



Paperwork Reduction Act

NASA Program Overview and Compliance Strategy

Office of the Chief Information Officer

***NASA IT Vision:** The NASA IT Organization is the **very best** in government*

April 17, 2013

NASA PRA Clearance Officer

AGENDA

- The Federal Government's Need for Information
- PRA Drivers and Purpose
- Role of the Office of Information and Regulatory Affairs (OIRA)
- NASA Stakeholders
- Nine Types of Information Collections
- Timelines to Obtain Approval to Collect Information from the Public
- Race and Ethnicity Questions
- Outreach Initiatives



The Federal Government's Need for Information

The federal government provides a wide array of protections and services to meet the needs of the American people include but not limited to education, training, health care, safety, finance (financial stability of banks) environmental protection and American armed forces.

Federal agencies collect information from citizens, organizations, businesses, and other entities to ensure the successful completion of agency missions.

Federal agencies use information collected for several purposes to include budget requests, program development/expansion, and enabling access to federal facilities (owned or leased.)

Federal agencies must **balance** their reliance on information and the associated burden imposed. Information requests can be timely and costly.

Paperwork Reduction Act Drivers



The key drivers for the federal Paperwork Reduction Act Program are:

- The Paperwork Reduction Act (PRA) of 1980, as amended by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)
- The Office of Management and Budget (OMB) regulations on information collections (5 CFR 1320, “Controlling Paperwork Burdens on the Public”)



Purpose

- The Paperwork Reduction Act is a United States law enacted to ensure information collected from the public:
 - Satisfies a programmatic need
 - Minimizes duplication
 - Improves the quality and practical utility of information collected from the public by the federal government
 - Reduces the paperwork burden on persons/members of the public

Information Collection

The obtaining, causing to obtain, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency.

- Answers to identical questions or data elements by ten or more respondents in a calendar year
- Regardless of form or format (oral, maintained on paper, electronic, telephone, focus groups, etc)
- Whether voluntary, mandatory, or required to obtain a benefit (e.g., job, grant, contract)

NOTE: Includes federal employees of the United States when collected for general statistical purposes

Practical Utility

The ability of an agency to use the information collected and the capacity to process such information in a timely, useful fashion.

Persons/Members of the Public

An individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territory, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government of a branch of a political subdivision.

Note: Federal contractors are not employees of the government, they are members of the public

Burden

The time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for the Federal government, including the resources expended for--

- reviewing instructions;
- acquiring, installing, and utilizing technology and systems;
- searching data sources;
- completing and reviewing the collection of information; and
- transmitting, or otherwise disclosing the information

Purpose (con't)

- The PRA was established to:
 - (1) **Minimize the paperwork burden** for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;
 - (2) **Ensure the greatest possible public benefit** from and maximize the utility of information created, collected, maintained, used, shared and disseminated by or for the Federal Government; **(identify problems that should be regulated such as vehicle emissions.)**
 - (3) **Improve the quality and use of Federal information** to **strengthen decision making**, accountability, and openness in Government and society;
 - (5) **Minimize the cost to the Federal Government** for the creation, collection, maintenance, use, dissemination, and disposition of information;
 - (6) **Strengthen the partnership between the Federal Government and State, local, and tribal governments** by minimizing the burden and maximizing the utility of information created, collected, maintained, used, disseminated, and retained by or for the Federal Government;
 - (8) **Ensure the creation, collection, maintenance, use, dissemination, and disposition of information by or for the Federal Government is consistent with applicable laws**, including laws relating to--
 - (A) privacy and confidentiality
 - (B) security of information
 - (C) access to information
 - (9) **Ensure the integrity, quality, and utility of the Federal statistical system;**
 - (10) **Improve responsibility and accountability** (to the public, to Federal agencies reporting to Congress, etc) :
PCAT helps to improve responsibility and accountability.



Burden Reduction Initiatives Are Necessary

- While Congress establishes burden reduction goals, the actual federal agency reporting burden continues to increase.
- Burden reduction can be achieved only to the extent that it does not interfere with an agency's ability to meet their programmatic responsibilities.

(federal government needs access to information to carry out its responsibilities carefully, fairly, efficiently and effectively)

- E-Gov initiatives have made significant contributions to burden reduction.
- NASA is currently considered a small agency with regard to the number of information collections. In 2012, NASA was tasked to identify burden reducing initiatives totaling **50,000** hours that could be implemented within a 6-8 month period.

