

BPA Policy 236-2

Information Collection

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1. Purpose & Background

- A. This policy establishes the BPA requirements and processes for information collection, as well as the information collection requirements of the Privacy Act, Paperwork Reduction Act, and e-Gov Act. BPA gathers information in a variety of ways, including forms, surveys, email, and interviews. This policy is a format-neutral guide to help BPA comply with information collection requirements.
- B. As described in BPA Policy 236-1, Information Governance & Lifecycle Management, information is a vital business asset. BPA appropriately manages its information assets to ensure their protection and quality, and to meet regulatory and legal obligations. Depending on the type of information collected, additional safeguards may be necessary to reduce the risk of disclosure of personally identifiable information (PII).
- C. BPA offices that currently collect information must comply with the requirements of the Paperwork Reduction Act (PRA), the Privacy Act, and Office of Management and Budget (OMB) Circular A-130, Managing Information as a Strategic Resource.

2. Policy Owner

The Executive Vice President (EVP) of Compliance, Audit, and Risk Management has overall responsibility for this policy. The BPA Privacy Officer within Information Governance develops, implements, and manages this policy on behalf of the EVP of Compliance, Audit, and Risk Management.

3. Applicability

This policy sets requirements for all BPA information collections, and proposed information collections.

4. Terms & Definitions

- A. Customer: a utility, large industry, or Federal agency that buys power or transmission services directly from BPA and who uses (or might use) BPA information, services, and products. A customer also includes those who work (or might work) with BPA to produce and deliver information and reports.
- B. Survey: any request for satisfaction information regarding BPA services and products, posed in identical form or format, to 10 or more people.
- C. Focus group: a group of customers or stakeholders who come together at BPA's invitation to discuss a service-related topic.

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- D. **Form:** a paper or electronic document with a fixed arrangement of captioned spaces or fields, designed for entering and extracting prescribed information. Categories of forms include internal, interagency, public use, standard, and optional (see BPA Policy 236-25, Forms Management).
- E. **Information Collection (IC):** any request for information in paper, electronic, or verbal form that BPA prepares or distributes.
- F. **Information Collection Owner:** the office of record responsible for collecting the information on behalf of BPA. The office of record is also responsible for maintaining the information collected.
- G. **Information Collection Request (ICR):** the written proposal submitted to OMB for new or revised information collections that require PRA approval. ICRs consist of:
 1. The proposed form or questionnaire and any related transmittals to its intended recipients;
 2. A detailed justification for the information collection and description of the proposed methods for collecting, analyzing, and using the information;
 3. A description of the reporting and recordkeeping costs to both the customer and BPA associated with the information collection; and
 4. A copy of the directive, regulation, or strategic goal requiring or supporting the information collection.
- H. **Information System:** discrete set of information resources organized for the collection, processing, maintenance, transmission, and dissemination of information.
- I. **Instrument:** the mechanism used to collect information from individuals or organizations. Instruments include but are not limited to report forms, application forms, questionnaires, surveys, agreements, policy statements, requests for proposal, focus groups, customer surveys, and verbal communications.
- J. **Person:** an individual, contractor, organization, or non-Federal government entity.
- K. **Personally Identifiable Information (PII):** information used to distinguish or trace an individual's identity, either alone or when combined with other information that is linked or linkable to a specific individual.
- L. **Privacy Impact Assessment (PIA):** a mandatory analysis of how PII is handled within an information system to ensure compliance with applicable legal and regulatory requirements, determine the risks and effects of collecting, maintaining, and disseminating information in identifiable form, and evaluating protections to mitigate privacy risks.
- M. **Privacy Needs Assessment (PNA):** a short, preliminary analysis of the PII present in a proposed information collection.

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- N. Privacy Act System of Records: a group of records from which information is retrieved by the name of the individual or some identifying particular assigned to the individual. BPA’s Privacy Act Systems of Records are available on BPA.gov.

