

DOT Order 1351.36A - DEPARTMENTAL FORMS MANAGEMENT

1. PURPOSE. This document establishes the U.S. Department of Transportation (DOT or the Department) policy concerning management of paper and electronic forms created, controlled, or distributed by the Department.
2. CANCELLATIONS. This policy cancels and replaces DOT Order 1351.36, Departmental Forms Management Policy, dated November 8, 2011.
3. BACKGROUND. Forms are a critical tool used by DOT to collect information required to meet administrative and program requirements. The DOT Forms Management Policy maximizes the utility and efficiency of forms and ensures regulatory compliance in support of the Plain Writing Act of 2010, the Government Paperwork Elimination Act of 1998 (GPEA), the Paperwork Reduction Act of 1995 (PRA), 5 CFR Part 1320 Controlling Paperwork Burdens on the Public, and guidance documents from the Office of Management and Budget (OMB) and General Services Administration (GSA).
4. REFERENCES. See Appendix A.
5. DEFINITIONS.
 - a. Component Form – A form that is not controlled by the DOT Forms Management Program. These forms are created, managed, maintained, stocked, and distributed by each Component. Examples of these include checklists that track office business activity such as projects, internal quality control, and other similar documents. These forms have the Component name or acronym preceding the form number.
 - b. DOT Form – A form issued by the Office of the Secretary and used by one or more organizational components within DOT. These forms have the designation “DOT” preceding the form number.
 - c. Electronic Form – Web pages, applications, or other electronic documents designed to capture, validate, and submit data for processing.
 - d. Electronic Signature – An electronic symbol, sound, or process, and executed or adopted by a person with the intent to sign a record. An Electronic Signature is the equivalent of an individual’s hand-written signature and can be used to confirm content or approval within a document, or the terms of a document.
 - e. Form – A paper or electronic instrument that features an arrangement of captioned blank spaces designed for gathering, processing, transmitting, and approving prescribed information quickly and efficiently. All forms are required to have organization designation (DOT or Component name) preceding the form number, regardless of the type or format of the electronic form.
 - f. Optional Form – A form approved by GSA for non-mandatory Government-wide use and is used by two or more agencies.

- g. Public-Use Form – A form used to collect identical information from 10 or more non-Federal respondents in the public sector. The PRA requires every public-use form to go through an approval process managed by OMB before it is distributed to collect the requested information.
- h. Standard Form – A form prescribed by a Federal agency and approved by GSA for mandatory Government-wide use. Standard Forms are identified by an “SF” prefix in the form number.

6. SCOPE AND APPLICABILITY.

- a. This Order is applicable to all DOT Operating Administrations and Secretarial Offices (Components) but only to the extent that such requirements and recommendations are consistent with 49 U.S.C. §§ 106 and 40110. The Federal Aviation Administration (FAA) and Office of Inspector General (OIG) may issue internal policies consistent with this policy and work with the DOT Chief Information Officer (DOT CIO) unless specifically prohibited by law.
- b. This Order applies to all forms created and/or distributed by DOT for use within the Department, by another State or Federal agency, or by the public.

7. POLICY.

DOT’s Forms Management Policy is designed to promote efficient information collection and processing through the development of forms that are easy to read, complete, transmit, process, and retrieve. Adherence to this policy will ensure that DOT forms meet established standards, are accurate and up-to-date, and are of practical utility.

- a. Forms may only be created to satisfy authorized business needs related to the performance of the Department’s mission.
- b. DOT shall maintain an inventory of all active Component and DOT Forms.
 - 1) All DOT forms shall be accessible to all DOT staff.
 - 2) DOT forms shall be made available to the public, as appropriate.
- c. DOT shall ensure that forms comply with all applicable laws, regulations, and directives.
 - 1) Forms shall be revised to remain compliant with updated policies.
 - 2) Forms that collect Personally Identifiable Information (PII) shall meet the requirements of DOT Order 1351.18, Departmental Privacy Risk Management Policy.¹

¹ All references to policy and guidance refer to the most recent version of that policy unless otherwise noted.

