



Department of Defense MANUAL

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Incorporating Change 1, May 19, 2016

DA&M-ODCMO

SUBJECT: DoD Information Collections Manual: Procedures for DoD Public Information Collections

References: See Enclosure 1

1. PURPOSE

a. Manual. This manual:

(1) Is composed of two volumes, each containing its own purpose, and reissues DoD 8910.1-M (Reference (a)). The purpose of the overall manual, in accordance with the authority in DoD Directive 5105.53 (Reference (b)), DoD Instruction (DoDI) 8910.01 (Reference (c)), and the Secretary of Defense Memorandum (Reference (d)), is to provide guidance to collect information from the public, other federal agencies, or the OSD and DoD Components.

(2) Provides guidance to information management control officers (IMCOs) on the operation of their OSD and DoD Component information collection management programs; and provides the procedures to approve and license with a report control symbol DoD internal information collections and approve DoD public information collections.

b. Volume. This volume:

(1) Provides guidance and the procedures necessary to obtain approval of public information collections to program managers and action officers. It provides the necessary procedures for OSD and DoD Components to establish, revise, extend, and ~~cancel~~ *discontinue* information collections from members of the public.

(2) Addresses information management procedures for the DoD. It includes guidance concerning the requirements set out in Chapter 35 of Title 44, United States Code (U.S.C.) (Reference (e)) (also known as and referred to in this volume as "The Paperwork Reduction Act of 1995" (PRA)) and Part 1320 of Title 5, Code of Federal Regulations (Reference (f)), and the paperwork required by the Office of Management and Budget (OMB) before its review of a public information collection proposal.

2. APPLICABILITY. This volume:

a. Applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this volume as the “DoD Components”).

b. Does not apply to:

(1) Component internal information collections that do not collect information from members of the public.

(2) ~~Where~~ *Information collections where* DoD is a respondent to Congress. The Assistant Secretary of Defense for Legislative Affairs manages the approval and licensing processes for information collection requirements in which DoD responds to a request by Congress. Policy, procedures, and guidance for information collections requested by Congress are in accordance with DoDI 5545.02 (Reference (g)).

(3) DoD internal information collections that do not collect information from members of the public. Procedures for DoD internal information collections are detailed in Volume 1 of this manual (Reference (h)).

3. POLICY. DoD policy for public information collections is established in Reference (c).

4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. RELEASABILITY. **Cleared for public release**. This volume is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

7. EFFECTIVE DATE. This volume *is effective June 30, 2014.:*

~~a. Is effective June 30, 2014.~~

~~— b. Will expire effective June 30, 2024 if it hasn't been reissued or cancelled before this date in accordance with DoDI 5025.01 (Reference (i)).~~



Michael L. Rhodes
Director of Administration and Management

Enclosures

1. References
2. Responsibilities
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ENCLOSURE 1

REFERENCES

- (a) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998 (cancelled by Volume 1 of this manual)
- (b) DoD Directive 5105.53, "Director of Administration and Management (DA&M)," February 26, 2008
- (c) DoD Instruction 8910.01, "Information Collection and Reporting," May 19, 2014
- (d) Secretary of Defense Memorandum, "Track Four Efficiency Initiatives Decisions," March 14, 2011
- (e) Title 44, United States Code
- (f) Part 1320 of Title 5, Code of Federal Regulations
- (g) DoD Instruction 5545.02, "DoD Policy for Congressional Authorization and Appropriations Reporting Requirements," December 19, 2008
- (h) DoD Manual 8910.01, Volume 1, "DoD Information Collections Manual: Procedures for DoD Internal Information Collections," June 30, 2014, *as amended*
- ~~(i) DoD Instruction 5025.01, "DoD Issuances Program," June 6, 2014, as amended~~
- (~~ji~~) DoD ~~Public~~ Information Collections ~~Program~~ Website,
~~"http://www.dtic.mil/whs/directives/infomgt/collections/index.htm"~~
"http://www.dtic.mil/whs/directives/collections/index.html"
- (~~kj~~) DoD Instruction 1100.13, "~~Surveys of DoD Personnel~~," ~~November 21, 1996~~ *"DoD Surveys," January 15, 2015*
- (~~lk~~) DoD Instruction 1000.29, "DoD Civil Liberties Program," May 17, 2012, *as amended*
- (~~ml~~) DoD Instruction 5400.16, "DoD Privacy Impact Assessment (PIA) Guidance," ~~February 12, 2009~~ *July 14, 2015*
- (~~nm~~) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- (~~on~~) DoD Instruction 1000.30, "Reduction of Social Security Number (SSN) Use Within DoD," August 1, 2012
- (~~po~~) DoD Instruction 8500.01, "Cybersecurity," March 14, 2014
- (~~qp~~) DoD Instruction 8510.01, "Risk Management Framework (RFM) For DoD Information Technology (IT)," March 12, 2014
- (~~rq~~) DoD 8400.01-M, "Procedures for Ensuring the Accessibility of Electronic and Information Technology (E&IT) Procured by DoD Organizations," June 3, 2011
- (~~sr~~) DoD Instruction 3216.02, "Protection of Human Subjects and Adherence to Ethical Standards in DoD-Supported Research," November 8, 2011
- (~~ts~~) DoD 7750.07-M, "DoD Forms Management Program Procedures Manual," May -7, 2008, as amended
- (~~ut~~) Public Law 104-106, "National Defense Authorization Act for Fiscal Year 1996," February 10, 1996
- (~~vu~~) Office of Management and Budget Circular No. A-130, "Management of Federal Information Resources," November 28, 2000
- (~~wv~~) Title 10, United States Code
- (~~xw~~) Title 15, United States Code
- (~~yx~~) Title 5, United States Code

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR, WASHINGTON HEADQUARTERS SERVICES (WHS). Under the authority, direction, and control of the ~~Director of Administration and Management Deputy Chief Management Officer through the Director of Administration, Office of the Deputy Chief Management Officer of the Department of Defense~~, the Director, WHS:

a. Manages the DoD ~~Public~~ Information Collections Program in accordance with Reference (c).

b. Ensures that the Chief of the ~~Information Management Directives~~ Division (~~IMD~~), Executive Services Directorate (~~ESD~~), WHS (~~referred to in this volume as “WHS/ESD/IMD”~~), ~~in his or her capacity~~ as the DoD ~~public information collection officer (PICO)~~, ~~Information Collections Officer (ICO)~~, implements the procedures in Enclosure 3 of this volume and the DoD ~~Public~~ Information Collections Website (Reference (ji)).