When designing a new or revising a current information collection, the program office must keep in mind guidelines OMB has outlined

1 Necessary for performance of agency functions

2 Avoids unnecessary duplication

3 Reduces burden on small entities

4 Uses plain, coherent, and unambiguous terminology

5 The information collection has been developed by an office that planned and allocated resources for the use of the information

6 Makes appropriate use of Information Technology

7 Ensures the collection, maintenance, and use of information is consistent with applicable laws:

- privacy and confidentiality
- security of information
- access of information

8 Uses an effective and efficient statistical methodology when applicable

9 Federal agencies cannot continue to collect information if the OMB approval window has expired

Roles

- OMB Office of Internal Regulatory Affairs/ OIRA Desk Officer Assigned to NASA
- Agency Certifying Official
- Agency PRA Clearance Officer
- Agency Federal Register Liaison Officer
- Agency Information Collection Sponsoring Office
- NASA Center PRA Liaison (coming soon)

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OMB/Office of Internal Regulatory Affairs must approve information collection requests covered by the PRA BEFORE information can be collected.

- ▶ Without an approved OMB control number, information covered by the PRA cannot be collected from the public.
- ▶ The PRA established the **Office of Information and Regulatory Affairs (OIRA)** within the Office of Management and Budget (OMB) with the authority to regulate matters regarding information collected from members of the public by/on behalf of the federal government.





Role of the OMB/OIRA

- Serves as the **central clearinghouse** for federal information collections.
- Designates an **OIRA Desk Officer** for each federal agency.
- Assigns the OMB control number each federal agency **must** display on all approved information collections.
 - Each agency has a unique control number, comprised of two four-digit numbers separated by a hyphen.
 - the first four digits identify the sponsoring agency (**the NASA 4-digit agency code is 2700**)
 - the second four digits identify the particular collection (for multiple forms within an approved collection will almost always contain the same OMB control number)
- Validates that FRNs are published to enable members of the public to comment on proposed information collections.
- Provides a process for the public to review/validate OIRA approved information collections www.reginfo.gov

Paperwork Reduction Act Statement - This information collection meets the requirements of 44 U.S.C. § 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget (OMB) control number. The control number for this collection is (2700-XXXX) and expires on XX/XX/XXXX. We estimate that it will take about <INSERT NUMBER> minutes to read the instructions, gather the facts, and answer the questions. ***Send only comments relating to our time estimate to (NASA email address is preferred.)***

- OMB/OIRA evaluates agency performance in minimizing paperwork burdens, assesses the impact of the government's information collection efforts involving members of the public, and publishes findings in the *Information Collection Budget (ICB) of the United States Government*.

“In FY2011, it is estimated that the public spent 9.14 billion hours responding to Federal information collections. This total represents a new increase of 355 million burden hours, or about 4 percent, from the estimated 8.78 billion hours the public spend responding to Federal information collections in FY2010.”



NASA Stakeholders

- **NASA CIO**
 - Serves as the Senior NASA Official responsible for ensuring prompt, efficient, and effective implementation of the NASA PRA Program.
 - Establishes applicable NASA policy.
 - Designates a NASA PRA Clearance Officer.
- **NASA Office of the General Counsel /Center Office of the Chief Counsel**
 - When necessary, provides legal advice on issues related to the PRA and laws that affect information collections.
- **NASA PRA Clearance Officer**
 - Serves as the liaison between NASA and the OMB/OIRA Desk Officer.
 - Assists program/project offices obtain OMB/OIRA approval to collect information from the public (as demonstrated by the issuance of an OMB control number), renew information collections when applicable, identify burden reduction initiatives, and report/reconcile violations.
 - Reviews sponsoring offices information collection instrument(s) and supporting statement(s) or fast track forms to ensure PRA compliance.
 - Collaborates with Center Privacy Managers when applicable regarding compliance with laws, regulations, and policies.
 - Prepares 60-day and 30-day Federal Register Notices based on information extracted from the supporting statement **submitted by the IC sponsoring office. (Sponsoring offices often provide draft FRNs.)**
 - Tracks and monitors expiring collections.
 - Certifies information collections submitted to OMB/OIRA on behalf of the NASA CIO.



