

Department of the Interior Departmental Manual

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Series: Information Resources Management

Part 381: Origination of Records and Information

Chapter 12: Clearance Procedures for Information Collections

Originating Office: Office of Policy Analysis

This chapter has been given a new release number.* No text changes were made.

381 DM 12

12.1 Purpose. This chapter outlines the procedures for submitting collections of information to the Department and Office of Management and Budget (OMB) for approval. Bureau officials wishing to obtain OMB approval (clearance) for a collection of information will consult the Information Collection Handbook (See 12.4, below) for specific instructions on preparation of clearance packages.

12.2 Definitions. Definitions of terms related to the collection of information from the public are contained in 381 DM 11, Appendix 1. These definitions are essential to understanding this chapter, and should be read carefully.

12.3 Requirement for Clearance Package. The requesting bureau will prepare a clearance package, composed of a Standard Form 83 (SF 83) and other documents required by OMB, for each collection of information for which approval or renewal of approval is requested. The package will be submitted through the requesting bureau's Information Collection Clearance Officer (ICCO) and the Department to OMB. An overview of the approval process, including a timetable for the preparation of clearance packages, is included as Appendix 1 to this chapter. Directions for preparing clearance packages are contained in the Information Collection Handbook.

12.4 Information Collection Handbook.

A. The Information Collection Handbook (a Departmental Manual Handbook) contains detailed instructions on the contents and preparation of information collection clearance packages. It also contains general guidelines for collecting information from the public. The Handbook is available from bureau ICCO's.

B. The Handbook and its revisions are prepared by the Division of Directives and Regulatory Management (PMI), and approved by the Director, Office of Management Improvement (PMI).

12.5 Approval Procedure for Collections of Information Included in the ICB. When a collection of information is included in the information collection budget (ICB) for the year during which it will be used:

A. If the collection of information is contained in a rule, follow the procedure in 381 DM 12.6;

B. If the collection of information is not contained in a rule, follow the procedure in 381 DM 12.7.

12.6 Approval of Collections of Information Contained in Rules.

A. The program office proposing a collection of information to be contained in a rule will submit a clearance package through the bureau ICCO to the Department Clearance Officer. The Department will submit the package to OMB no later than the day it submits the proposed rule and no later than 90 days before the collection of information is to take effect. Bureaus will time their submission to the Department so that these deadlines can be met.

B. OMB has 60 days (extendable to 90) to approve or file comments on the collection of information.

(1) If the collection of information is approved before the final rule is signed, the sponsoring bureau may publish the collection and approval number in the final rule.

(2) If OMB files comments, the bureau may publish the final rule, but must resubmit the collection of information to OMB, explaining how it has been modified to respond to the comments. OMB will then approve or disapprove the collection. The requirement for collection of information may not become effective until OMB approval is granted.

(3) If OMB fails to comment within 60 days (or in 90 days if OMB extends the comment period) of its receipt of the collection, the Department may request an approval number so that the collection can become effective when the final rule is published.

C. If a bureau has resubmitted a requirement in response to OMB comments, OMB will either approve or disapprove the collection within 60 days (or 90 days if OMB extends the comment period) of the publication of the final rule. When approval is received, and before the effective date of the rule, the bureau will publish a notice in the Federal Register to inform the public of OMB's decision.

12.7 Approval of Collections of Information Not Contained in Rules. The program office proposing to sponsor a collection of information not contained in a rule (e.g., a form or survey) will submit a clearance package through the bureau ICCO to the Department Clearance Officer. To allow adequate time for review, the clearance package should be received in the Department 120 days before the collection of information is to begin.

