

Department of the Interior Bureau of Ocean Energy Management Manual

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Series: Administrative

Part 381: Origination of Records and Information

Chapter 5: Information Collection Requirements

Office of Primary Responsibility: Office of Regulatory Affairs

BOEMM 381.5

1.1 **Purpose.** The purpose of this chapter is to establish the responsibilities and procedures for collecting information from or imposing recordkeeping requirements on the public by the Bureau of Ocean Energy Management (BOEM).

1.2 **Scope.** The requirements in this chapter apply to all BOEM employees whose responsibilities may have an information collection component.

1.3 **Objective.**

A. Ensure BOEM compliance with the Paperwork Reduction Act (PRA), and other applicable laws, including those related to records, research, privacy, and security and access of information.

B. Minimize the Federal paperwork burden on the American public and the cost to the Federal Government of collecting, maintaining, using, and distributing information.

C. Ensure maximum possible utility from the information that is collected.

1.4 **Authority.**

A. 44 U.S.C. Chapter 35, Subchapter I, “Federal Information Policy,” also known as the Paperwork Reduction Act.

B. 5 CFR 1320, “Controlling Paperwork Burdens of the Public.”

C. 381 Departmental Manual (DM) 11, “Information Collection Program Requirements.”

1.5 **Definitions.** For the purposes of this chapter, the following are defined: (For additional definitions see 381 DM 11).

A. Burden means 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, including reviewing instructions; developing, modifying, or assembling any materials or equipment; conducting tests, inspections, polls, observations, or the like, necessary to obtain the information; organizing the information into the requested format; and reviewing its accuracy and the appropriateness of its manner of presentation.

B. Person means an individual, partnership, association, corporation, business trust, or legal representative; an organized group of individuals, a State, territorial, or local government or branch thereof, or a political subdivision of a State, territory, or local government. Federal Government employees are generally not included in the definition of “person.” However, Office of Management and Budget (OMB) approval is required if the results of questions posed to Federal employees, members of the military, or Federal contractors will be used for general statistical purposes.

C. Information means any statement of fact or opinion, whether in numerical, graphic, or narrative form, and whether oral or maintained on paper, electronically, or using other media.

D. Information Collection, defined broadly by the PRA, means a proposal or process for requesting information including using written report forms, application forms, schedules, reporting or recordkeeping requirements, or other similar methods.

E. Information Collection Budget (ICB) is OMB’s annual report to Congress, providing a detailed accounting of the information collection activities of the Federal Government in a given fiscal year.

F. Recordkeeping Requirements, defined broadly by the PRA, means a requirement imposed by or for an agency on persons to maintain specific records, including retaining, notifying, disclosing, and reporting on records.

G. Regulatory Information Service Center/Office of Information and Regulatory Affairs Combined Information System (ROCIS) is the digital platform used by agencies to submit PRA clearance requests to OMB.

1.6 **Policy.** It is the policy of BOEM to ensure that collections of information are structured so that the burden on the public is kept to a minimum. The burden associated with each collection of information must be allowed for in the annual ICB. No office may collect information from 10 or more persons unless it is essential to a program and the information collection has been approved by OMB.

1.7 **Responsibilities.**

A. The Director is responsible for ensuring the establishment and maintenance of the BOEM Information Collection Program in compliance with the PRA.

B. Associate Directors, Regional Directors, Office Directors, and Supervisors are responsible for:

- (1) Ensuring that initiation and extension of information collections are necessary for effective programmatic function.
- (2) Ensuring that information collections imposed on the public are accounted for in the relevant information collection request.
- (3) Coordinating with the privacy officer, and/or statistician/social science experts, as relevant.
- (4) Updating any public-facing forms with OMB approved changes and expiration dates and ensuring forms are 508 compliant.