5. Policy

- A. BPA only collects information that is necessary to conduct its business.
- B. Carefully considered and legally compliant collection of information is part of BPA’s overall commitment to managing Federal information throughout its lifecycle, including collection, use, processing, maintenance, dissemination, disclosure, and disposition.
- C. BPA must conduct a PNA on every new information collection if the information will be stored on or processed by an information system.
- D. BPA must conduct PIA when:
 - 1. The information collected will be stored on or processed by an information system; and
 - 2. The information collection will include information about individuals in identifiable form.
- E. BPA must obtain PRA approvals from OMB when a proposed information collection will ask for identical information from 10 or more people or organizations within the same 12-month period.
- F. BPA must conduct a brief Privacy Act assessment on any proposed information collection that will include PII. If PII will be regularly accessed by name or other personal identifier, the information collection must comply with the Privacy Act.
 - 1. Proposed information collections that must comply with the Privacy Act will be analyzed to determine if the information collection fits within a published Department of Energy or government-wide Privacy Act System of Records.
 - 2. If the proposed information collection does not fit within a published System of Records, CGI will work with the Information Collection Owner to develop a proposal to send to DOE for the creation of a new Privacy Act System of Records.
- G. BPA balances the need for new information against privacy risks, and keeps collection of PII to a minimum.

6. Policy Exceptions

- A. PRA approval is not required for information collections that only contain information about Federal employees (BFTEs).

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- B. PRA approval is not required for information collected during the conduct of a Federal criminal investigation or prosecution; other litigation or investigative activities; or during the conduct of intelligence activities and cryptologic activities that are communications security activities.
- C. PRA approval is not required for information disclosures that require individuals to provide only facts that entail no burden other than that necessary to identify the respondent, the date, the respondent's address, and the nature of the instrument.

This includes:

1. Affidavits, oaths, affirmations, certifications, receipts, changes of address, and consents or acknowledgements.
2. Facts or opinions obtained through direct observation by an employee or agent of the sponsoring agency.
3. Facts or opinions submitted in response to general solicitations of comments from the general public.
4. Facts or opinions requested from a single person.
5. Examinations designed to test the aptitude, abilities, or knowledge of the person tested for a collection.
6. Facts or opinions solicited in connection with public hearings or meetings.
7. Information solicited through non-standardized follow-up questions designed to clarify responses to approved collections of information.
8. Similar items as designated by OMB.

7. Responsibilities

- A. Executives and Managers
 1. Assist in identifying existing collections of information.
 2. Minimize burden and cost when developing reporting requirements.
 3. Integrate information collections into program planning and management efforts to ensure that:
 - a. Any proposed collection is not put in place prior to obtaining the appropriate approvals;
 - b. Staff can develop and implement information collections as needed to support operational and program requirements; and
 - c. Identify information collection costs to support appropriate budget allocations.

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B. Information Collection Owners

1. Contact CGI for review of a proposed information collection to determine if it requires Privacy Act, Paperwork Reduction Act, or Privacy Impact Assessment compliance work. The request should contain the instrument, the reason for collection, the number or approximate number of people or organizations participating per year, the types of information needed, how information will be managed, and the disposition of information collected.
2. Ensure the review and analysis of all information collections under their management; ensure the processing of all information collections for approval; and develop plans to bring all current information collections into compliance with this Policy.

C. Information Governance Privacy Program Office

1. Provide oversight, guidance, and technical assistance to all offices in implementing this policy;
2. Maintain an agency-wide view of information collections to make the most efficient use of information collections and to ensure there are no duplications of effort;
3. Coordinate the approval process for information collections according to Bonneville, OMB, GSA, and budget requirements; and
4. Maintain the official record of all information collection approvals.
5. Track PRA collections that fail to achieve OMB approval through the PRA submission process until approval for the collection is received or the information collection is stopped.

