

Frequently Asked Questions about PRA / Information Collection

These are a few commonly asked questions about the Paperwork Reduction Act (PRA) and the associated OMB approval process.

Q. What is the Paperwork Reduction Act (PRA) and PRA Clearance?

A. Paperwork Reduction Act (PRA) clearance is the term used for the process of obtaining approval from the Office of Management and Budget (OMB) for federally sponsored data collections as required by the PRA. OMB was originally granted this authority in 1940 under the Federal Reports Act. Due to increasing complaints from the public about duplicate and lengthy federal government data collections, Congress passed the Paperwork Reduction Act (PRA) of 1980 which were reissued in 1995. The purpose of the Act remains to ensure that federal agencies do not overburden the public with federally sponsored data collections. OMB review considerations range from policy issues to statistical design and methodology. OMB pays particular attention to the practical utility of the data to the federal government. PRA clearance is required when standardized data collection from 10 or more respondents is collected in response to a federally sponsored data collection within a 12 month period.

Many use the term “OMB Clearance”, but since OMB clearance is required for several federal government activities, in order to distinguish OMB Clearance under the PRA, the term “PRA Clearance” is most accurate. This distinguishes OMB clearance due to the PRA.

Q. What is meant by “standardized or identical data”?

A. Whether a question is **identical** depends on whether each respondent or group of respondents (e.g. focus group) is being asked to provide the same level of information on the same subject. Identical questions need not be phrased exactly the same way each time they are asked, nor does each respondents need to be asked the same “set of questions.”

Q. How does OMB define “respondents”?

A. A **respondent** includes individuals; partnerships; associations; corporations; business trusts; legal representatives; organized groups of individuals; and State, territory, tribal or local governments.

Q. Doesn't the PRA cause more paperwork, not less?

A. For government employees, yes. The objective of the law is to reduce the paperwork burden on the **public**. The process of trying to do that adds to government paperwork.

Q. Can one conduct a data collection without PRA approval if fewer than 10 respondents are involved?

A. The PRA only applies to collections directed at 10 or more respondents (per calendar year), but with one important exception. Any information requirement in a "rule of general applicability" is presumed to affect or potentially affect at least 10 respondents, even if there is an expectation that there will be fewer respondents. A rule should be considered to have general

applicability unless you can demonstrate that it would be impossible for there to ever be 10 respondents.

Q. Does the Paperwork Reduction Act apply to collections.....?

- ...which are voluntary in nature?
- ...which do not involve any forms (paper)?
- ...which are conducted over the telephone?
- ...performed as a part of a focus group or roundtable?
- ...where only one question is asked?
- ...which will only be conducted one time?
- ...which are a part of a pilot project or program?
- ...which is the result of an Executive Order or Statute?
- ...which are customer satisfaction surveys (paper or web-based)?

A. The Paperwork Reduction Act is a law and must be complied with regardless of the origin, mode, or reason for the collection. In accordance with the PRA, OMB approval must be obtained prior to collecting information in any situation where 10 or more respondents are involved and the questions are standardized in nature.

Q. What does “federally sponsored” mean?

A. Data collection is considered federally sponsored when a federal agency:

1. causes another agency to collect information;
2. contracts or enters into a cooperative agreement to collect information; or
3. requires a person to provide information to another person, or otherwise causes another person to obtain, retain, solicit, or require the disclosure to third parties or the public.

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

A. In **Contracts**, the “sponsor” has complete responsibility for the data and data collections procedures. The “sponsor” owns the data and it is stored with the “sponsor”. Therefore, **all** data collections performed under contracts need PRA clearance. A collection conducted by a state agency needs clearance if a federal agency is specifically paying the state to conduct a collection or if “sponsor” must approve a data collection instrument (e.g. a form).

Q. Do you need PRA clearance if you just ask people for comments on a document or public comments through the *Federal Register*?

A. Not unless, respondents are asked to respond to specific questions in their comments. If the comment is very general, the PRA doesn't apply. Please note that general public comments can provide limited data and will work well if the program just wants to identify a perceived issue or concern. However, since the responses are limited to what the respondent wants to share with the requestor, useful unbiased data for use at the policy making or research level cannot be obtained from public comments alone.