2. OSD AND DoD COMPONENT HEADS. The OSD and DoD Component heads *will*:

a. When requesting the approval of a DoD public information collection, follow the procedures in this volume, the guidance in Reference (c), and the guidance published on Reference (ji).

b. Ensure sufficient information is available to achieve effectiveness and management efficiency of Component programs.

c. Initiate the development and ~~cancellation~~ *discontinuation* of DoD public information collection requests.

d. Ensure that their respective information collections are reviewed to comply with the data protection and use requirements in DoDI 1100.13, DoDI 1000.29, DoDI 5400.16, DoD 5400.11-R, DoDI 1000.30, DoDI 8500.01, DoDI 8510.01, DoD 8400.01-M, DoDI 3216.02, and DoD Manual 7750.07 (References (kj) through (ts)).

e. Submit their survey information requirements to the Director, Defense Manpower Data Center (DMDC), for review before submitting their requests to the DoD ~~PICO~~ *ICO*. The OSD and DoD Components must accept DMDC “required” changes, and must provide the DoD ~~PICO~~ *ICO* with a rationale for ~~accepting or~~ not accepting DMDC “recommended” changes.

f. Derive cost estimates associated with DoD public information collections. Retain the source documentation used to estimate the cost in accordance with the OSD or DoD Component’s records disposition schedule. Information on estimating costs is available on Reference (ji).

g. Minimize, account for, and control the burden associated with the collection and reporting of information from the public.

h. Respond only to those DoD public information collections that are approved and assigned an OMB control number. A list of approved and active public information collections can be found on Reference (j). Contact the DoD ~~PIC~~ ICO to clarify the validity of any DoD public information collection.

i. Review and coordinate on proposed public information collections in accordance with the procedures established in Enclosure 3 of this volume.

j. Ensure that public information collections are valid, accurate, cost-effective, essential to the mission of the requesting organization, and not duplicative.

k. Evaluate and screen each item of data in the public information collection against data in existing information collections to determine whether such information can satisfy the requirement.

l. Review the ongoing public information collections for need, adequacy, design, and cost-effectiveness at least every 3 years.

m. Establish provisions for setting annual goals, consistent with critical mission needs, to reduce the number or frequency of public information collections.

n. Appoint an OSD or DoD Component IMCO in writing according to the procedures in Reference (h). ~~The DoD Internal Information Collections Officer will provide a copy of the appointment memorandum to the DoD PICO.~~

o. Oversee the OSD or DoD Component IMCOs to ensure they fulfill the procedures described in Enclosure 3 of this volume.

ENCLOSURE 3

DoD PUBLIC INFORMATION COLLECTIONS

1. PUBLIC INFORMATION COLLECTIONS

a. Public information collections that solicit responses from members of the public are subject to OMB review and clearance pursuant to part 1320 of Reference (f). Public information collections must, unless exempt, be approved by OMB and assigned an OMB control number and expiration date.

b. Reference (e), as amended by Public Law 104-106 (Reference (~~ut~~)), establishes a broad mandate for agencies to perform their information resources management (IRM) activities in an efficient, effective, and economical manner. OMB Circular No. A-130 (Reference (~~vu~~)) implements OMB authority to provide uniform government-wide IRM policies as required by Reference (e).

2. PURPOSE. In accordance with References (e) and (f), DoD will:

a. Minimize the federal paperwork burden on the public and the cost to the Federal Government of collecting, maintaining, using, and distributing information.

b. Maximize the usefulness of the information collected from the public.

c. Improve the quality and use of DoD information collected from the public and provide for the distribution of DoD information collected from the public through the effective use of information technology (IT).

d. Ensure information is managed in accordance with applicable laws, including those related to records management, research, privacy and confidentiality, security of information, and access to information.

3. SCOPE

a. In accordance with Reference (e), OSD and DoD Components must obtain OMB approval before undertaking a collection of information directed to 10 or more persons annually, or continuing a collection for which the OMB approval is about to expire in the next 6 months.

b. OMB approval of a public information collection lasts a maximum of 3 years; however, OMB can approve a public information collection for less than 3 years.

c. OSD and DoD Components must have approved public collections re-approved by OMB before their expiration dates if the need to collect the information from members of the public will exist beyond the expiration date.

d. The OMB approval process is at a minimum a 6 month process.

4. PROCEDURES

a. OSD and DoD Components. OSD and DoD Components must not collect information from the public without first obtaining OMB approval and may not seek to enforce or request compliance with disapproved or expired collections of information. OSD and DoD Components must ensure that a proposed public information collection:

(1) Imposes the least burden that is necessary for the performance of the OSD and DoD Component's function.

(2) Will not unnecessarily obtain information already available.

(3) Has practical utility.

(4) Minimizes the OSD or DoD Component's cost of collecting the information without shifting disproportionate costs or burden onto the public.

(5) Satisfies the OMB guidelines described in section 5 of this enclosure.

b. OSD or DoD Component IMCO. The OSD or DoD Component IMCO must:

(1) Serve as an OSD or DoD Component advisor on public information collections.

(2) Review, endorse, and submit public information collection packages to the DoD **PICO ICO** following the procedures in paragraph 9e of this enclosure, and assist OSD or DoD Component action officers with the submission of the documentation required for obtaining OMB approval on DoD public information collections. Templates for this documentation are located at Reference (j).

(a) Ensure all DoD public information collections receive cost estimates.

(b) Ensure DoD public information collection requests are coordinated in accordance with the procedures in this enclosure.

(3) Review approved public information collections for need, adequacy, design, and cost-effectiveness.

(4) Ensure that documents prescribing the public information collection are kept up to date if changes to or cancellations of the information collections prescribed in the documents are approved.

(5) Notify the DoD ~~PIC~~ *ICO* when public information collections are no longer necessary and request the collections be discontinued.

(6) Reduce the collection of information whenever possible.

(7) Notify the DoD ~~PIC~~ *ICO* when non-approved or expired DoD public information collections are encountered.

(8) Manage the information collection budget (ICB) for their OSD or DoD Component. This includes tracking public burden reduction initiatives related to approved public collections that will reduce the burden placed on the public to provide DoD with information.

(9) Maintain inventories and records of the public information collections under their cognizance, and notify action officers 6 months before a public information collection expires.

(10) Distribute OMB approval notices of public information collections provided by the DoD ~~PIC~~ *ICO* to the appropriate action officers.

(11) Participate in internal or DoD-wide reviews of public information collection activities.

c. DoD ~~PIC~~ *ICO*. The DoD ~~PIC~~ *ICO*, as the DoD's primary point of contact with OMB on all DoD public information collections, must:

(1) Organize, direct, and manage the DoD ~~Public~~ Information Collections Program.

(2) Oversee the implementation of this volume.

(3) Determine if an information collection is a DoD public information collection. Information collection requests that are not DoD public collection requests are provided to the appropriate DoD approving authority.

(4) Conduct the final review of DoD public information collection packages to ensure the DoD has complied with all legal requirements of law and OMB guidance.

(6) Endorse DoD public information collections and submit them to the OMB via OMB's Regulatory Information Service Center and Office of Information and Regulatory Affairs Combined Information System (ROCIS) for approval and the assignment of an OMB control number. Only the DoD ~~PIC~~ *ICO* and the DoD Clearance Officer have delegated authority and privileges to submit DoD public information collections on behalf of the DoD to OMB.

(7) Publish a list of approved and active DoD public information collections on Reference (j).

(8) Establish and maintain Reference (j).

(9) Develop and coordinate the ICB in accordance with Reference (c).

5. NOTICE AND COMMENT

a. Notices of proposed public information collections available for public comment are published in the Federal Register prior to the proposal being submitted to OMB. A sample 60-day notice is available on Reference (j). These notices are forwarded through the OSD or DoD Component IMCO to the DoD ~~PIC~~ ICO for submission to the Office of Federal Register.