- 3) Systems that operate electronic forms shall meet the requirements of DOT Order 1351.37, Departmental Cybersecurity Policy.
- 4) Public-use forms shall follow the requirements of the PRA as outlined in DOT Order 1351.29A, Paperwork Reduction Act, and Information Collections. These forms must contain the OMB approval number and expiration date, as required.
- 5) Forms shall be written using plain language and avoid undue complexity.
- 6) Electronic forms shall meet all accessibility, privacy, and security standards.
- d. DOT shall ensure that new forms are not duplicative of active forms.
- e. DOT shall utilize GSA Standard and Optional Forms wherever practicable.
- f. DOT shall standardize forms across Components as appropriate.
- g. Active forms shall regularly be evaluated for:
 - 1) Effectiveness in supporting relevant business processes,
 - 2) Ease and convenience of use,
 - 3) Necessity and cost-effectiveness,
 - 4) Accessibility and compatibility with assistive technology,
 - 5) Opportunities to consolidate with other forms, and
 - 6) Efficiency of production, distribution, and use.
- h. DOT shall use electronic forms and electronic signatures to the greatest extent feasible and store data in industry-recognized, machine-readable, open formats.

8. RESPONSIBILITIES.

This section defines roles for implementing the DOT Forms Management program and responsibilities associated with each role. Provided below is a list of the roles and levels in the Department in which they reside. The Departmental Chief Information Officer is the designated office of primary responsibility for the DOT Forms Management program.

Department Level.

- a. Accountability for directing DOT's Forms Management Program resides with the DOT CIO. The DOT CIO will:
 - 1) Ensure the effective implementation of Forms Management policies, responsibilities, and standards,
 - 2) Ensure the Forms Management program is supported and appropriately resourced,

- 3) Promote the use of technology to improve the effectiveness and efficiency of DOT forms, and
- 4) Designate a Departmental Forms Management Officer (DOT FMO) to oversee and manage the Forms Management Program. The DOT FMO is responsible for Department-wide implementation of Forms Management policy. The DOT FMO will:
 - a) Maintain a Departmental Forms Inventory accessible to DOT staff and members of the public as appropriate,
 - b) Coordinate with DOT Components for the standardization of forms across the Department,
 - c) Advise Components of new, revised, or canceled DOT forms,
 - d) Assign form numbers and edition dates for all DOT forms,
 - e) Review all requests to create, revise, or cancel DOT forms,
 - f) Provide necessary training and tools to Component FMOs and Component staff as appropriate to implement this policy,
 - g) Conduct periodic reviews to ensure Component FMO follow the DOT Forms Management Policy, and
 - h) Coordinate with Component FMOs and other Federal agencies as needed for the use of GSA standard and optional forms.
- b. The General Counsel is the chief legal officer for the Department, legal advisor to the Secretary, and final authority on questions of law within DOT. The Office of the General Counsel (OGC) will provide legal advice and counsel on all matters arising in the administration of this policy.
- c. The Departmental Chief Data Officer (CDO) is responsible for the Department-wide governance and utilization of data as an asset. The DOT CDO will:
 - 1) Establish data standards to promote interoperability and utility of forms across the Department, and
 - 2) Advise on the use of technology to improve the openness, machine-readability, effectiveness, and efficiency of DOT forms.
- d. The Departmental Chief Privacy Officer (DOT CPO) is responsible for establishing standards and processes for assessing the privacy risk. The DOT CPO will assess the privacy risk and ensure appropriate mitigations and compliance activities are implemented for any form creating privacy risk.

Component Level

- e. The Component Head is responsible for establishing Component Forms Management Program.² The Component Head will:
 - 1) Establish the Component Forms Management program to review, evaluate, and process information collection requests to evaluate their necessity, utility, and compliance with Federal law and OMB guidelines,
 - 2) Ensure that the Component Forms Management program is supported and sufficiently resourced, and
 - 3) Assign a Component FMO responsible for managing the Component Forms Management program. This assignment may be made at the discretion of the Component. The Component FMO will:
 - a) Maintain an accurate inventory of all Component forms accessible to Component staff and members of the public as appropriate,
 - b) Review all Component requests to create, revise, or cancel any DOT and/or Component forms and coordinate with the DOT FMO as appropriate,
 - c) Provide necessary training and tools to form owners as appropriate to implement this policy,
 - d) Ensure Component forms are compliant with Federal regulations and DOT policies and standards throughout the form lifecycle in consultation with appropriate subject matter experts including the Component Privacy Officer and Information Collection Officer,
 - e) Assist form owners in enhancing the efficiency of Component forms,
 - f) Establish procedures for managing Component forms including, development, revision, approval, distribution, cancellation, and disposition, and
 - g) Coordinate with the DOT FMO for the submission of all forms for inclusion in the Department inventory.
- f. The Component Chief Counsel is the legal advisor to the Head of the Component and will work with Component and Department Officials to provide legal advice and counsel on all matters arising in the administration of this policy.