8. Standards & Procedures

The Information Governance Privacy Program Office manages all processes related to Privacy Impact Assessments, the Privacy Act, and the Paperwork Reduction Act. There are three processes:

- A. Privacy Impact Assessment: PIAs are conducted on information technology systems that exist in Bonneville’s operating environment and store information collections. Each system must be assessed for collecting, storing, and retrieving PII. This is an approval process through the DOE CIO and takes an average of two months.
- B. Privacy Act: Privacy Act compliance is required for information collections where information will regularly be accessed by name or personal identifier. New collections that fit under a currently-published Privacy Act System of Records will be updated to ensure that appropriate notice procedures and protections are in place. New collections that do not fit under a currently-published Privacy Act System of Records require

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approval from DOE and publication in the Federal Register. This process is rarely undertaken by DOE, and Information Collection Owners should be aware that DOE may require or encourage the limitation or elimination of such new collections.

- C. Paperwork Reduction Act Submission: PRA approvals are sought from OMB for any information collection that gathers the same information from ten or more individuals, or entities, within any 12-month period. This process requires an extensive review for the creation and submission of an Information Collection Request (ICR). The ICR documents the need for and the use of the information being collected; confirms that Bonneville is not collecting the same data from multiple sources; documents Bonneville’s efforts to reduce the burden of providing the information; and confirms that Bonneville uses the appropriate statistical methodology and technology in the collection of information. The documentation and submission requires review by DOE, two Federal Register notices, and final submission and approval by OMB. This process can average six months to complete.

For an information collection that is in place, the Privacy Program Office will determine if it can continue to operate while the approval process is completed. The determination will be based on the risk to PII, business functions, and other factors.

The Privacy Program Office will work closely with the IC Owner, providing education and guidance as needed, throughout any process required.

9. Performance & Monitoring

The Information Governance Privacy Program Office will identify and monitor all information collections to ensure compliance. All identified, non-compliant collections will be forwarded to Internal Controls for risk assessment, and tracked through the Regulatory Compliance Program until compliance is achieved. The IC Owner is responsible for the development of an action plan to achieve compliance. Any collections denied approval will be brought to the attention of the Information Governance Oversight Team (IGOT) for direction and resolution.

10. Authorities & References

Bonneville established this policy in compliance with the:

- A. 44 USC §§ 3501–3521, *Paperwork Reduction Act*;
- B. 5 CFR 1320, *Controlling Paperwork Burdens on the Public*;
- C. Executive Order 12291, *Federal Regulation*;
- D. Public Law 107-347, *Federal Information Security Management Act*;
- E. Public Law 104-106, *Information Technology Management Reform*;
- F. Public Law 105-277, *Government Paperwork Elimination Act (GPEA)*;
- G. 5 USC § 552a, *Privacy Act of 1974*, as amended;

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- H. DOE Order 200.2, *Information Collection Management Program*;
- I. OMB Circular A-130 (revised);
- J. OMB Memorandum M-13-13, *Open Data Policy—Managing Information as an Asset*, dated May 9, 2013;
- K. OMB Memorandum, *Information Collection under the Paperwork Reduction Act*, dated April 7, 2010;
- L. OMB Memorandum 99-05, *Privacy and Personal Information in Federal Records*, dated May 14, 1998;
- M. 40 FR 28948, *Privacy Act Implementation, Guidelines and Responsibilities*, dated July 9, 1975;
- N. BPA Policy 470-3, *Protection of Personally Identifiable Information Within the BPA Application Portfolio*.

11. Review

The Information Governance Privacy Program Office will review this policy and information collections in a three-year cycle in accordance with the PRA. Review of technology systems requiring a PIA is done annually, or upon revision of the information collected and stored in the system.

Any revisions to BPA Policy 236-1, Information Governance & Lifecycle Management, or other policies governing information management, will trigger a review of this policy for consistency.

12. Revision History

Version Number	Issue Date	Brief Description of Change or Review
1.0	20 December 2018	New policy

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