(1) The public has 60 days to provide comments to the sponsoring OSD or DoD Component concerning the proposed public information collection.

(2) The sponsoring OSD or DoD Component uses the public comments to evaluate the overall need for the collection, as well as for the possibility of revision of the collection.

(3) A copy of the Federal Register notice, as well as a summary of the comments received and the sponsoring OSD or DoD Component's response to those comments, becomes a part of the proposal that is submitted to OMB for review and approval.

b. Following the 60-day public comment period, a 30-day Federal Register notice announcing that the public information collection has been submitted to OMB for review is forwarded to the Office of the Federal Register 1 week before the proposed collection will be forwarded to OMB for review and approval. The Federal Register publication process takes 1 week. The public information collection is submitted to OMB the day the 30-day notice publishes in the Federal Register. A sample 30-day notice is available on Reference (j).

(1) These notices are forwarded through the OSD or DoD Component IMCO to DoD ~~PIC~~ ICO for submission to the Office of Federal Register.

(2) The public has 30 days to provide comments to OMB concerning a public information collection.

(3) OMB uses the public comments to ensure that the information proposed to be collected is not already available; that the collection will meet the stated need and purpose; and that appropriate efforts are being made to minimize the public burden and maximize practical utility.

(4) OMB will request the sponsoring OSD or DoD Component revise the proposal submitted to OMB to address comments received by OMB from the public during the 30-day comment period.

6. OMB AND DoD GUIDELINES. OMB and DoD guidelines for collecting information from the public must be satisfied. These guidelines concern:

a. Consultation With the Interested Agencies and Members of the Public to Minimize the Information Collection Burden. OSD and DoD Components will coordinate with a cross section of potential respondents or their representatives to obtain estimates of the burden involved in complying with the request. These coordinations must not include more than nine people. Alternatively, OSD and DoD Components may use public responses received from comment solicitation notices published in the Federal Register, to include comments on the collection instruments.

b. Frequency, Response Time, and Number of Copies

(1) Frequency. OSD and DoD Components will not collect information more often than quarterly.

(2) Response Time. OSD and DoD Components will not require written responses sooner than 30 days after respondents have received the request for information.

(3) Number of Copies. OSD and DoD Components will not require respondents to submit more than an original and two copies of a document provided as part of their response.

c. Nature and Format of Information Respondents Are to Keep or Submit, and the Record Retention Period

(1) Information Format. To the extent possible, OSD and DoD Components will avoid requiring respondents to maintain or provide information in a format different from that in which they customarily maintain it.

(2) Retention Period. OSD and DoD Components will not require respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than 3 years in accordance with Reference (f).

d. Remuneration of Respondents. OSD and DoD Components must not provide for any payment or gift to respondents, other than remuneration of contractors or grantees, unless an explanation has been provided to OMB as part of the public information collection proposal and remuneration of respondents has received OMB approval.

e. Statistical Surveys. OSD and DoD Components will conduct statistical surveys that are designed to produce results that can be generalized to the universe of the study. Additionally, public information collections will not require the use of statistical data classifications that have not been approved by OMB. Additional guidance from OMB on conducting statistical surveys is available on Reference (j).

f. Confidential Information. OSD and DoD Components will not require respondents to submit proprietary, trade secret, or other confidential information unless the OSD or DoD

Component can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

g. Simplified Requirements for Small Entities. The OSD and DoD Components will take all practical steps to develop simplified requirements for small businesses or entities.

h. Use of Automated Collection Techniques and Other Forms of IT to Reduce Burden on Respondents. The OSD and DoD Components will seek to reduce burden on respondents by use of automated collection techniques or other forms of IT.

i. Method of Collection. The process, technique, system or procedure by which an OSD or DoD Component conducts or sponsors a collection of information does not void the requirement that the OSD or DoD Component seek OMB approval. Action officers may seek initial guidance from their OSD or DoD Component IMCO concerning the need for OMB review and approval of a public information collection.

(1) The approved format must display the OMB approval number, expiration date, and federal agency disclosure notice (ADN). The collection of information may be in any form or format, including, but not limited to:

- (a) Report forms
- (b) Application forms
- (c) Questionnaires
- (d) Surveys
- (e) Requests for proposal or other procurement requirements
- (f) Interviews
- (g) Interview guides
- (h) Oral communications
- (i) Focus groups
- (j) Telegraphic or telephonic requests
- (k) Automated, electronic, mechanical, or other technological collection techniques

(2) An Internet suggestion box format is not a structured protocol and will not require OMB approval. A non-structured protocol is not expected to elicit the same or similar response from respondents. Examples are suggestion boxes that ask respondents to provide ideas, comments, suggestions, or anything else you would like to tell us, or ask the respondents, "If you

experience any technical problems with our site, or have any suggestions for improving it, please let us know.” However, an electronic questionnaire attached to an Internet site that asks specific questions of 10 or more members of the public is a structured protocol and will require OMB approval. A structured protocol is expected to elicit the same or similar response from respondents.

7. COVERAGE

a. General. OMB approval is needed to collect information from members of the public. The purpose of this section is to:

(1) Explain who is considered a member of the public for purposes of public information collections.

(2) Delineate the protection afforded the respondent in accordance with the public protection clause of Reference (e).

(3) Cover the conditions under which a specific public information collection may not require OMB review and approval.

b. Members of the Public. Members of the public for purposes of public information collections include:

(1) General. Individuals, partnerships, associations, corporations (including operations of government-owned, contractor-operated facilities), business trusts, or legal representatives, organized groups of individuals, and State, territorial, tribal, or local governments, or components thereof.

(2) Federal Employees

(a) Current federal employees **are** considered members of the public if the collection of information is addressed to them in their capacity as individual private citizens. Federal employees **are not** considered members of the public when they respond to a collection of information within the scope of their employment (includes all the tasks performed to accomplish the job they perform for the federal agency). The latter is considered a DoD internal information collection and must be approved and licensed in accordance with the procedures in Reference (h).

(b) Retired federal employees **are** considered members of the public. However, military retirees **are not** considered members of the public when surveyed pursuant to Chapter 88, Section 1782 of Title 10, U.S.C. (Reference (~~w/v~~)) in relation to federal programs. When military retirees are not members of the public, the information collection must be approved and licensed in accordance with the procedures in Reference (h). See paragraph 9e(2)(g) of this enclosure for guidance on those collections that are both public and internal to the DoD.

(3) Military

(a) Pursuant to Chapter 88, Section 1782 of Reference (~~wp~~), the Secretary of Defense may:

1. Conduct surveys with the following individuals to determine the effectiveness of existing federal programs relating to military families and the need for new programs.

a. Service members serving on active duty or in active status or retired.

b. Family members of such individuals.

c. Survivors of deceased retired Service members and of members who died while on active duty.

2. Gather information about their duty status from military Reservists, members of the National Guard and, during instruction and training activities, from Reserve Officer Training Corps (ROTC) cadets.

(b) Surveys authorized in accordance with Chapter 88, Section 1782 of Reference (~~wp~~) must be approved and licensed in accordance with the procedures in Reference (h).

