

AMS Directive 257.1

6/4/93

CLEARANCE OF PUBLIC REPORTING AND RECORDKEEPING

REQUIREMENTS

I. PURPOSE

This Directive states policy and responsibilities for clearing information collections that contain reporting and recordkeeping requirements placed on the public by the Agricultural Marketing Service (AMS).

II. AUTHORITIES

A. Title 5, Code of Federal Regulations, Part 1320, Controlling Paperwork Burdens on the Public.

B. Departmental Regulation 3410-1, Information Collection Activities.

III. POLICY

It is AMS policy to collect only essential information and reduce the burden placed on the general public. The collection of information will be conducted in the most efficient, effective, and economical manner possible. AMS offices will not attempt to collect information from the public without obtaining prior approval from the Office of Management and Budget (OMB).

IV. DEFINITIONS

A. Burden. The total time, effort, or financial resources used by a person to provide information to a Federal Agency. This includes the time to read or hear, develop, modify, construct, or assemble information; to conduct tests, inspections, polls, or observations necessary to obtain information; to organize, review, disclose, or report information; and to store, file, or maintain information.

B. Clearance. The process of obtaining OMB approval for an information collection through the Agency Senior Information Resources Management Official (SIRMO) and the USDA Office of Information Resources Management (OIRM).

C. Collection of Information. Obtaining or soliciting facts or opinions by an Agency through the use of written report forms, application forms, schedules, questionnaires, reporting or recordkeeping requirements, or other similar methods calling for either:

1. Answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, 10 or more persons (other than

Agencies, organizations, or employees of the Federal Government) within any 12-month period; or

2. Answers to questions posed to Agencies, organizations, or employees of the Federal Government which are to be used for general statistical purposes.

D. Information Collection Request. A written report form, application form, schedule, questionnaire, reporting or recordkeeping requirement, or similar method calling for the collection of information.

E. Practical Utility. The ability of an Agency to use the information it collects, particularly the ability to process such information in a timely and useful fashion. In determining whether information will have "practical utility," OMB will take into account whether the Agency demonstrates actual timely use for the information, either to carry out its functions or to make the information available to the public.

F. Recordkeeping Requirement. Requirement imposed by an Agency on persons or businesses to maintain specified records that are not customarily kept as ordinary business records. These records are not necessarily provided to the Agency.

G. Respondent. Any individual (excluding a Federal employee performing official duties), corporation, firm, partnership, institution, State, or Territorial or foreign government, from whom information is obtained or requested for the use of the Federal Government.

V. RESPONSIBILITIES

A. The Deputy Administrator, Management, is the Agency SIRMO, and will assess all information collection requests to ensure that regulatory requirements are met.

B. The Director, Management Services Division (MSD), oversees the process of obtaining OMB clearance for information collection requests.

C. The Chief, Information Management Branch (IMB), MSD, through the Section Head, Issuances, Forms, and Reports Management Section (IFRMS), is the liaison between the Agency SIRMO and OIRM. IFRMS will:

1. Notify the appropriate Division/Staff 5 months before the expiration of current approvals;
2. Review information collection requests and submit them to the SIRMO for final Agency approval;
3. Transmit information collection requests to OIRM for Departmental approval and transmittal to OMB.
4. Coordinate the annual submission of an Information Collection Budget for the Agency (see Section IX. of this Directive).

D. Division/Staff Directors will notify IFRMS when new reporting or recordkeeping requirements involving the public are proposed, and when current reporting or

recordkeeping requirements are changed. All information collection requests will be forwarded to IFRMS after review by the appropriate Division/Staff Director.

VI. TYPES OF REQUIREMENTS THAT MUST BE CLEARED

A. Reporting and Recordkeeping Requirements To Be Cleared. The following must be cleared:

1. Proposed reporting or recordkeeping requirements (including dockets for Federal Register publication which contain reporting or recordkeeping requirements).
2. Revisions of reporting or recordkeeping requirements previously approved. This includes changes in the type and amount of information sought, number of respondents, and the time and frequency of reporting.
3. Extensions of approvals beyond the expiration dates previously approved by OMB.

B. Conditions That Must Be Met. Before requesting clearance of any reporting or recordkeeping requirement, originating offices must determine that:

1. The information requested does not exceed the limits of reasonable need or practical utility. (See Attachment 1 for further information on determining practical utility for an information collection request.)
2. The number of respondents, frequency of collection, and information collected is essential.
3. Adequate information is not already available in the Department or from any other Government Agency.

VII. EXEMPTIONS

The following information collections are exempt from OMB clearance:

- A. Information collections which are necessary only to identify respondent, date, respondent's address, consents, affidavits, acknowledgments, affirmations, certifications, receipts, and changes of address.
- B. Facts obtained through direct observation by a Federal employee or agent of the sponsoring Agency.
- C. Facts or opinions submitted in response to general solicitations for comments, provided that no person is required to supply specific information.
- D. Examinations designed to test the aptitude, abilities, or knowledge of the person tested.
- E. Nonstandardized followup questions designed to clarify responses to approved collections of information.

VIII. GUIDELINES FOR OBTAINING CLEARANCE

A. Preparing Clearance Requests. IFRMS has developed a guide for originators to use in preparing their clearance request dockets. This guide contains a detailed explanation of the information that must be included in the docket, and examples of the necessary forms. Before preparing dockets to be submitted for clearance, originators should contact IFRMS to obtain a copy of this guide.

B. Timeframes for Clearance. OMB requires 90 calendar days for its review process; OIRM requires 10 calendar days. The Agency review process takes approximately 14 calendar days. Therefore, clearance requests should be submitted to IFRMS **no later than 120 calendar days** before the expiration date of a currently approved collection or the beginning of a new collection.

IX. INFORMATION COLLECTION BUDGET

A. OIRM requires each Agency to submit annual exhibits estimating the hours of burden to be imposed on the public in the next fiscal year, and verification of accomplishments in prior years. This is the Information Collection Budget. It is included in the Department's Information Resources Management Plan, and is used by OMB to analyze Department efforts to improve Federal information resources management.

B. Information Collection Budget formats, reduction goals, and methods for computation are determined by OMB each year. IFRMS will contact Division/Staff Directors annually to obtain the required information, and will provide them with current OMB guidelines.

X. Direct questions to IFRMS, IMB, MSD.

QUESTIONS

L. P. Massaro

Deputy Administrator, Management

Attachment

Attachment 1

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DETERMINING PRACTICAL UTILITY

FOR AN INFORMATION COLLECTION REQUEST

CHECKLIST OF QUESTIONS

NOTE: This checklist has been developed merely as an example of questions to impose internally when developing information collection requirements. No formal responses are necessary.

1. What are the primary and secondary purposes for collecting the information?
2. What decisions will be made based on the information?
3. What actions will be taken based on the information?
4. What will happen if the information is not collected?
5. Who will use the information?
6. How often will the information be used?
7. Do acceptable criteria exist to evaluate the information so that it can be used for the intended purpose?
8. Do adequate resources exist to use the information, once it has been collected?
9. What is the anticipated time frame for using the information? Is there a chance that the information will be out of date or collected too late to be useful?
10. If the information has been collected in the past, has it actually been used for the anticipated purposes?

IF NOT:

WHY NOT?

-- Poor quality of data?

-- Information difficult to interpret because of lack of standards, usable criteria, etc?

-- Inadequate staff or other resources to use the information?

-- Other reasons?

LITERALLY, WHAT HAPPENED TO THE INFORMATION?

-- Never published?

-- Report published, but recommendations never implemented?

-- Other?

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