

INFORMATION COLLECTION MANAGEMENT PROGRAM

I. Purpose

This Directive establishes the Department of Homeland Security (DHS) Information Collection Management Program, in accordance with the Paperwork Reduction Act (PRA).

A. The PRA identifies members of the public as an individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision, and federal contractors. The PRA further identifies the unique circumstances where federal employees may be considered members of the public when the information collected triggers the PRA and will be used for statistical purposes.

B. An Information Collection Request (ICR) is a proposal for collecting information. This policy applies when DHS imposes any standard set of questions or recordkeeping requirements on 10 or more members of the public. The collection of information may be in any form or format, including the use of report forms, application forms, schedules, questionnaires, surveys, reporting or recordkeeping requirements, contracts, agreements, policy statements, plans, rules or regulations, planning requirements, circulars, directives, instructions, bulletins, requests for proposal or other procurement requirements, interview guides, oral communications, posting, notification, labeling, or similar disclosure requirements, telegraphic or telephonic requests, automated, electronic, mechanical, or other technological collection techniques.

II. Scope

This Directive applies throughout DHS.

III. Authorities

- A. Public Law 105-277, Section 1701, "Government Paperwork Elimination Act"
- B. Public Law 106-554, Section 515, "Data Quality Act"
- C. Public Law 107-347, "E-Government Act of 2002"
- D. Title 44, United States Code (U.S.C.), Chapter 35, "Coordination of Federal Information Policy" [Paperwork Reduction Act of 1995, as amended]

- E. Title 5, U.S.C., Section 552a, "Records Maintained on Individuals" [Privacy Act]
- F. Title 5, Code of Federal Regulations, Part 1320, "Controlling Paperwork Burden on the Public"
- G. OMB Circular A-130, "Management of Federal Information Resources"

IV. Responsibilities

A. The **DHS Chief Information Officer (CIO)**:

1. Develops procedures, in conformity with the DHS Directives process, related to the requirements of the Information Collection Management Program, as administered by the Enterprise Business Management Office; and
2. Provides overall leadership and management of the DHS Information Collection Management Program as required by federal laws, executive orders, and regulations.

B. The **DHS PRA Clearance Officer**:

1. Reviews, evaluates, and processes all DHS ICRs, complying with the legal requirements of PRA, while ensuring compliance with OMB guidance and DHS policies, including privacy policies;
2. Serves as the liaison to OMB on ICR activities, responding to inquiries from OMB, maintaining records of transmittals and clearances, and notifying DHS Components of OMB actions;
3. Submits in the Regulatory Affairs Consolidated Information System (ROCIS) to OMB on all ICRs within 60 days of the OMB control number's expiration date;
4. Provides training, guidance, assistance, and technical assistance to DHS employees in the development and clearance of ICRs;
5. Prepares Federal Register Notices (FRN), as appropriate, announcing the Department's intention to collect information; and
6. Submits the OMB Annual Data Call for the Department's Information Collection Budget (ICB).

C. The **Component heads**:

1. Establish, implement, and sustain an Information Collection Management Program, ensuring that all information collections subject to PRA requirements are formally submitted to the DHS Office of the Chief Information Officer (OCIO) for

review and are approved by OMB before initiating the collection;

2. Ensure that all ICRs meet the timeframes outlined in this Directive (see Section V.H);
3. Designate a Component PRA Clearance Officer who serves as a single point of contact within their Component on the Information Collection Management Program;
4. Ensure that program managers understand and comply with all laws including the PRA as it relates to information collected from the public and coordinate with the Privacy Office with respect to collections involving personally identifiable information;
5. Issue internal policies and procedures to implement the provisions of this Directive; and
6. Coordinate with OCIO to develop and submit input for the Departmental comprehensive report in response to OMB's Annual Data Call for the ICB.