1. Military personnel on active duty or in active status, including military Reservists, members of the National Guard, and Service Academy students:

a. **Are** considered members of the public if the collection of information is addressed to them in their capacity as individual private citizens. Therefore, an information collection that fits this description will need OMB approval.

b. **Are not** considered members of the public if they are responding to questions regarding their duty status as federal employees or to determine the effectiveness of federal programs relating to military families and the need for new programs. In either case, the collection will not need OMB approval but must be approved and licensed in accordance with the procedures in Reference (h).

2. Retirees, dependents of retirees, dependents of active duty military, and survivors of deceased retirees and members who died while on active duty **are** generally considered members of the public. They **are not** considered members of the public if surveyed in accordance with Chapter 88, Section 1782 of Reference (~~wp~~). When surveying these respondents in accordance with Chapter 88, Section 1782 of Reference (~~wp~~), the surveys must be approved and licensed in accordance with the procedures in Reference (h).

3. ROTC cadets **are** considered members of the public if the collection of information is addressed to them in their capacity as private citizens. They **are not** considered members of the public when providing information to instructors during classroom and other training activities.

(4) Contractors

(a) Individuals under contract to provide a service to the DoD or other entities of the Federal Government are considered members of the public for public information collection purposes, and OMB approval is required to collect information from them. Contractors are not federal employees, but employees of their company.

(b) If the DoD sponsors, endorses, may benefit from, or has a direct interest in the information collection results, or is the recipient of the data collected from a survey conducted by a contractor, then the collection requires OMB approval.

1. The collection must be licensed if an OSD or DoD Component dictates the questions, specifies what data will be asked of the public, or in any way influences the data parameters, or if the name of the Federal Government or OSD or DoD Component is invoked in any way.

2. If in providing the information requested, the contractor devises his or her own questions, and uses them solely to construct the response to the government, then the collection is not considered a collection of information from the public for the government and does not require approval from OMB.

3. Public endorsement by an OSD or DoD Component of a public information collection to be carried out by a private party in order to serve an OSD or DoD Component's needs may cause DoD to appear to sponsor the information collection (particularly if the OSD or DoD Component reviews and comments upon the information collection during its consideration of whether to endorse it), and thus obligate the government agency to seek and obtain OMB approval before the private party implements the information collection.

4. An OSD or DoD Component is considered to be the sponsor of information collection requests that request a person disclose information to other persons - third persons or the public. For example, a DoD Component requests overseas citizens provide voter registration information to the States.

(5) Foreign Nationals. Foreign nationals are considered members of the public.

(a) The PRA does not differentiate between collections of information by the place in which they are conducted or sponsored or by the respondent's national origin. The general rule is that public collections of information require OMB approval pursuant to Reference (e) even though all or some of the respondents may be foreign nationals or entities in their country of origin.

(b) The United States may ask other nations for information. Such requests between sovereign nations are not covered by the PRA and do not require OMB approval. Nevertheless, OMB approval must be obtained if another government conducts a collection of information to comply with the request of the United States. Under these circumstances, the collection is

sponsored by the U.S. Government agency making the request and needs to be approved by OMB.

c. Public Protection

(1) The public protection clause of Reference (e) gives protection to respondents in cases of improper information collection. Notwithstanding any other provision of law, no person will be subject to penalty for failing to comply with a collection of information subject to Reference (e) if:

(a) The collection of information does not display a currently valid OMB control number;

(b) The DoD fails to inform the potential respondent that they are not required to respond unless the collection displays a currently valid OMB control number; or

(c) The DoD has imposed a collection of information as a means for providing or satisfying a condition for the receipt of a benefit or the avoidance of a penalty and a currently valid OMB control number is not displayed. The federal agency will not treat a person's failure to comply, in and of itself, as grounds for withholding the benefit or imposing the penalty.

(2) All public information collection instruments (websites, forms, surveys, etc.) must contain an ADN. A sample ADN is available at Reference (j). This disclosure notice is required pursuant to the public protection provisions of Reference (e).

(a) The public protection provision requires DoD to display a currently valid OMB control number and inform respondents that notwithstanding any other provision of law, no person will be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

(b) Other information on the burden hours and where the public may address comments concerning the burden is included in the disclosure notice.

(c) The public protection provision creates a legal responsibility for DoD and provides an affirmative legal defense for public respondents. If the public information collection does not display a valid OMB control number as evidence that the collection has been reviewed and approved by OMB, DoD may not impose any penalty on the public respondent who fails to comply or respond with the public information collection.

(d) An ADN must be placed on copies of public information collections printed or reproduced after July 1, 1988.

8. EXEMPTIONS AND ITEMS NOT CONSIDERED PUBLIC INFORMATION COLLECTIONS

a. Exemptions. Public information collections that do not require OMB approval include:

(1) Public Information Collections Addressed to Nine or Fewer Persons. Collections addressed to nine or fewer persons within a 12-month period do not require OMB approval. However, public collections addressed to all or a substantial majority of an industry (e.g., Navy shipyards), even if less than nine, do require OMB approval.

(2) Exempt Collections of Information. Exempt collections of information are those conducted:

(a) During the conduct of a federal criminal investigation or prosecution, or during the disposition of a particular criminal matter.

(b) During the conduct of a civil action to which the United States is a party, or during the conduct of an administrative action, investigation, or audit involving a government agency against specific individuals or entities;

(c) By compulsory process pursuant to sections 41 and 1311 of Title 15, U.S.C. (Reference (~~✖~~W)); or

(d) During the conduct of intelligence activities, or during the conduct of cryptologic activities that are communications securities activities.

b. Items Not Considered Public Information Collections. Items not considered public information collections for purposes of the PRA may include:

(1) Affidavits, oaths, affirmations, certifications, receipts, changes of address, consents, or acknowledgments, provided that they entail no burden other than that necessary to identify the respondent, the date, the respondent's address, and the nature of the instrument. By contrast, a certification would likely involve the collecting of information if it were conducted as a substitute for a collection of information, to collect evidence of, or to monitor compliance with regulatory standards. Such a certification will require OMB approval as it will generally entail burden in addition to that necessary to identify the respondent, date, and nature of the instrument.

(2) Samples of products or of any other physical objects. This category includes requests for information that is already available in a form suitable for distribution and is provided in that form to all requesters. However, the request is a collection of information if the information will be compiled.

(3) Facts or opinions obtained through direct observation by an employee or agent of the sponsoring OSD or DoD Component or through non-standardized oral communication in connection with such direct observations.

(4) Facts or opinions submitted in response to general solicitations of comments from the public, published in the Federal Register or other publications, provided that no person is required to supply specific information pertaining to the respondent, other than that necessary for self-identification, as a condition to the OSD or DoD Component's full consideration of the comment.

(5) Facts or opinions, obtained initially or in follow-up requests, from individuals (including individuals in control groups) under treatment or clinical examination in connection with research on, or prophylaxis to prevent, a clinical disorder; direct treatment of that disorder; or the interpretation of biological analyses of body fluids, tissues, or other specimens; or the identification or classification of such specimens. This includes medical records established as a result of this type of action.

(6) A request for facts or opinions addressed to a single person.

(7) Examinations designed to test the aptitude, abilities, or knowledge of the persons tested and the collection of information for identification or classification in connection with such examinations.