² OCIO recommends that Components include forms management with other information management functions, but Components have broad flexibility in determining the structure of their Forms Management Program.

- g. The Component Chief Data Officer is responsible for Component-wide governance and utilization of data as an asset. The Component CDO will:
 - 1) Work with the Component FMO and DOT CDO to establish data standards that promote interoperability and utility of forms across the Department, and
 - 2) Assist Component FMO and forms owners in automating forms data collection and storage.
- h. The Component Privacy Officer is responsible for assessing the privacy risks of forms. Component Privacy Officers will:
 - 1) Coordinate with form owners and Component FMOs to ensure that forms include required privacy risk analysis and compliance documentation, and
 - 2) Ensure forms only request personally identifiable information (PII) when relevant and necessary to perform the statutory duties of the Department.
- i. The Component Information Collection Officer (ICO) is responsible for determining the applicability of the PRA for any form that collects information from members of the public. The Component ICO will:
 - 1) Advise form Owners on the PRA requirements of public-use forms,
 - 2) Ensure that all Component forms which fall under the PRA receive OMB approval before collecting any information in accordance with DOT Order 1351.29A Paperwork Reduction Act and Information Collections, and
 - 3) Notify and coordinate with the Component FMO on the update, creation, or discontinuation of any PRA related form.

Program Level.

- j. Form Owners are responsible for the development and management of forms. Form Owners will:
 - 1) Administer forms throughout their lifecycles,
 - 2) Ensure new forms are of practical use to the performance of DOT's mission,
 - 3) Coordinate with the Component FMO to ensure all relevant form policies, regulations, and standards are followed,
 - 4) Consult the Component ICO to determine if a form falls under the PRA,
 - 5) Monitor the effectiveness of their forms,
 - 6) Coordinate with the Component Privacy Officer to ensure proper handling of PII, and
 - 7) Discontinue forms when they are no longer needed and coordinate with the DOT FMO and Component FMO to remove them from the Component and Department inventories.

9. COMPLIANCE.

- a. Component Heads shall review their respective forms management practices annually to verify appropriate actions have been taken to bring their forms management activities into compliance with this policy.
- b. This policy does not supersede any other applicable law, or higher-level agency policy in place as of the effective date of this policy.

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DOT Chief Information Officer

APPENDIX A: REFERENCES.

1. Legislation

- a. Plain Writing Act of 2010 (Pub. L. 111-274), October 13, 2010.
- b. Government Paperwork Elimination Act (Pub. L 105-277 Title XVII), October 21, 1998.
- c. Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), October 1, 1995.

2. National Regulations, Policy, Directives and Memoranda

- a. Controlling Paperwork Burdens on the Public (5 CFR Part 1320), August 29, 1995.
- b. Federal Management Regulation, 41 CFR Chapter 102, January 2016, as amended.
- c. OMB Circular A-130: Managing Information as a Strategic Resource, July 27, 2016.
- d. OMB Memorandum: Testing and Simplifying Federal Forms, August 9, 2012.
- e. OMB Memorandum: Reducing Reporting and Paperwork Burdens, June 22, 2012.
- f. OMB Memorandum M-11-15: Final Guidance on Implementing the Plain Writing Act of 2010, April 13, 2011.
- g. General Services Administration Handbook, “Standard and Optional Forms Procedural Handbook,” July 2009.

3. DOT Regulations and Policies

- a. 49 CFR 1.48, Office of the Chief Information Officer, April 26, 2017.
- b. DOT Order 1351.18, Privacy Risk Management Policy, September 30, 2014.
- c. DOT Order 1351.29A, Paperwork Reduction Act and Information Collection, April 1, 2022.