration

## **Part A: Justification**

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**OMB No. 1910-1700**

*DOE F 206.5, Privacy Act Administration*

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September 2024

U.S. Department of Energy  
Washington, DC 20585

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## Introduction

This supporting statement provides information regarding the Department of Energy (DOE) request to extend the information collection, Privacy Act Administration. The purpose of this collection is to process Privacy Act requests by asking individuals or an authorized representative pertinent information needed for records retrieval. DOE published a 60-day Notice and Request for Comments concerning this collection in the Federal Register on March 1, 2024. DOE requests individuals to submit identifying information in a form (DOE F 206.5), along with documentation to verify identity.

### A.1. Legal Justification

**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 DOE's 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. 552(a); Department of Energy, Records Maintain on Individuals (Privacy Act), 10 CFR 1008; 42 U.S.C. 7101 *et. seq.*; 50 U.S.C. 2401 *et. seq.*, DOE's Privacy Act Implementation regulations, and DOE Order 206.1 authorize this information collection.

### A.2. Needs and Uses of Data

**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 to 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 are also 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 206.5), 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 with 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, badge number, time and place of employment).

### **A.3. Use of Technology**

**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 information via fax, mail, or emailed to PrivacyActOffice@hq.doe.gov. These three submission options have minimum burden on the public. Under the current approval period the department collected about 75% of the information electronically.

### **A.4. Efforts to Identify Duplication**

**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.

### **A.5. Provisions for Reducing Burden on Small Businesses**

**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.

### **A.6. Consequences of Less-Frequent Reporting**

**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 CFR 1008; 42 U.S.C. 7101 *et. seq.*; 50 U.S.C. 2401 *et. seq.*

### **A.7. Compliance with 5 CFR 1320.5**

**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 statute 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; or

(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.

The package is consistent with OMB guidelines.

## **A.8. Summary of Consultations Outside of the Agency**

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.

While we don't have a formal consulting process, we do receive feedback and take it into consideration. The Department published a 60-day Notice and Request for Comments concerning this collection in the Federal Register on March 1, 2024, FR Volume 89, Number 42, Page 15196. No comments were received. The Department published a 30-day Notice and Request for Comments concerning this collection in the Federal Register on August 5, 2024, FR Volume 89, Number 150, Page 63247. No comments were received.

## **A.9. Payments or Gifts to Respondents**

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

There is no remuneration given for submission of any information.

## **A.10. Provisions for Protection of Information**

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 DOE Order 206.1; these are the normal regulations for the handling of management and program information by the Department.

### A.11. Justification for Sensitive Questions

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.

There are no collections in this package which involve questions of a sensitive, personal, or private nature. The collection does request personally identifiable information for the sole purpose of processing Privacy Act information requests submitted by individuals or their authorized representatives.

### A.12A. Estimate of Respondent Burden Hours

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. Unless directed to do so, DOE should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.

The estimated annual number of respondents and responses are 390. This estimate is based on the number of forms previously received for this collection. The total annual burden hours requested is 130 hours. This was calculated by estimating that each of the 390 respondents utilized 20 minutes (0.333 hours) to complete the form (130 = 390 x 1 x 0.3333). The average burden hours per collection is 0.333 hour.

**Table A1. Estimated Respondent Hour Burden**

Form Number/Title (and/or other Collection Instrument name)	Type of Respondents	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours	Annual Reporting Frequency
DOE F 206.5	Federal Employees	225	225	0.333	75	1
DOE F 206.5	Public Citizens	165	165	0.333	55	1
<b>TOTAL</b>		<b>390</b>	<b>390</b>		<b>130</b>	

### A.12B. Estimate of Annual Cost to Respondent for Burden Hours

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under ‘Annual Cost to Federal Government’.

The estimated respondent cost burden for Federal employees is calculated using the OPM 2024 GS-14/1 pay rate \$66.79 plus a multiplier of 1.6 to account for benefits for an hourly wage rate of \$106.86.

[SALARY TABLE 2024-DCB](#)

[https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB_h.pdf).

The estimated respondent cost for public citizens is calculated using the data from the BLS news release USDL-21-0437, June 2024 to determine a category pay rate \$46.21 plus a multiplier of 1.4 to account for benefits for an hourly wage rate of \$64.70. <http://www.bls.gov/news.release/ecec.nr0.htm>.

**Table A2. Estimated Respondent Cost Burden**

Type of Respondents	Total Annual Burden Hours	Hourly Wage Rate	Total Respondent Costs
Federal Employees	75	\$101.86	\$7,640
Public Citizens	55	\$64.70	\$3,559
<b>TOTAL</b>	<b>130</b>		<b>\$11,199</b>

\*\*Total figures rounded to nearest dollar\*\*

### A.13. Other Estimated Annual Cost to Respondents

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

There are no additional costs to respondents of this information collection other than the burden hours for reporting and recordkeeping.

### A.14. Annual Cost to the Federal Government

Provide estimates of annualized cost to the Federal government.

The estimated annualized cost to the Department for this information collection package is \$41,675. This amount is based on assumed standard rate of \$66.79 per hour (GS-14/1 level personnel) plus a multiplier of 1.6 to account for benefits costs per hour ( $\$66.79 \times 1.6 = 106.86$ ) x 1 hour processing x 390 requests processed annually ( $\$41,675 = \$106.86 \times 390$ ).

### A.15. Reasons for Changes in Burden

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

The change of burden from the previously approved submission is due to the decrease in the number of respondents, which has resulted in a reduction of annual burden hours. Additionally, the hourly rate for respondents has been updated to the 2024 basic hourly wage rate for a GS 14.

**Table A3. ICR Summary of Burden**

	Requested	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Previously Approved
Total Number of Responses	390	0	-16	406
Total Time Burden (Hr)	130	0	-5	135



Total Cost Burden	11,199	0	-6,567	17,766
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### **A.16. Collection, Tabulation, and Publication Plans**

**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.

### **A.17. OMB Number and Expiration Date**

**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 will display the OMB expiration date.

### **A.18. Certification Statement**

**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.