NASA CIO Information Collection Certification Requirement

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

(a)	It is necessary for the proper performance of agency functions;
(b)	It avoids unnecessary duplication;
(c)	It reduces burden on small entities;
(d)	It uses plain, coherent, and unambiguous language that is understandable to respondents;
(e)	Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
(f)	It indicates the retention periods for recordkeeping requirements;
(g)	It informs respondents of the information called for under 5 CFR 1320.8 (b)(3) about:
	(i) Why the information is being collected;
	(ii) Use of information;
	(iii) Burden estimate;
	(iv) Nature of response (voluntary, required for a benefit, or mandatory);
	(v) Nature and extent of confidentiality; and
	(vi) Need to display currently valid OMB control number;
(h)	It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected.
(i)	It uses effective and efficient statistical survey methodology (if applicable); and
(j)	It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item(s) and explain the reason in the Supporting Statement.



NASA Stakeholders

- **NASA Federal Register Notice (FRN) Liaison Officer**

- Processes/published 60-day and 30-day FRNs submitted by the NASA PRA Clearance Officer for NASA information collections covered by the PRA.

- **NASA Sponsoring Offices**

- [Ensure information collections that trigger the PRA are processed through the NASA PRA Clearance Officer](#) and approved instruments/forms display the required PRA statement with the applicable OMB control number and expiration date.
- Draft/develop information collection (IC) instrument(s), [consulting with Center Forms Managers](#) in accordance with NPD 1420.1A as applicable.
- [Understand and enforce NASA certification requirements.](#)
- [Consult with Privacy Managers](#) to ensure a Privacy Impact Assessment is processed if required.
- [Consult with the Center Records Managers](#) to identify the applicable records retention schedule.
- [Consult with Contracting Officers and COTRS](#) to ensure an IC scope is included in applicable contracts and PRA rules/requirements are clearly understood by support contractors collecting information on behalf of NASA.
- [Make appropriate use of information technology](#) to reduce burden on the public.
- [Report changes](#) to the NASA PRA Clearance Officer:
 - changes are made to active IC instrument(s) or burden hours (increase or decrease) following OMB/OIRA approval.
 - an approved IC is no longer needed.
- Seek opportunities to reduce IC burden on the public by conducting [annual reviews of approved ICs](#).
- Track and monitor expiring ICs and initiate renewal of approved information collections no less than 7 months prior to the scheduled expiration date. [Ensure expired IC instruments are no longer used.](#)
- [Own up to violations](#), notify the Agency PRA Clearance Officer, and take steps to reconcile.



Nine Types of Information Collection (IC) Requests

1) New Information Collection(IC)

- 60-day and 30-day FRNs are required to allow for public comment, along with IC instruments and supporting statement.
- 30-day OMB/OIRA review/approval window, begins after all windows for public comment have closed, comments received are dispositioned, and all documents are submitted to OIRA.

2) Revision of an approved IC

- Involves substantive revision to an approved IC). Such revisions are generally a result of changes required by law or agency action (program budget cuts.) OMB review/approval is required **before** revisions can be implemented.
- Public comment via 60-day and 30-day FRN is required.
- **Must be initiated before the approved IC expires.**

3) Extension of an approved IC without change

- 60-day and 30-day FRNs are required
- IC PRA statement must be updated with new expiration date.
- Must be *initiated* before the approved IC expires.

4) Reinstatement without Change

- Reinstatement of a discontinued IC. Original OMB control number , and IC instrument can be re-used (PRA statement must be updated.)



Nine Types of Information Collection (IC) Requests

5. Existing Collection In Use Without OMB Control Number:

- FRNs and all supporting documentation must be processed for OMB/OIRA approval.
- Must be identified as a violation in NASA annual report to OMB/OIRA.

6. Discontinued Information:

- Request to discontinue IC is usually a result of an agency decision that the IC is no longer needed.

7. Requests for Non-Material or Non-Substantive Changes to Currently Approved ICs

- Agency is not required to seek public comment.

8. Common Form (NEW – typically a 30-day approval window.)

- Request to use another Agency's approved IC instrument.
- Minimal changes allowed such as inserting NASA logo, NASA POCS/submittal information.
- Annual burden hours must be calculated and reported at time of request.
- **Owning Agency must approve request.**

9. Fast Track/Generic Clearance, currently limited to:

- testing IC instruments for clarity, comprehensibility, and burden hour validation
- focus groups
- customer satisfaction surveys
- OMB response within 5 business days. FRNs are not required for each IC covered under the NASA FastTrack Generic Clearance..