C. The Office Director, Office of Regulatory Affairs (ORA) has responsibility for the BOEM Information Collection Program and for:

- (1) Ensuring implementation of an effective information collection program and compliance with OMB and Department requirements.
- (2) Designating a BOEM Information Collection Clearance Officer (ICCO) with responsibility for development and management of the program and reporting this designation to the Department's ICCO.
- (3) Reviewing and signing information collection notices.

D. The BOEM ICCO is responsible for:

- (1) Reviewing information collection activities bureau-wide to ensure they meet the requirements of the PRA and OMB regulations.
- (2) Establishing procedures for the systematic review of existing and proposed information collection requirements.
- (3) Disseminating to the appropriate program officials within BOEM instructions received from the Department relating to information collection.
- (4) Responding to questions from BOEM program officials about the requirements of the PRA or the information collection clearance process.
- (5) Developing and issuing guidance and providing advice on information collection.
- (6) Serving as the liaison with the Department's ICCO and the OMB Desk Officer on information collection matters.

(7) Reviewing and ensuring that all relevant information collections imposed on the public are included in the information collection requests before sending them to the Department ICCO and OMB for approval.

(8) Reviewing proposed and final rulemaking documents to ensure that BOEM obtains OMB approval for any related information collection.

1.8 Procedures.

A. PRA approval process takes approximately six to nine months for PRA clearance from agency development to OMB's decision. Before collecting information, programs must:

(1) Determine if existing information held by other bureaus or organizations can satisfy the need.

(2) Ensure that the information collection request is essential to the mission and the benefits derived justify the cost of the collection.

(3) Consider less burdensome alternatives to the proposed information collection.

(4) Ensure that the information collection imposes a minimum burden on individuals and small organizations.

(5) Ensure that the design or procedures for the information collection are relatively simple, understandable, and logically arranged.

(6) Integrate the information collection with related activities sponsored by other agencies to maximize the usefulness of the information collection.

(7) Ensure privacy is protected and the proprietary interests of respondents are supported by policies in compliance with the Freedom of Information Act and the Privacy Act.

(8) Actively seek public comment and views when designating the information collection. In addition to the required Federal Register notices, program officials should conduct targeted outreach to affected parties.

B. Information collection requests follow a process for approval, which includes publication of a 60-day notice and a 30-day notice, development of supporting statement and other supporting documentation, instruments of the collection (if needed, such as forms or questionnaires), and a summary of public comments with agency response.

C. All information collection clearance packages must be submitted through the BOEM ICCO. The BOEM ICCO will finalize all documents, upload the final documents, and complete the information collection request in ROCIS. Once the package is ready, the Department ICCO is notified by the BOEM ICCO to send it to OMB for review.

D. Additional procedures for the preparation and processing of information collections are contained in 381 DM 11 and OMB's, "[A Guide to the Paperwork Reduction Act.](#)"

1.9 Reporting Requirements.

A. OMB typically reviews the information collection request packages within 60 days, from the date of submission, but can take longer in some circumstances. After OMB completes its review of a PRA submission, it notes in ROCIS their decision concerning the information collection request (approved, approved with change, or not approved). OMB also publishes a "Notice of Action" (NOA) for PRA submissions that explains in detail any conditions on the OMB approval of the information collection, or why the information collection was disapproved. The NOA provides the expiration date of the approval and an OMB control number, which the program must print on the form or in the regulation containing the collection of information and refer to in any inquiries.

B. The BOEM ICCO should monitor OMB approvals of pending information collection requests. Within 10 business days of receiving the OMB NOA, the BOEM ICCO will notify the program to update any forms or other documents with control number and new expiration date, privacy statement (if required), and the PRA and estimated burden statements. Once forms are ready, forms will be submitted via email to the web team that services BOEM to be posted to the [BOEM OCS Operation Forms](#) webpage.

C. The BOEM ICCO will maintain a complete electronic file for each approved collection of information in accordance with the General Records Schedule. Part of the electronic update includes updating the [BOEM Approved Information Collection](#) webpage.