12.8 Approval of Collections of Information Not Included in the ICB. A bureau seeking

OMB approval for a collection of information not included in the ICB must either submit evidence that it has made a compensating reduction to an approved collection of information or obtain OMB approval for an increase in its information collection allowance. If a compensating reduction is to be made, the clearance package must be accompanied by specific evidence of the reduction, e.g., a directive revoking or reducing the burden of a specific information collection. If an increase in the bureau allowance is to be sought, the bureau will take the following actions:

A. Prepare a memorandum from the bureau head to the Director, PMI, requesting an increase in the bureau's information collection allowance. The memorandum must include:

- (1) A description of the need, scope, and specific use of the collection of information;
- (2) The consequences of not collecting the information;
- (3) An explanation of how the public interest will be served by permitting the collection of information; and
- (4) Reasons the collection of information was not included in the last ICB.

B. Attach a clearance package prepared in accordance with the guidelines in the Information Collection Handbook.

C. Route the memorandum and clearance package through the ICCO and bureau director to the Director, PMI. PMI will decide whether the request for an addition to the bureau's information collection allowance is justified. If the request is justified, PMI will forward the clearance package to OMB for approval.

12.9 Approval of Renewals or Extensions.

A. **Renewals.** By law, OMB may not approve any information collection for longer than three years. Many approvals are for shorter periods of time. If renewal of OMB approval is desired, the bureau ICCO will submit a clearance package to the Department at least 120 days before the expiration date given by OMB. Requests for renewal of approval are subject to the same requirements as initial requests for approval (see 381 DM 12.6 and 12.7).

B. **Extensions.** Requests for extension of an existing approval for more than 3 months must be accompanied by a clearance package. Requests for extension for 3 months or less may be made without submitting a complete clearance package only if no changes are being made to the collection of information. The requesting bureau should prepare a memorandum to the Director, PMI, describing the factors requiring the extension. The bureau ICCO will forward this memorandum to the Department for action.

12.10 Approval of Revised Collections of Information. Requests for approval of revised collections of information are subject to the requirements of 381 DM 12.5 and 12.7, and must clearly identify each change and present reasons for it. A collection of information must be

submitted for review by OMB even though it may already have a valid approval if it is revised to change:

- A. The kind or amount of information collected;
- B. The number of potential respondents; or
- C. The frequency with which information is collected.

12.11 Approval of Other Types of Information Collections.

A. **Department Forms.** It is the responsibility of the originating bureau to obtain OMB approval for any Department form which will collect information from the public. The originating bureau will also ensure that the form will be printed with the OMB approval number, expiration date, the Paperwork Reduction Act statement, and the estimated burden statement. Other bureaus needing to use the approved may do so without obtaining OMB approval, provided the form is not modified.

B. **Standard and Optional Forms.**

(1) When standard or optional forms are developed within the Department to collect information from the public, the originating bureau must obtain OMB approval for their use in accordance with 381 DM 12.5 through 12.8. GSA approval must also be obtained, in accordance with 41 CFR 201-45.507 and 381 DM 21.5C.

(2) The originating bureau must also ensure that the standard or optional form is imprinted with the OMB approval number, the expiration date and the Paperwork Reduction Act and estimated burden statements. (See the Information Collection Handbook for details).

(3) When a bureau uses without modification a standard form developed by another bureau or agency, OMB approval of that use is not required. When a bureau modifies a standard or optional form used to collect information from the public, it must obtain General Services Administration (GSA) and OMB approval for the modified form as required by 381 DM 12.7 and 381 DM 21.5C.

C. **Interagency Reporting.** Any bureau originating an interagency report which will require the responding agency to collect information from the public will prepare a clearance package as required by 381 DM 12.7 and will prepare an SF 360, Request for Clearance of an Interagency Reporting Requirement, and attachments as required by 381 DM 10.

12.12 Pretests or Pilot Tests. Use of pretests or pilot tests is permitted if it will enhance the structuring of the collection of information. If testing will result in the collection of identical items of information from ten or more persons, OMB approval is required.

12.13 Expedited Review. A bureau ICCO may request that OMB expedite its review when rapid action is necessary. This may be done informally or formally, as explained below. A

complete clearance package, prepared in accordance with the instructions in the Information Collection Handbook is required for each information collection for which expedited review is sought. A Federal Register notice in a special format must be prepared when expedited review is requested. See the Information Collection Handbook for details.