Review Process

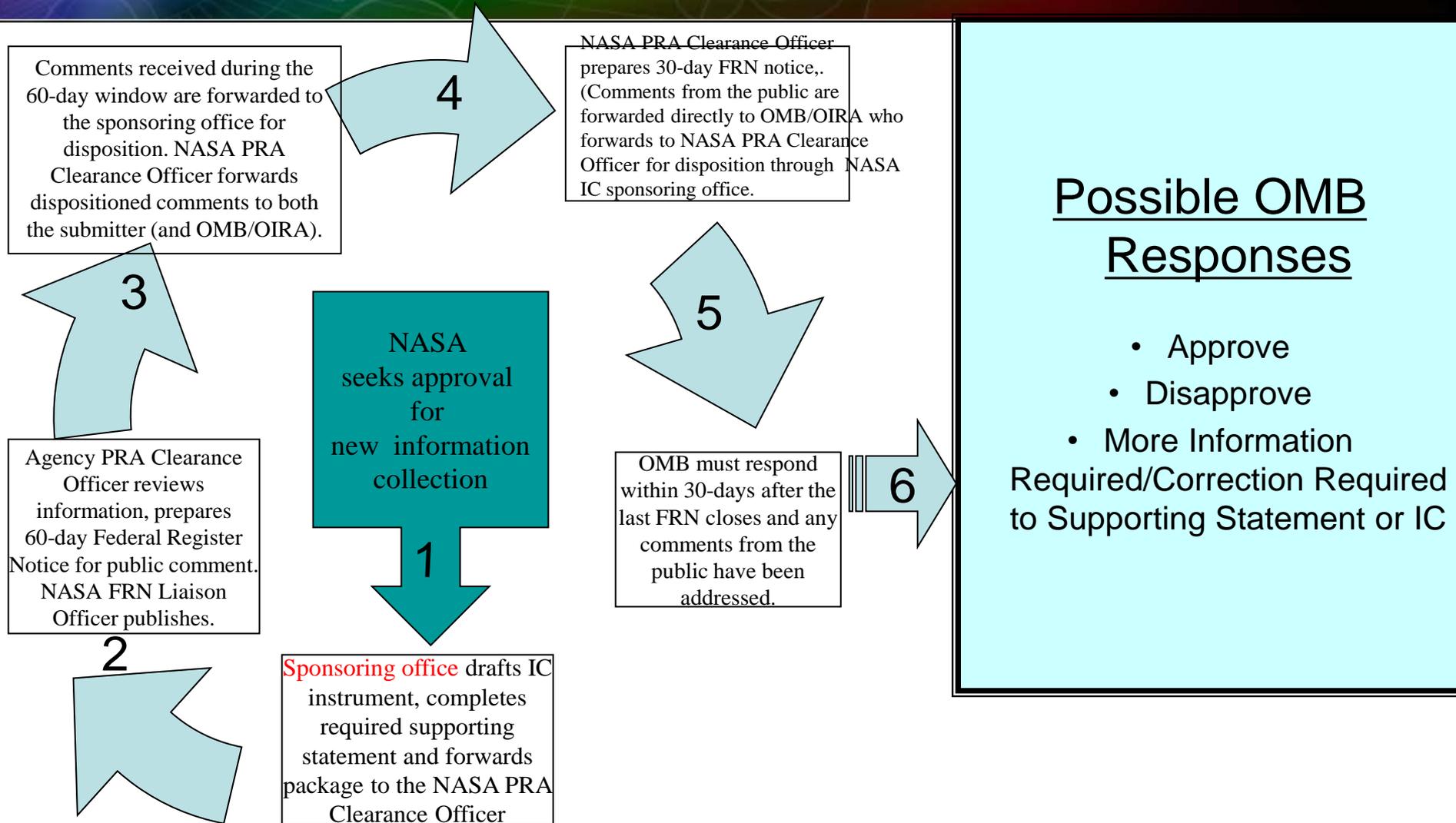
5-6 Month Approval Window

- Request for a new information collection* (up to 3 years maximum)
- Renewal of an approved information collection* nearing expiration
- Revision to an approved information collection
- Reinstatement of an expired information collection

•30-days or less Approval Window

- Fast Track/Generic Clearance
 - Customer satisfaction
 - Focus groups
- Common Forms

Overview of the Standard 5-6 Month Process for IC Approval under the Paperwork Reduction Act





How OEID can Support the Process for IC Approval under the Paperwork Reduction Act

Submit OEID service request to initiate PRA clearance (<https://intern.nasa.gov>).

