U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

ORDER 1370.127

National Policy

Effective Date: 02/16/22

SUBJ: Federal Aviation Administration Paperwork Reduction Act Policy

This policy establishes the Federal Aviation Administration's (FAA) objectives, responsibilities, standards, and requirements for compliance with the Paperwork Reduction Act of 1995 (PRA) as amended, 44 U.S.C. Chapter 35. This policy explains the role of PRA in support of the mission of the FAA and compliance with applicable federal laws and regulations.

This policy outlines the process and requirements the FAA must follow when conducting information collection activities.[1] The PRA is intended to minimize the paperwork burden on the public, maximize the public benefit and practical utility of the information, and improve efficiency, effectiveness, and transparency.

FAA Lines of Business (LOB), Staff Offices (SO), and collection program offices are responsible for the PRA activities within their areas and adhering to the policy contained in this Order when conducting information collection activities. The FAA PRA Program office provides oversight and FAA approval.

Steve Dickson
Administrator

[1] The terms "information collection" and "collection of information" are used interchangeably throughout this policy and mean the "obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either—(i) answers to identical questions posed to, or imposed on, ten or more persons, other than agencies, instrumentalities, or employees of the United States; or (ii) answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes . . . ." 44 U.S.C. § 3502(3).

1. Purpose of this Order. This Order establishes the Federal Aviation Administration's (FAA's) agency-wide Paperwork Reduction Act of 1995, as amended, (PRA) Policy. Federal Agencies are required to minimize the paperwork burden on the public in accordance with the PRA (44 United States Code (U.S.C.) Chapter 35) and Title 5 Code of Federal Regulation (CFR), Part 1320.

a. A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This Order authorizes the FAA PRA Program office within the Finance and Management Staff Office to oversee the FAA's compliance with the PRA. The PRA Program office issues guidance and provides oversight to fulfill the FAA's information collection requirements.

b. The head of each LOB, SO, or other FAA organization is responsible for appointing an FAA employee within the organization who is responsible for PRA compliance, including Information Collection Request (ICR) into the Regulatory Information Service Center (RISC) and Office of Information and Regulatory Affairs (OIRA) Consolidated Information System (ROCIS) ROCIS training.

2. Audience. This Order applies to all FAA Federal employees and contractors involved in requiring or requesting information from the public, regardless of whether the collection of information is mandatory, voluntary, or required to obtain or retain a benefit and regardless of whether they are conducted by the FAA or conducted on behalf of the FAA by a third party.

3. Where You Can Find This Order. This Order can be found on the MyFAA website (https://employees.faa.gov/tools_resources/orders_notices/). This Order is available to the public on the FAA website (https://www.faa.gov/regulations_policies/orders_notices/).

4. PRA Applicability

a. In general, the PRA applies to the collection of information from ten or more persons (over a 12-month period) requesting the same information. If you're requesting information from fewer than ten people or groups, but they represent the majority or all of an industry or sector, the PRA may apply.

b. "Ten or more persons" refers to the persons to whom a collection of information is addressed by the agency within any 12–month period and to any independent entities to which the initial addressee may reasonably be expected to transmit the collection of information during that period, including independent State, territorial, tribal or local entities and separately incorporated subsidiaries or affiliates.

c. "Person" does not include employees of the respondent acting within the scope of their employment, contractors engaged by a respondent for the purpose of complying with the collection of information, or current employees of the Federal Government (including military reservists and members of the National Guard while on active duty) when acting within the scope of their employment, but it does include retired and other former Federal employees. See 5 CFR § 1320.3.

d. If the information collection is from federal employees or military personnel as part of their job, then PRA clearance is not required. If the information is not part of their work-related duties, then the PRA may apply.

e. Program offices may consult the PRA Information Collection Clearance Officer (ICCO) or the Office of Chief Counsel to determine if the information collection falls under the PRA. If the PRA does apply, program offices should coordinate with the ICCO.

