

Department of the Interior Departmental Manual

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Series: Information Resources Management

Part 381: Origination of Records and Information

Chapter 13: Estimating Paperwork Burden of Proposed Legislation

Originating Office: Office of Policy Analysis

381 DM 13

13.1 **Purpose.** The Paperwork Reduction Act of 1980 (44 U.S.C. 3506(c)(3)) directs agencies to develop procedures for assessing the paperwork and reporting burden of proposed legislation affecting such agency. This chapter implements the requirements of the Act by providing procedures and general guidelines for analyzing the paperwork burden of proposed legislation originated in the Department.

13.2 **Policy.** Each proposal for new legislation originated by the Department shall be analyzed to determine the paperwork burden which the legislation would cause the Department to impose on the public.

13.3 **Objective.** This chapter provides procedures for assessing the paperwork burden of proposed legislation according to uniform standards. The procedures will ensure that proposed legislation is developed in ways that minimize the paperwork burden for the Department and the public.

13.4 **Scope.** Analyses will thoroughly examine proposed legislation for paperwork burden imposed on the public and will include estimates of the number and type of potential respondents.

13.5 Definitions.

- A. Bureau means any bureau or office of the Department.
- B. Burden means the total time, effort, or financial resources required to respond to a collection of information, including that needed to: read or hear instructions; develop, modify, or assemble any materials or equipment; conduct tests, inspections, polls, observations, or the like, necessary to obtain the information; organize the information into the requested format; review its accuracy and the appropriateness of its manner of presentation; and maintain, disclose, or report the information.
- C. Collection of information includes any provision or guide for collecting identical items of information from or for recordkeeping imposed on the public. Included are any

information collection procedures embodied in a report, form, grant agreement, format, survey, questionnaire, rule, regulation, statement of policy or other activity sponsored by a Federal agency. Also considered a collection of information is any requirement that a member of the public furnish a copy of any document; e.g., a topographic map, list of board members, etc.

- D. Paperwork refers to a collection of information as defined in 381 DM 13.5C, above.

13.6 Responsibilities.

- A. Heads of bureaus which originate proposed legislation will ensure that an analysis of the paperwork burden of the legislation is prepared and distributed according to the requirements of this chapter.

- B. Bureau information collection clearance officers (ICCO's) are responsible for providing technical assistance during the preparation of the paperwork burden analysis or, at the request of the bureau director, preparing the analysis. The ICCO will also ensure that the bureau information collection budget allows for any collection of information contained in proposed legislation.

- C. The Division of Directives and Regulatory Management, PMI, provides technical assistance to ICCO's and reviews completed analyses.

13.7 Content of Analyses. The required format for paperwork burden analyses is given in Appendix 1. Further information is also contained in the GAO publication "Estimating Paperwork and Privacy Impacts of Proposed Legislation," (Publication GGD-81-76) available free of charge from the General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877.

13.8 Distribution of Analyses. The preparing office will distribute the completed analysis as follows:

- A. The original will be attached to the proposed legislation.
- B. One copy will be forwarded to the Division of Directives and Regulatory Management, PMI, for review.
- C. One copy will be maintained by the ICCO in the bureau's information collection budget files.
- D. A record copy will be filed in the preparing office for use in audits or assessments.

Paperwork burden analyses of proposed legislation will include each of the elements listed below.

1. Description and location of each collection of information. Exact citations to the proposed legislation should be given for each collection meeting the definition of collection of information in 381 DM 13.5.

2. Analysis of the need to collect the information. This will include:

A. The reason the information is to be collected, including the importance to the bill's objectives and the harm which would result if the information were not collected. If the reviewing office does not feel the information should be collected, this should be clearly stated.

B. Which agency will use the information and how it will be used. If the same information is already collected by another agency, this should be stated. Use of existing information from another agency is preferable to collecting new information.

C. A consideration of alternate, less burdensome information collection techniques (such as sampling or exception reporting) which could be used.

3. Estimated number of respondents and the estimated total burden imposed on the public by the collection of information. The estimate should be broken down into the following categories:

A. Individuals and households.

B. Farms.

C. State and local governments.

D. Businesses and other institutions.

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