

CHAPTER 10 INFORMATION COLLECTION UNDER THE PAPERWORK REDUCTION ACT (PRA)

10-1. Overview of the Paperwork Reduction Act

Each year, nearly every adult American and every business fills out federally sponsored forms, surveys, or questionnaires that agencies need to carry out their missions.

Under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. chapter 35) agencies are required to minimize the paperwork burden they impose on the public to carry out their missions and to maximize the practical utility of the information they collect. Under the PRA, agencies are required to submit all proposed information collections to the Office of Management and Budget (OMB) for approval.

In an effort to strengthen the Act, Congress amended the Act in 1995 to establish, among other things, more detailed agency clearance requirements. One of these requirements is that before an information collection is submitted to OMB for approval, it must be reviewed by the agency's Chief Information Officer (CIO). The CIO is to certify that the collection meets 10 standards that are set forth in the Act and provide support for these certifications. The provisions of the PRA are implemented under 5 CFR 1320.

The standards for information collection set by the PRA are:

- The collection is necessary for the proper performance of agency functions.
- The collection avoids unnecessary duplication.
- The collection reduces burden on the public, including small entities, to the extent practicable and appropriate.
- The collection uses plain, coherent, and unambiguous language that is understandable to respondents.
- The collection will be consistent and compatible with respondents' current reporting and recordkeeping practices to the maximum extent practicable.
- The collection indicates the retention period for any recordkeeping requirements for respondents.
- The collection informs respondents of the information they need to exercise scrutiny of agency information collections (the reasons the information is collected; the way it is used; and estimate of the burden; whether responses are voluntary, required to obtain a benefit, or mandatory; the nature and extent of confidentiality; and a statement that no person is required to respond unless a valid OMB control number is displayed).
- The collection 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.
- The collection uses effective and efficient statistical survey methodology (if applicable).
- The collection uses information technology to the maximum extent practicable to reduce burden and improve data quality, agency efficiency and responsiveness to the public.

10-2. HUD Policy

It is HUD's policy to comply with the information collection requirements established by the Paperwork Reduction Act of 1995 and OMB implementing guidance. The creation or collection of information must be necessary for the proper performance of Departmental functions. This justification standard -- "necessary for the proper performance of the functions of the agency" -- is established by the PRA (44 U.S.C. 3508). An approval from OMB is required before collecting any new information.

All HUD offices are required to consider the above-stated standards when developing a collection of information and when making decisions regarding an extension of ongoing collections of information. Further, in compliance with OMB guidance, HUD:

- A. Has established, through the Chief Information Officer, a process for reviewing collections of information. Such reviews are performed within an office independent of program responsibility to ensure objective evaluation regarding the need for the information and the respondent burdens imposed by each proposed collection of information.
- B. Provides the public with 90-day advance notices in the *Federal Register* and otherwise consults with members of the public and affected agencies before submitting an information clearance package to OMB for review. In this notice, HUD solicits comments regarding the need for the information, its practical utility, the accuracy of HUD's burden estimate, and ways to minimize the burden, including the use of automated techniques or other forms of information technology.
- C. Certifies and documents appropriate information in supporting statements provided to OMB as part of HUD's information clearance package.
 1. Certification that the collection of information:
 - a. Meets the 10 standards (see page 10-1) that are set forth in the Act and provides support for these certifications;
 2. Documentation that:
 - a. The collection of information imposes the least burden necessary for the proper performance of HUD's functions;
 - b. HUD will not unnecessarily obtain information already accessible to the Department;
 - c. The collection of information has practical utility; and,
 - d. The cost of collection is minimized, without shifting disproportionate costs to the public.
- D. Provide information for respondents. Following OMB approval, HUD displays the control number assigned to the collection on the information collection instrument.

10-3. Roles and Responsibilities

A. The Secretary

The Secretary is responsible for carrying out the agency's information resources management activities to improve agency productivity, efficiency and effectiveness and for designating a senior official who shall report directly to such agency head to carry out the responsibilities of the agency under this chapter.

B. Chief Information Officer

The Office of the Chief Information Officer (OCIO) is responsible for implementing the provisions of the Paperwork Reduction Act in HUD's information collection activities. Within the OCIO, the Departmental PRA Officer is the designated official responsible for implementation of the information collection requirements of the PRA and performs the following duties:

C. Departmental Paperwork Reduction Act Officer

The Departmental Paperwork Reduction Act Officer, within the Office of the Chief Information Officer, is responsible for developing, implementing and interpreting the Department's policies and programs prescribed by the Act and the Office of Management and Budget. The designated Paperwork Reduction Act Officer for Headquarters will:

- Ensure Departmental compliance with the information collection provisions of the PRA;
- Develop Departmental PRA policy;
- Develop Implementation Guidebook;
- Provide Departmental responses to OMB on information collection-related activities;
- Provide guidance to HUD offices in the preparation and submission of initiatives collecting information from the public;
- Review and approve each proposed information collection initiative in preparation for submission to OMB;
- Review Program rules, directives and other communications and issuances for conformance to the PRA; and
- Respond to public inquiries regarding information collection initiatives.

D. All HUD Offices

Each HUD Office that collects information from the public shall:

1. Designate a senior official as PRA Compliance Officer. The PRA Compliance Officer ensures the provisions of the PRA are adhered to within that Program Office. The PRA Compliance Officer will:

- Review and certify the compliance of each PRA submission to the OCIO as mandated by 5 CFR 1220.9 and the related provisions of 5 CFR 1320.8(b)(3).
2. Each Program Area shall designate a PRA Coordinator whose responsibilities are to:
- Implement PRA policy according to the Departmental Implementation Guidebook;
 - Track all information collection activities within that Program Area, ensuring timely processing of PRA-related actions;
 - Assist in the development of information collection requests by Program staff;
 - Review and submit information collections for Departmental clearance; and
 - Ensure implementation of the information collection requirements of the PRA.

10-4. Reporting Requirements

Reporting requirements are mandated by the Act. It is HUD Policy to comply with the following reporting requirements:

A. Submission of New or Renewed Information Collection Activity

These reports are submitted to OMB for approval, with documentation specified by OMB on each proposed new or renewed information collection activity;

B. Annual Information Collection Budget Report

A report on the Department's information collection inventory and related activities is submitted to OMB annually for inclusion in OMB's Report to Congress;

C. Other PRA Related Reports

Other PRA related reports as required (GAO audits and reviews, Congressional reviews, etc.).