(8) Facts or opinions obtained or solicited at, or in connection with, public hearings or meetings.

(9) Facts or opinions obtained or solicited through non-standardized follow-up questions designed to clarify responses to approved collections of information.

(10) Comparable items to those described above as designated by OMB. OMB has the authority to determine that a particular activity does not constitute a collection of information, provided that the activity is comparable to the nine items described above, and that the classification of the activity as not constituting a collection of information would not defeat the purpose and intent of the PRA.

(11) Collections of information from DoD civilian employees within the scope of their employment (includes all the tasks performed to accomplish the job they perform for the OSD or DoD Component), unless the results are to be used for general statistical purposes.

(12) A request for facts or opinions addressed to Service members serving on active duty or in active status or retired, family members of such members, and survivors of deceased retired members and of members who died while on active duty, when being surveyed in accordance with Chapter 88, Section 1782 of Reference (~~www~~).

(13) Collections of information conducted for advertising and market research targeted at prospective recruits for the Military Services and those who may influence prospective recruits that is intended to enhance the effectiveness of recruiting programs of the DoD in accordance with Section 503(a) of Reference (~~www~~).

9. ICB

a. Submission of Annual ICB. In accordance with Reference (c), the DoD Chief Information Officer (DoD CIO) approves and submits an annual comprehensive budget for all DoD public collections of information to OMB. OMB, not DoD, prescribes the procedures, format, and timeframe for the ICB submission. The DoD Clearance Officer drafts the DoD annual ICB and submits it to the DoD CIO. OSD and DoD Components may be asked to confirm burden reduction initiatives. Otherwise, OSD and DoD Components do not have requirements in the completion of this task.

b. What is the ICB? The ICB is a projection by each federal agency of the total number of burden hours it intends to require from the public to provide it with information. It is an estimate of the time necessary for individuals, businesses, and organizations to collect, record, submit, and maintain records of information provided to the Federal Government. Federal agencies prepare ICB requests annually in response to specific direction from OMB. These requirements normally include a summarization of the fiscal years' efforts and plans to reduce the overall burden imposition on the public. The sum of all agencies' ICBs is the ICB for the Federal Government.

ENCLOSURE 4

OBTAINING APPROVAL OF DoD PUBLIC INFORMATION COLLECTIONS

1. PROCESS TO OBTAIN APPROVAL OF DoD PUBLIC INFORMATION COLLECTIONS

a. General

(1) The request for OMB approval of an information collection from the public initially involves the preparation of a 60-day public information collection notice that is published in the Federal Register to alert the public that a collection of information is being considered, and to invite public comment on the proposal. This notice is forwarded through the DoD or OSD Component IMCO to the DoD ~~PIC@ICO~~ for publishing. The DoD or OSD Component IMCO forwards the notice to ~~whs.mc-alex.esd.mbx.imd-dod-public-collections@mail.mil~~ *whs.mc-alex.esd.mbx.dd-dod-directives@mail.mil*. Paragraph 1b of this enclosure provides more information on 60-day notices.

(a) While comment is taken on the 60-day Federal Register notice, an OMB Form 83-I, "Paperwork Reduction Act Submission" clearance package is prepared. Generally, the clearance package is prepared by the office that requires or will utilize the information, in conjunction with the OSD or DoD Component IMCO. The package is forwarded through the OSD or DoD Component IMCO to the DoD ~~PIC@ICO~~ for review and quality control. The DoD ~~PIC@ICO~~ submits the clearance package to the OMB for review and approval or disapproval.

(b) Following the 60-day public comment period, a 30-day Federal Register notice announcing that the public information collection has been submitted to OMB for review is forwarded to the Office of the Federal Register 1 week before the proposed collection will be forwarded to OMB for review and approval. The Federal Register publication process takes 1 week. The public information collection is submitted to OMB the day the 30-day notice publishes in the Federal Register. The 30-day Federal Register notice is prepared and forwarded for publication by the DoD ~~PIC@ICO~~. At the close of the 30-day comment period, OMB then has at a minimum 30 days to review the clearance package and to approve or disapprove the package.

(2) Prior to submission of the clearance package, the DoD or OSD Component Forms Manager will submit requests for new or revised forms associated with the public information collection, if applicable, in accordance with Reference (ts).

(3) A public information collection clearance package has three major parts:

(a) OMB Form 83-I. The OMB Form 83-I is the official application DoD submits to OMB for review of a proposed public information collection activity. A copy may be downloaded at Reference (ji).

(b) Supporting Statement. A supporting statement is DoD's statutory, regulatory, and programmatic justification for the public information collection activity. Templates are located at Reference (j).

(c) Supporting Documentation. Supporting documentation includes, as applicable:

1. Copies of the relevant portions of prescribing or mandating DoD issuances or statutes, etc.

2. The instrument of collection (form, survey, etc.).

3. Instructions or guidelines that accompany the instrument of collection (instructions for completing form, notification letters or e-mails, consent forms, etc.).

4. Copy of a Privacy Act system of records notice, Privacy Act statement, or Privacy Act advisory and privacy impact assessment (PIA), if required pursuant to section 552a of Title 5, U.S.C. (Reference (yx)) (also known and referred to in this volume as "The Privacy Act of 1974").

5. Copy of the social security number (SSN) justification or SSN reduction plan.

6. Copy of the published 60-day Federal Register notice.

(4) The clearance package for any collection of information contained in a proposed rule is to be submitted to OMB on or before the day that the notice of proposed rulemaking (NPRM) is submitted to OMB for review. A copy of the proposed rule is to be included in the package. The notice in the preamble to the NPRM is to include both the information required in the 60-day and 30-day Federal Register notices. Sample language is available at Reference (j). The language in the preamble of the NPRM is to direct public comments to the OMB Desk Officer reviewing the rule and the collection of information.

b. Federal Register Notices. Reference (e) requires the publication of two notices in the Federal Register when establishing a public information collection. Templates are located at Reference (j).

(1) 60-Day Federal Register Notice

(a) The first notice is prepared and forwarded for publication by the requesting OSD or DoD Component at least 90 days in advance of submission of the clearance package to OMB for approval. If the DoD public information collection is contained in a proposed rule, the clearance package will be forwarded to OMB for review and comment no later than the day the NPRM is submitted to OMB.

(b) This notice alerts the public that a public information collection is being considered, and invites comments regarding certain aspects of the proposal. Comments on the

60-day notice go to the requesting DoD or OSD Component for consideration in developing the final proposal.

(c) Comments on the 60-day notice are addressed in Item 8 of the supporting statement contained in the OMB 83-I package that goes to OMB for review and approval.

(d) OSD and DoD Component IMCOs and action officers can monitor and review comments by accessing the Federal Docket Management System electronic document through www.regulations.gov. Entering the docket ID assigned to the 60-day notice in the search box will bring up the electronic docket containing the published notice and comments submitted against the notice.

(e) A 60-day notice is valid for 1 year from the date of publication in the Federal Register. If a public information collection package has not been submitted to OMB within this 1 year period, another 60-day notice must be published in the Federal Register before the clearance package can be submitted to OMB.