D. The **Component PRA Clearance Officers:**

1. Coordinate and process the Information Collection Management Program activities in conjunction with the DHS PRA Clearance Officer;
2. Ensure that all ICRs comply with the legal requirements of PRA, while ensuring compliance with OMB guidance and DHS policies, including privacy policies;
3. Assist program managers by providing training, technical assistance, and guidance in preparing ICRs;
4. Review and monitor Component ICR activities, ensuring compliance with applicable statutes, regulations, and timeframes (see Section V.H).
5. Complete ROCIS training in order to obtain log-in privileges to access the system; and
6. Evaluate information collection activities on an ongoing basis.

E. The **Office of the General Counsel (OGC), including the Office of the Principal Legal Advisor, Judge Advocate General, and the Office of the Component Chief Counsel:**

1. Notifies the DHS or Component PRA Clearance Officer concerning any rulemaking that may impact the PRA or have any PRA implications;
2. Assists (final determinations and legal requirements) with ICRs; and

3. Reviews, coordinates, and approves the FRNs (related to PRA) before publication in the Federal Register.

F. The **DHS Privacy Officer**:

1. Establishes, oversees the implementation of, and the issuance of guidance on DHS privacy policy;

2. Ensures that appropriate privacy compliance documentation is completed for information collection activities, including Privacy Threshold Analyses, Privacy Impact Assessments, System of Records Notices (SORNs), and Privacy Act Statements, when applicable; and

3. Reviews ICRs and FRNs to ensure consistency with privacy compliance documentation.

V. Policy and Requirements

A. OMB approval is obtained before initiating, requiring, or implementing the collection of information from members of the public as required by the PRA.

B. It is required that the **collection of information**:

1. Is essential to the DHS mission and has demonstrated practical utility for the Department in performing its function;

2. Identifies the legal or administration requirements;

3. Ensures that there is no duplication of information already being collected;

4. Is gathered in the most efficient, effective, and economical manner possible; and

5. Ensures the integrity, quality, and utility of the Federal statistical system.

C. The [Form OMB 83-I, "Paperwork Reduction Act Submission,"](#) is used to request OMB clearance for an ICR. Along with the Form OMB 83-I the package includes the collection instrument, instructions, and appropriate supporting documentation, which is prepared by the DHS Component (by the Component PRA Clearance Officer or Senior Agency Official) and submitted to the DHS PRA Clearance Officer.

D. A collection of information is only authorized when OMB has assigned a valid control number and expiration date, which is placed on the collection instrument, if applicable.

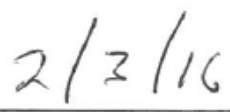
- E. Continued use of any collection of information is not authorized or enforceable without a valid OMB Control Number and Expiration Date.
- F. All collection of information instruments comply with all DHS policies before being placed on the internet, intranet, or any other medium.
- G. If the information collected is to be kept in a system of records subject to the Privacy Act, Components ensure either a SORN is published or updated in the Federal Register before initiating the collection.
- H. **Timeframes**. Components adhere to the following OCIO and OMB timeframes for developing and processing ICRs. Prior to the OMB control number's expiration date:
1. At least six months in advance Components publish a FRN with a 60-day comment period;
 2. At least three months in advance Components publish a FRN with a 30-day comment period and submits the ICR in ROCIS with a notice to the DHS PRA Clearance Officer for review; and
 3. Provided Components meet their required timeframes, within 60-days the DHS PRA Clearance Officer submits the ICR to OMB in ROCIS for approval.
- I. **Exemptions**. There are certain types of information that are not subject to, and are therefore exempt from, the PRA. A few examples of information collections that are generally exempt from the PRA include affidavits; information collected during the conduct of a federal criminal investigation or prosecution; or information collected during a disposition of litigation or investigative activities. Generally, OMB does not require clearance for information collections from other federal departments and agencies. Discuss any determination of PRA applicability or an exemption from PRA with the DHS or Component PRA Clearance Officer.

VI. Questions

Address any questions or concerns regarding this Directive to the Office of the Chief Information Officer, Enterprise Business Management Office (EBMO) at DHS.PRA@HQ.DHS.GOV.



 Russell C. Deyo
 Under Secretary for Management



 Date