Q. I have a research project and have already obtained IRB Clearance. Do I also need PRA Clearance?

A. Institutional Review Board (IRB) Clearance and PRA Clearance are 2 separate clearances. Having one of the two clearances does not negate the need for the other. In some instances, both clearances are necessary for a research project. If the research requires standardized data from 10 or more respondents, PRA Clearance will be required. If the research is clinical in nature, the need for PRA Clearance will have to be reviewed on a case-by-case basis. PRA Clearance may be partially or fully exempt. Establish the need for PRA Clearance early in the process. Projects requiring PRA Clearance that only have IRB Clearance will be considered violations under the PRA.

Q. Does the PRA affect surveys on the World-Wide-Web?

A. Yes, except PRA clearance is not necessary for very general invitations for public comments and suggestions. The PRA **DOES apply if** specific questions are asked.

Q. What is the process for obtaining PRA approval for a collection?

A. The process varies depending on the subject matter of the data collection. In general, there are four steps to preparing and submitting an information collection request for PRA approval.

Step 1 Prepare and publish a notice in the Federal Register to provide a 60-day period for the public to comment on the reporting and record keeping requirements associated with the information collection.

Step 2 Prepare an information collection request (ICR) package. A complete package should contain the following items in the order listed:

- Supporting Statement
- Copies of all the necessary attachments. These attachments can include data collection instruments (questionnaires, surveys, etc.), instructions, scripts, consent forms, legal authorizations or statutes, and other reference materials related to the collection.

Step 3 Publish the 30-Day Federal Register Notice and forward the submission to your Bureau Information Collections Clearance Officer (BICCO) for review prior to forwarding it through the Department.

Step 4 The Departmental Reports Clearance Officer reviews the collection for quality and potential duplication across the Department prior to forwarding the collection to OMB.

Q. How long does a PRA clearance take?

A. The complete review and approval process can take anywhere from 6-9 months, depending on the number of requests currently in process and the data collection subject matter. This estimate includes the 60-day and 30-day public comment periods and the 60 days OMB has to review and act upon each submission. If the information collection is in a Notice of Proposed Rulemaking (NPRM), please consult with your BICCO.

Q. Is there any way to speed up the PRA clearance request process?

A. There are provisions in the PRA for emergency processing of ICR packages. Such processing can be done very quickly. Approvals obtained this way are only good for a maximum of 6 months, allowing enough time to obtain approval through the normal process, if necessary.

Emergency processing is only to be used to respond to circumstances that could not be foreseen and when the use of regular procedures would result in significant harm to the public or the program. Failure to plan, avoidance of embarrassment, etc., are not valid justifications. Requests for emergency processing **must be approved in advance** by an OMB Desk Officer.

Q. Are there any exemptions to the requirement for OMB review?

A. The PRA exempts certain categories of data collections from the process. However, if you are planning a data collection involving 10 or more respondents in any 12-month period, the need for OMB review should be determined by your BICCO and the DOI Information Collections Officer.

Q. Does a form really need to display the burden statement and the OMB number on the approved data collection instrument?

A. Yes, all of this information must be displayed for the respondent. Ideally, this information should be located on the first page of the data collection instrument or the instructions and/or script. If spacing is a problem on the form or screen then other considerations, are to include the information on a cover sheet, or keep the OMB number on the first page and add the burden statement to the last page of the form.

Q. What is a "Generic Clearance"?

A. A generic clearance obtains OMB approval for a master plan for a number of similar surveys that have the same general purpose (e.g. customer surveys). Individual surveys conducted under the clearance are reviewed by OMB on a fast-track basis and the process involves less documentation. Generic clearances provide more flexibility for certain types of surveys, but they can be harder to track and are not appropriate for many types of information collection efforts.

Q. What happens if I just ignore the law?

A. Unapproved requirements in rules cannot be enforced. You cannot punish anyone for not responding to such a requirement. The only exception is if a law specifically requires the public to submit information. For collections where the response is voluntary, mandatory or required to obtain or retain a benefit, if OMB discovers the collection it will instruct the BICCO to stop the collection and get clearance. If the BICCO ignores this, or develops a record of conducting unapproved collections, OMB has many ways of making the BICCO regret its behavior. For example, Federal agencies have experienced a number of instances in which enforcement action was blocked due to deficiencies in the OMB clearance of the information collection.

Q. I haven't developed a PRA submission in quite a while. It appears that some of the guidance I see now contradict previous guidance I had been given. Has anything changed?

A. It is quite possible. Congress passed a new version of the PRA in 1995, and OMB then issued new regulations. Both the procedures for clearance and the applicability of the Act were changed.