A. **Informal Request.** An ICCO may informally ask the Department to request that OMB give priority to a clearance package. Whether or not this is done will depend on the ability of the OMB reviewing official to accommodate the request. An informal request is generally not written. It can result in a significant saving of time, but places OMB under no obligation.

B. **Formal Request.** A formal request places OMB under an obligation to act by a deadline set by the requester, however, approval obtained under this formal procedure is valid for only 90 days. At the end of 90 days, approval must be requested again using normal procedures. The bureau will prepare a letter to the Director of OMB requesting expedited clearance. The letter will be routed through the bureau head, program Assistant Secretary, and PMI, and will be signed by the Assistant Secretary -- PBA. For information on the required contents of the request letter, see Appendix 2 of this chapter.

12.14 Receipt of Approval. When OMB has completed its review of the collection of information, it will mail a notice of OMB action to PMI. PMI will forward the notice to the bureau ICCO. This notice will give the expiration date of the approval and an OMB control number, which must be printed on the form or in the regulation containing the collection of information and must be referred to in any inquiries.

12.15 Required Action After Receipt of Approval.

A. Within 30 days of receiving the OMB notice of action from the Department, the originating program office will forward to the ICCO for transmittal to the Department a copy of each form involved. The form will contain the OMB control number and expiration date (unless an exemption has been granted by OMB) and the Paperwork Reduction Act and estimated burden statements required by Chapter 1 of the Information Collection Handbook.

B. Each ICCO will maintain a complete file for each approved collection of information, containing a copy of the clearance package and all related correspondence. This file must be maintained for two years after the expiration of the OMB approval, at which time it may be destroyed in compliance with the General Records Schedule, Schedule 16, item 6.

Action	Timeframe	Comments
Decide to collect information	-----	Consider alternatives to collecting information; try to use existing information instead
Allow for information collection in ICB	Spring preceding fiscal year in which information will be collected	Develop rough estimate of burden (estimate should be generous); notify ICCO as soon as possible
Develop information collection	As early as possible	Work with ICCO to minimize burden of collection
Prepare clearance package	At least 5 months before information is to be collected	Follow instructions in Information Collection Handbook; work with ICCO
Submit clearance package to Department through ICCO	At least 120 days before information is to be collected	Make corrections as indicated by Department or OMB
OMB approval granted	Approximately 60 days after submission	If form is used, send copy with OMB number, expiration date, paperwork and burden statements to Department through ICCO
Collect information	Upon receipt of OMB approval	Renew OMB approval as necessary

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Appendix 2**

**PROCEDURES FOR FORMAL REQUEST FOR EXPEDITED OMB APPROVAL OF A
COLLECTION OF INFORMATION**

When requesting expedited approval from OMB in accordance with the Paperwork Reduction Act, follow the procedures given below. Route the letter as required by 381 DM 12.13B.

5 CFR Part 1320.7 Emergency and expedited processing.

An agency head or the Senior Official may request emergency processing of submissions of information collection requests.

(a) Any such request shall be accompanied by a written determination that the collection of information is essential to the mission of the agency, and that public harm will result if normal

clearance procedures are followed, or that an unanticipated event has occurred which will prevent or disrupt the collection of information or cause a statutory or judicial deadline to be missed if normal procedures are followed.

(b) The agency shall state the time period within which OMB should approve or disapprove the collection of information.

(c) The agency shall submit information indicating that it has taken all practicable steps to consult with interested agencies and members of the public in order to minimize the burden of the collection of information.

(d) OMB shall approve or disapprove each such submission within the time period stated under Part 1320.17(b), provided such time period is consistent with the purposes of the Act.

(e) If OMB approves the collection of information it shall assign a control number valid for a maximum of 90 days after receipt of the agency submission.

(f) Upon request by an agency, OMB may agree to act on a collection of information submission on an expedited schedule, even though such submission may not qualify for emergency processing under this section.

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