(2) 30-Day Federal Register Notice. The second notice, offering a 30-day comment period is prepared and forwarded for publishing by the DoD ~~PIC~~ *ICO* a week before the clearance package is submitted to OMB. This notice solicits comments on the proposed information collection. Comments on the 30-day notice go to the OMB desk officer reviewing the clearance package.

c. Preparation of the OMB 83-I Clearance Package. OSD and DoD Components must refer to the requirements as defined in OMB Form 83-I INST, "Instructions for Requesting OMB Review Pursuant to the Paperwork Reduction Act." Additional block by block instructions for completing the OMB Form 83-I are at Reference (j).

d. Preparation of the Supporting Statement. A supporting statement must be submitted with each OMB 83-I clearance package. The supporting statement outline, which must be adhered to when completing an OMB 83-I package, is at Reference (j). Each topic being addressed will be identified with the title of the topic in the outline; e.g., "1. Need for the Information Collection" or "2. Use of Information." When a topic does not relate to the public information collection request, the action officer will enter the title of the topic, state "this section does not apply," and briefly explain why. The action officer cannot simply enter "Not applicable."

e. OMB 83-I Clearance Package Process. When the OMB 83-I clearance package has been developed, the entire package goes through the following steps:

(1) Clear Through OSD or DoD Component IMCO. The action officer will submit the original signed OMB 83-I clearance package in electronic media to the OSD or DoD Component IMCO who will conduct a thorough review, ensuring that the entire proposal is complete and correct. Any errors that are correctable at the OSD or DoD Component IMCO level must be corrected before forwarding the package to the DoD ~~PIC~~ *ICO*.

(a) OSD or DoD Component IMCOs will electronically transmit the clearance package to the DoD ~~PIC@ICO~~. The DoD or OSD Component IMCO will submit the clearance package to the following account: ~~whs.mc-alex.esd.mbx.imd-dod-public-collections@mail.mil whs.mc-alex.esd.mbx.dd-dod-directives@mail.mil or create a submission in the OMB electronic PRA module in OMB's ROCIS system~~. Submissions on the "created" list in OMB's ROCIS system sit in a review portion of the system for the DoD ~~PIC@ICO~~'s review, and are not yet officially submitted to OMB. Corrections to submissions on the "created" list will be worked outside of the ROCIS system. ~~OSD and DoD Component IMCOs creating submissions in ROCIS must register to take training from OMB on their ROCIS system and be granted privileges by OMB as approved by the DoD Clearance Officer. Training schedules and registration information may be obtained at https://www.rocis.gov/rocis/. OMB provides a ROCIS User Manual that is available on the ROCIS login page.~~

(b) OSD or DoD Component IMCOs must not digitize (by scanning or by electronic conversion) the entire package as one file. Separate parts of the clearance package are uploaded into multiple locations in the OMB electronic PRA module.

(c) OSD or DoD Component IMCOs will provide a word processing file of the supporting statement. Most corrections by the DoD ~~PIC@ICO~~ are to the supporting statement. All corrections will be discussed with the OSD or DoD Component IMCO. The DoD ~~PIC@ICO~~ will return a supporting statement if extensive corrections are required.

(2) Compliance. Additionally, prior to submitting the OMB 83-I package, the OSD or DoD Component IMCO must ensure the collection complies with:

(a) Privacy Requirements. If the public information collection requires the provision of personal identifying information, coordination with an OSD or DoD Component Privacy Official is required for a determination of compliance with Reference (~~am~~). The OSD or DoD Component Privacy Official's review must include:

1. Statement of compliance with the Privacy requirements.
2. Required corrections to bring the collection into compliance with the Privacy requirements.
3. Review of a Privacy Act statement or Privacy Act advisory.
4. Review of PIA, if required.
5. Review of justification or reduction plan for the collection of the SSN.

(b) Data Security Requirements. The OSD or DoD Component chief information officer reviews the public information collection to ensure it complies with data protection and use requirements in References (~~po~~) through (~~q~~).

(c) Records Management Requirements. The OSD or DoD Component Records Officer reviews the public information collection to ensure the appropriate National Archives

and Records Administration approved records schedule and disposition have been identified for the records in accordance with Chapter 31 of Reference (e).

(d) Survey Review Requirements. If the instrument of collection is a survey, action officers will follow procedures in Reference (~~kj~~). DMDC will ensure the OSD or DoD Component has followed the OMB guidance on statistical information collections located at Reference (~~ji~~).

(e) Protection of Human Subject Requirements. If the public information collection is DoD research involving human subjects, an exemption determination or Institutional Review Board approval is required in accordance with Reference (~~sr~~).

(f) Forms Management Requirements. If the instrument of collection must be controlled as a form, action officers will follow the procedures in Reference (~~ts~~).

(g) DoD Internal Information Collection Requirements. If the information is also collected from OSD and DoD Components or other federal agency employees, the requesting OSD or DoD Component will, in addition to the OMB approval process, obtain a cost estimate and coordinate with responding OSD and DoD Components and other federal agencies in accordance with the procedures in Reference (h). Cost for the public collection is provided in the supporting statement.

(h) Office of General Counsel Review Requirements. If the public information collection is sensitive, of high interest, or political in nature, the action officer must consult with the OSD or DoD Component General Counsel.

(i) Coordination Summary Sheet. Coordination with officials having oversight of the requirements in paragraphs e.(2)(a) through e.(2)(h) of this section is captured on the OMB 83-I (Sup), "Paperwork Reduction Act Submission Coordination Summary Sheet." The OMB 83-I (Sup) is available at Reference (~~ji~~).

(3) Supporting Statement. The OSD or DoD Component IMCO must:

(a) Check the supporting statement for the information need, use, and existence of duplicative information collections.

(b) Ensure that the use of electronic information collection techniques has been addressed in the supporting statement.

(c) Check that the OSD or DoD Component has the authority to promise confidentially and that appropriate protections are in place to protect the data, if a respondent ~~provides~~ *provided* an assurance of confidentiality in the supporting statement. The Privacy Act of 1974 does not provide OSD or DoD Components authority to provide an assurance of confidentiality. The Privacy Act allows OSD and DoD Components to provide for the protection of the data to the extent permitted by law.

(d) Ensure that the burden hour calculations are fully explained and supported in the supporting statement.

(4) DoD Forms. The OSD or DoD Component IMCO:

(a) Reviews the proposed public information collection to determine if the instrument of collection must be controlled as a form in accordance with Reference (~~es~~).

(b) Consults with the Component Forms Manager.

(c) Ensures the form has provisions for displaying the OMB control number and expiration date in the upper right corner, and the ADN, as required by Reference (f).

(d) Ensures the form has been coordinated and is in a final draft format prior to submitting the OMB 83-I package.

(e) Ensures the form has undergone usability testing before or during the comment period for the 60-day public information collection notice. OMB guidance is available on Reference (~~ji~~).

(5) Surveys. The OSD or DoD Component IMCO checks survey instrument(s) for consistency and ensures they do not collect the SSN. Action officers will request assistance from the DMDC survey experts on the technical and scientific aspects of a survey as part of the required review of a public information collection classified as a survey. The OSD or DoD Component IMCO will check the survey for compliance with Reference (~~kj~~).