So advice or guidance given a few years ago may no longer be valid. For assistance in developing an ICR, consult with the BICCO.

Q. What type of information collections require NPS and OMB approval?

A. Any survey including on-site or mail-back questionnaires, face- to-face or telephone interviews, focus groups or other methods which obtain information for the NPS by means of identical questions posed to ten or more persons (per year) require NPS and OMB approval. Approval is required for any study conducted, sponsored, funded, or requested by the NPS. The approval process also applies to any information collection for which the NPS provides significant in-kind services (staff support, office resources, copying services, etc.).

Q. My study will compare information collected from park visitors with that from individuals who do not use the national parks. Which approval process must I use?

A. The programmatic approval process applies to all activities that collect information from park visitors, potential visitors or residents of communities near parks. A comparative study of this type could fall within the scope of the programmatic approval process, if the questions asked are within the scope of the specific topic areas listed in the [Pool of Known Questions](#).

Q. Do I need approval if I am surveying NPS employees?

A. OMB approval is not required if information is collected from federal employees as part of their jobs. However, such studies may require a Scientific Research and Collecting Permit from the park in which it is conducted. Other important personnel policies and regulations may also apply. Information collected from federal employees regarding their role as private citizens falls within the scope of NPS and OMB approval.

Q. I am a graduate student conducting a study of national park visitors. Do I need approval for my study?

NPS and OMB approval is required only if the study is:

- conducted, sponsored, or funded by the NPS.
- If you are receiving financial or in-kind support from the NPS, approval will be required.
- An NPS Scientific Research and Collecting Permit may be needed.

Q. I am interested in surveying small groups of visitors to the national park where I am superintendent. Is approval required?

A. Yes. NPS and OMB approval is required if identical questions are asked often or more persons

Q. My research is funded by a federal grant (not from the NPS). Am I subject to NPS and OMB approval?

A. Your work would need approval only if the information you are:

- Collecting is at the request of the NPS or if the terms and conditions of your grant require NPS clearance of the information collection.
- Your study may require a Scientific Research and Collecting Permit from the park unit in which you are working.
- Contracts are not the same as federal grants. Many NPS social science research projects are contracted universities and other partners. NPS and OMB approval is required in those cases.

Q. My project is being conducted as a result of a Memorandum of Understanding (MOU) between the NPS and another federal agency. The funding is from the other agency but has been transferred to the NPS. Do I need to seek NPS and OMB approval for my survey?

A. In such a case, the NPS takes on the [sponsorship](#) role, even though the funds originally came from another federal agency. The study would be treated as any other project conducted, funded, or sponsored by the NPS. If, however, the other federal agency had not transferred funds and wished to do a study in a unit of the National Park System, that agency, rather than the NPS, would need to seek OMB approval.

Q. Do I need approval if I am surveying international visitors to national parks?

A. Yes. All collections of information require OMB approval under the PRA even though all or some of the respondents may be international visitors.

Q. My university has an existing cooperative agreement such as a CESU) with the NPS. Do I need to seek approval for surveys conducted under that agreement?

A. Yes. Approval is required for any information collection [sponsored by a federal agency](#). Cooperative agreements and/or contracts act as formal sponsorship arrangements. The approval process applies to specific surveys or information collection activities conducted under a cooperative agreement or other contract.

Q. I am working on a survey which is not sponsored by the NPS. I want NPS staff to comment on the instrument design. I also want to assure that my work meets needs of the NPS. Do I need approval?

A. If the NPS comments on the text of your survey to the extent that it exercises control and tacitly approves it, the agency can appear to sponsor the survey. In that case, NPS and OMB approval will be necessary. If the NPS publicly endorses your study, allows you to use the NPS arrowhead, or if you include a statement in the instructions of your survey indicating it is being conducted to meet NPS needs, OMB approval is required. If the NPS does not appear to sponsor your study, approval will not be necessary. However,

such studies may require a scientific research and collecting permit from the park in which they are conducted.

Q. I have been asked by the NPS to study visitor response to interpretive exhibits. I intend to observe visitors' behavior as they approach, read, and interact with the exhibits. Will I need approval?

A. No. Observations made by employees or contractors of the NPS are exempt from the approval process if no information is solicited from the public. Also exempt would be questions asked of the person that are specific to that individual or result from observation. However, such studies may require a Scientific Research and Collecting Permit from the park in which they are conducted.