Prepare the draft Information Collection Request (ICR) and draft 60-DAY FRN.

During your initial consultation, the OEID representative can review your request, discuss the potential for use of common forms, and guide you on preparing your initial submission of the Information Collection Request, including sharing exemplary ICRs and FRNs.

Test data collection forms either before or immediately after the 60-day Federal Register notice for usability and accuracy of time burden estimates. *OEID staff can provide guidance on testing forms. If testing involves over 9 members of the public, use the Fast Track PRA clearance process for permission to test the forms.*

Update the ICR at the conclusion of the 60-day period using feedback from testing results and public comments received. *OEID staff can review your package prior to resubmission to the NASA CIO.*

OMB and NASA Pass-Back Period following the 30-day FRN. *Education staff may be involved if necessary during this period, including being asked to provide answers to OMB questions or revising the ICR.*

OMB Action. *Based on the results of the OMB action, speak with your OEID representative regarding next steps for your information collection.*

Race and Ethnicity

• Race and Ethnicity Questions

- **What are the requirements for collecting individual data on race and ethnicity?**
 - The most commonly used OMB statistical classification for population-based surveys concerns data on race and ethnicity. The OMB standards provide *how* agencies must collect data on race and ethnicity **if** they are collecting this information—the standards do not require agencies to gather data on race and ethnicity. Most, if not all, of the population-based surveys or censuses have now implemented the 1997 standards for data on race and ethnicity.
- The OMB standards for data on race and ethnicity provide a minimum set of:
 - **two categories for data on ethnicity:**
 - Hispanic or Latino
 - Not Hispanic or Latino
 - **five categories for data on race collected from individuals:**
 - • American Indian or Alaska Native,
 - • Asian,
 - • Black or African American,
 - • Native Hawaiian or Other Pacific Islander, and
 - • White.
- **Note: “other race” is not a response category.**
 - Respondents are to be offered the option of selecting one or more racial designations. Based on research findings, the recommended forms for the instruction are *Mark one or more*, *Select one or more*, or *Choose one or more* (not check all that apply).
 - The mode of administration should be taken into account when designing the exact wording of the question. For example, face-to-face surveys permit the use of flashcards with a listing of the racial categories, whereas a telephone administration must rely on the interviewer reading each of the categories



Grants and Cooperative Agreements

The need for PRA clearance is dependent on the level of control the government has over the collection.

Q. Does the recipient of a “Cooperative Agreement” need PRA clearance to conduct surveys under the agreement?

A. In **Cooperative Agreements**, PRA review and approval is required if NASA has significant input/control into the design, methodology, and analysis of the data collection. Because the need for PRA clearance is dependent on the level of control the government has over the collection, if the need for PRA clearance is not clearly evident, questions about whether a cooperative agreement requires PRA review and approval should be directed to their NASA PRA Clearance Officer.

▪ **Q. Do we need PRA clearance for a collection conducted by a contractor or a state agency?**

A. Generally, NASA owns the data collected through contracts. If NASA is specifically paying the contractor to conduct a collection or if NASA must approve a data collection instrument (e.g. a form) then the PRA is triggered.



Some things MAY NOT Trigger the PRA

- Examples:
 - Address information (name, business title, company, address, city, state, email, telephone, fax)
 - Changes of address, and consent of acknowledgements
 - Facts or opinion submitted in response to general solicitations for public comments, *published in the Federal Register or other publications*, provided that no person is required to supply specific information pertaining to the commenter, other than that necessary for self-identification
 - Fact or or opinions obtained through direct observation by a federal employee or agent of the sponsoring federal agency.
 - Facts or opinions requested from a single person within a year.
 - Information collected during Federal criminal investigations.
 - Open ended questions “what do you think about this?”

VALIDATE WITH THE NASA PRA CLEARANCE OFFICER
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