(6) Submission to DoD ~~PIC~~ ICO for Review. The DoD ~~PIC~~ ICO reviews all DoD public information collection packages before they are submitted to OMB. They are checked for, among other things, completeness of the OMB 83-I package, practical utility of the information collected, duplicative information requirements, and clarity of the explanation of the burden estimates. If there is a problem with the material submitted, the DoD ~~PIC~~ ICO will contact the OSD or DoD Component IMCO for the office submitting the package in an attempt to resolve the problem. If the problem cannot be resolved in this manner, the package will be returned with a written explanation.

(7) Submission to OMB

(a) OMB Criteria. Depending on the type of public information collection activity proposed, OMB may review it with varying degrees of depth. Reference (~~ji~~) provides examples of typical issues raised by OMB.

(b) Public Access. To enable the public to participate in and provide comments during the clearance process, OMB will make its files available for public inspection. Requirements to provide materials to the public may be modified or waived by OMB to the extent that such public participation in the approval process would:

1. Defeat the purpose of the collection of information;
2. Jeopardize the confidentiality of proprietary, trade secret, or other confidential information;
3. Violate State or federal law; or
4. Substantially interfere with the DoD's ability to perform its statutory obligations. Accordingly, the OSD or DoD Component IMCO will make sure that any material that cannot be disclosed to the public is excluded from the OMB 83-I package and advise the DoD ~~PIC~~ *ICO* of this when the package is forwarded.

(c) OMB Approval or Disapproval

1. OMB has 60 days to review and take action on a public information collection request. The OMB review period begins when OMB receives the public information collection request. The public information collection is submitted to OMB the day the 30-day notice publishes in the Federal Register. OMB cannot take action on the public information collection request until the 30-day public comment period passes. OMB then has an additional 30 days to review the public information collection request. OMB will either:

- a. Approve the public information collection package;
- b. Approve it on a conditional basis;
- c. Return it for revision; or
- d. Disapprove it.

2. If OMB does not act within 60 days, DoD may request that OMB assign a control number, valid for a period not to exceed 1 year.

3. If the public information collection request is approved, OMB assigns an OMB control number, normally valid for a period not to exceed 3 years, and notifies the DoD ~~PIC~~ *ICO*.

(d) Approval Notification. The DoD ~~PIC~~ *ICO* receives written notification from OMB, and forwards this notification to the OSD or DoD Component IMCO. The OSD or DoD Component IMCO distributes the OMB notification to the action officer in the sponsoring OSD or DoD Component for the public information collection.

(e) Appeal Provisions. If OMB disapproves a public information collection and the OSD or DoD Component wants to appeal the decision, the respective OSD or DoD Component IMCO and DoD ~~PIC~~ *ICO* will be consulted to determine the best course of action.

2. PROCEDURES TO REVISE OR EXTEND PREVIOUSLY APPROVED DoD PUBLIC INFORMATION COLLECTIONS

a. Major Revisions or Extensions. Major revisions or extensions must be done by submitting another public information collection package.

b. Minor Revisions. Minor revisions can generally be done by submitting an OMB Form 83-C, "Paperwork Reduction Act Change Worksheet." This form will be prepared and processed by the DoD ~~PIC~~ *ICO* in conjunction with the OSD or DoD Component IMCO and the sponsoring OSD or DoD Component. Minor revisions do not substantially modify a collection of information. A minor revision would include reducing the burden hours, the number of respondents, or the annual reporting or recordkeeping costs.

c. Emergency Extensions

(1) The use of *emergency* extensions is strongly discouraged by OMB and they will be considered only if the *emergency* extension request meets the criteria of requiring emergency approval as defined in Reference (e). Insufficient planning or administrative oversight does not warrant using an *emergency* extension.

(2) Emergency extensions for a maximum period of 90 days may be requested by submission of OMB Form 83-E, "Paperwork Reduction Act Emergency Extension." The OSD or DoD Component will submit a request, to include a justification for extension, through their OSD or DoD Component IMCO to the DoD ~~PIC~~ *ICO* at least 2 weeks prior to the expiration date of the OMB approval. The DoD ~~PIC~~ *ICO* will prepare and process the OMB Form 83-E.

3. PROCEDURES TO DISCONTINUE PREVIOUSLY APPROVED DoD PUBLIC INFORMATION COLLECTIONS

a. OSD or DoD Component Request to Discontinue. Discontinuations of public information collections are accomplished through the submission of an OMB Form 83-D, "Paperwork Reduction Act Collection Discontinuation Form." The OSD or DoD Component will submit a request to include a justification for discontinuation through their OSD or DoD Component IMCO to the DoD ~~PIC~~ *ICO*. The DoD ~~PIC~~ *ICO* will prepare and process the OMB Form 83-D. A collection may be discontinued if the project has been completed prior to the 3-year expiration date, or a program has been abolished.

b. Paperwork Reduction Act Violations. When an OSD or DoD Component's OMB Form 83-I package to revise or extend a collection has not been provided to the DoD ~~PIC~~ *ICO* for submission to OMB before the approved expiration date, the DoD ~~PIC~~ *ICO* will process an OMB Form 83-D to discontinue the collection until such time as the OSD or DoD Component provides the OMB Form 83-I package to reinstate the collection. If the collection is discontinued, the OSD or DoD Component cannot collect the information until a reinstatement of the collection has been approved by the OMB. Violations of the PRA are reported to the head of the federal agency for action as well as to OMB. OMB reports violations to Congress in the

annual ICB.

4. REQUEST FOR EMERGENCY CLEARANCE

a. OMB Criteria. Within the DoD, the DoD CIO, or designee, may request emergency processing of a collection of information under the following circumstances:

(1) When the collection of information is needed prior to the expiration of time periods established in Reference (e), and is essential to DoD's mission.

(2) When the DoD cannot reasonably comply with the normal clearance procedures pursuant Reference (e) because:

(a) Public harm is reasonably likely to result if normal clearance procedures are followed. Public harm would be prevented if, for example, strategies to combat a public health epidemic depend on information in a survey that needs to be fielded immediately.

(b) An unanticipated event has occurred. An example of an unanticipated event would be a natural disaster that has led to the need to provide benefits quickly to the victims.

(c) The use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed. The use of emergency clearance procedures is warranted if a new statute is passed that requires implementation of a public information collection within clearly shorter time frames called for in Reference (e).

b. Limited Approval. An OMB approval and the control number assigned to collections of information approved under the emergency processing procedures are valid for not more than 180 days from the date of the request for approval. During the 180 day period, an OSD or DoD Component must prepare a follow-on OMB 83-I collection package using the normal processing procedures.

c. OMB 83-I Package. Additional documentation and DoD CIO approval is required when requesting emergency processing. A statement of determination is prepared by the OSD or DoD Component. The DoD Clearance Officer approves emergency processing requests to OMB for public collections in coordination with the Office of the DoD CIO. OSD and DoD Component action officers must consult with their OSD or DoD Component IMCO and the DoD ~~ICE~~ *ICO* to obtain additional guidance for processing a public collection as an emergency.

d. Advance Planning. OSD and DoD Components must plan in advance to avoid disrupting ongoing program responsibilities. Lack of planning and administrative oversight will not be used to circumvent the time provisions of Reference (e).

5. GENERIC CLEARANCES

a. Streamlined Process. OMB has devised the generic clearance to streamline the clearance process. OMB guidance concerning generic clearances is at Reference (j). A generic clearance provides a master plan for conducting one or more data collections termed “tasks.” Review occurs in two steps: a full review of the overall plan followed by a quick review of the actual details of each task.

b. Scope. The generic clearance involves advance approval of a well-defined class of low-burden data collection. The tasks are not fully defined until actually used. An example of this type of clearance would encompass a series of customer satisfaction surveys. A generic clearance typically includes a set of agreements negotiated between the sponsoring federal agency and OMB, establishing data collection and usage, a burden cap, a periodic reporting requirement to update the OMB docket, and a commitment by OMB to review any specific application quickly.

c. Requirements. The overall plan must be subjected to the full clearance process: plan and 60-day Federal Register notice must provide the public with a basis for comment similar to a collection approved under normal clearance procedures. The plan must be managed so that there are no controversies that bypass the public comment process. Controversies may not occur at the time the instrument of collection is submitted to OMB for approval. Controversies arising at the time the instrument of collection is submitted for approval are not only inconsistent with the concept of the generic clearance, they are inconsistent with Reference (e).

6. INVENTORY OF DoD PUBLIC INFORMATION COLLECTIONS

a. Overview. OMB maintains an inventory of approved public information collections that it uses to produce reports. The OMB inventory is also used in the formulation of the upcoming fiscal year ICB.

b. Relationship to the ICB. The ICB usually addresses initiatives for minimizing burden hours imposed on the public by the DoD, whereas the inventory of OMB-approved public information collections reflects the actual burden hours currently imposed on the public by the DoD. Keeping the inventory of public information collections up to date is vital to the effective management of the program for the DoD.

c. Making Changes to the Inventory. Changes to the OMB inventory are initiated by submitting an OMB 83-I package, an OMB Form 83-C, an OMB Form 83-E, or an OMB Form 83-D.

d. Special Request Reports. Special request reports are available to OSD and DoD Component IMCOs whenever they are needed to focus on a particular aspect of their respective public information collection programs. These reports are generally used to conduct internal reviews of public information collections, to reconcile OSD and DoD Component inventories, and to brief new personnel. Special requests may be made to the DoD ~~PICO~~ *ICO* by

memorandum or electronic mail at any time. The DoD ~~PIC~~ *ICO* will generally respond within 10 business days, whenever possible.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ADN	agency disclosure notice
DMDC	Defense Manpower Data Center
DoD CIO	DoD Chief Information Officer
DoDI	DoD instruction
ESD	Executive Services Directorate
ICB	information collection budget
<i>ICO</i>	<i>Information Collections Officer</i>
IMCO	information management control officer
IMD	Information Management Division
IRM	information resources management
IT	information technology
NPRM	notice of proposed rulemaking
OMB	Office of Management and Budget
PIA	privacy impact assessment
PICO	public information collection officer
PRA	The Paperwork Reduction Act of 1995
ROCIS	Regulatory Information Service Center and Office of Information and Regulatory Affairs Combined Information System
ROTC	Reserve Officer Training Corps
SSN	social security number
U.S.C.	United States Code

WHS

Washington Headquarters Services

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this volume.

ADN. This disclosure notice is required pursuant to the public protection provisions of Reference (e). The public protection provision requires each federal agency to display a currently valid OMB control number and inform respondents that notwithstanding any other provision of law, no person will be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

burden hours. See definition of public burden.

collection of information. The obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public of facts or opinions regardless of the form or format used to collect the information. The collection must ask respondents to provide, disclose, or record facts or opinions in response to identical questions.

DoD internal information collection. Defined in Reference (h).

DoD ~~PIC~~ ICO. The individual assigned the DoD-wide responsibilities for managing **public** information collection requirements. The DoD ~~PIC~~ ICO is organizationally assigned to WHS/ESD/~~IMDD~~.

DoD public information collection. Information collections where an OSD or DoD Component collects information from the public. These collections require approval by OMB, via the DoD ~~PIC~~ ICO, pursuant to the requirements of the PRA.

ICB. The ICB is a projection by each federal agency of the total number of burden hours it intends to require from the public to provide it with information. It is an estimate of the time necessary for individuals, businesses, and organizations to collect, record, submit, and maintain records of information provided to the Federal Government. The sum of all agencies' ICBs is the ICB for the Federal Government.

information collection request. A written or verbal report, application, form, schedule, survey, questionnaire, reporting or recordkeeping requirement, or other similar method calling for the collection of information.

IRM. The planning, budgeting, organizing, directing, training, and administrative control associated with Federal Government information resources. The term encompasses both information itself and the related resources, such as personnel, equipment, funds, and IT.

method of collection. The process, technique, system or procedure by or through which a federal agency conducts or sponsors a collection of information.

The method used does not affect the requirement that the information collection be approved and symbolized.

Written reports, applications, schedules, surveys, questionnaires, reporting or recordkeeping requirements, or other similar methods are collections of information. They may be conducted by mail or through personal or telephone interviews, group interviews, communicated via electronic media, automated collection techniques, federal regulation, or any other approach through which the respondent or potential respondent can be informed of the questions to which response is requested or required.

Similar methods may include contracts, agreements, policy statements, plans, rules or regulations, planning requirements, circulars, directives, instructions, bulletins, requests for proposal or other procurement requirements, interview guides, disclosure requirements, labeling requirements, telegraphic or telephonic requests, and standard questionnaires used to monitor compliance with federal agency requirements.

need. Some programmatic or policy necessity or requirement exists, including congressional requirements.

OSD or DoD Component IMCO. Defined in Reference (h).

OSD or DoD Component internal information collection. Defined in Reference (h).

practical utility. The usefulness of the information being collected (considering its accuracy, adequacy, and reliability) to carry out the federal agency's functions in a timely manner.

program. The particular activity for which a manager is responsible at any organization level.

proposed rule. A draft rule that is published in the Federal Register and requests public comment. The comment period must be a minimum of 60 days.

public burden. The total time, effort, or financial resources required to respond to a collection of information, including that to:

Read or hear and then understand the instructions.

Develop, modify, construct, monitor or assemble any materials or equipment necessary to collect and report the data or keep records.

Compile information from records, and/or to conduct tests, interviews, inspections, polls, observations, or other activities necessary to obtain the information.

Organize the information into the requested format.

Review its accuracy and its method of presentation.

Maintain, disclose, reproduce, disseminate, or report the information.

Respond to any follow-up request initiated by the federal agency or others affected by the information for clarification, further information, or verification.

purpose. The collection of information will, or is expected to, achieve a result within the statutory, programmatic or policy requirements of the sponsoring federal agency, and will, or is expected to, be used on a timely basis.

report. Data or information that is prepared for use in determining policy; planning, controlling, and evaluating operations and performance; making administrative decisions or preparing other reports. The data or information may be graphic or in another form, and may be on paper, magnetic tapes, on or through the Internet, or other media.

sponsor. An endorsement by any OSD or DoD Component that may benefit from or has a direct interest in the information collection results. Sponsors may or may not fund projects, but they are always responsible for the content.

survey. Defined in Reference (kj).