5. Background. The PRA and the subsequent OMB regulations (5 CFR Part 1320, Controlling Paperwork Burdens on the Public) authorize the OIRA within the OMB to control federal agency collections of information from the public. The purpose of the PRA is to:

a. Minimize the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;

b. Ensure the greatest possible public benefit from and maximize the utility of information created, collected, maintained, used, shared, and disseminated by or for the Federal Government;

c. Coordinate, integrate, and to the extent practicable and appropriate, make uniform Federal information resources management policies and practices as a means to improve the productivity, efficiency, and effectiveness of Government program offices, including the reduction of information collection burdens on the public and the improvement of service delivery to the public;

d. Improve the quality and use of Federal information to strengthen decision-making, accountability, and openness in Government and society;

e. Minimize the cost to the Federal Government of the creation, collection, maintenance, use, dissemination, and disposition of information;

f. Strengthen the partnership between the Federal Government and State, local, and tribal governments by minimizing the burden and maximizing the utility of information created, collected, maintained, used, disseminated, and retained by or for the Federal Government;

g. Provide for the dissemination of public information on a timely basis, on equitable terms, and in a manner that promotes the utility of the information to the public and makes effective use of information technology;

h. Ensure that the creation, collection, maintenance, use, dissemination, and disposition of information by or for the Federal Government is consistent with applicable laws, including laws relating to:

(1) Privacy and confidentiality, including section 552a of title 5;

(2) Security of information, including section 40 U.S.C. and

(3) Access to information, including section 552 of title 5.

i. Ensure the integrity, quality, and utility of the Federal statistical system;

j. Ensure that information technology is acquired, used, and managed to improve performance of agency missions, including the reduction of information collection burdens on the public; and

k. Improve the responsibility and accountability of the OMB and all other Federal agencies to Congress and to the public for implementing the information collection review process, information resources management, and related policies and guidelines established under the PRA.

6. Information Collection Lifecycle

a. *Planning* – Prior to renewing an existing collection or implementing a new information collection, FAA program offices (defined in 9.g. below) should begin planning for an information collection a year prior to the expiration of an existing collection or the desired start date of a proposed new collection. See appendix C for sample PRA Information Collection Request Package Overview; for the most recent version, contact the FAA PRA Office. Planning includes:

(1) An evaluation of the need for the collection of information;

(2) A plan for the collection of the information;

(3) A specific, objectively supported estimate of burden;

(4) A test of the collection of information through a pilot program office, if appropriate; and

(5) A plan for the efficient and effective management and use of the information to be collected, including necessary resources.[2]

During the planning phase, program offices should coordinate with all relevant offices (PRA, FAA Chief Counsel (AGC), Department of Transportation General Counsel, Forms, Privacy, and Records Management) and prepare all applicable documents, including Supporting Statements, collection instruments, and supporting documentation such as authority and privacy information. Applicable documents may be obtained from the FAA PRA Program office.

b. *Public Engagement* – FAA program offices must submit 60-Day and 30-Day notices to the Federal Register to provide the public the opportunity to comment on the collection activities. This public engagement provides awareness and allows for input and insight from the affected population in order to determine necessity, accurately estimate and minimize the burden, maximize the benefit to the public, and maximize the quality and usefulness of the information for the Federal Government.[3] For collections associated with a proposed rule, a notice of the proposed collection should be included with the notice of proposed rulemaking (NPRM). The

[2] 44 U.S.C. 3506 (c)(1)
[3] 44 U.S.C. 3506 (c)(2)(A)

NPRM will serve as the equivalent of a 60-Day Federal Register Notice (FRN), and the final rule would serve as the equivalent of a 30-Day FRN.

Program offices should also request comments directly from respondents and non-FAA stakeholders within 12-18 months of a renewal or new collection in order to determine continued usefulness, clarity of collection including instructions and requirements, and accuracy of burden and cost estimates.

c. *Submission, Review, and OMB Approval* – FAA program offices enter the complete ICR into the ROCIS.[4] The reviews of the ICR package will then be conducted by the FAA PRA Team, the Department of Transportation (DOT), and finally, OIRA. OIRA will review the ICR to determine whether the collection:

(1) complies with requirements;

(2) is necessary;

(3) is not duplicative; and

(4) minimizes the burden on the public while maximizing utility and benefit.

ICRs must be compliant with the PRA, applicable laws and regulations, privacy requirements, and record management requirements. ICRs will also be reviewed for information quality and, if applicable, statistical soundness. Program offices must consult the Bureau of Transportation Statistics on agency surveys before uploading the package to ROCIS.

Upon OIRA approval, the ICR will be assigned a collection number and an expiration date through which the information may be collected. OIRA may approve collections for a maximum of three years, however, collections may be approved for shorter periods of time, such as 6, 12, or 18 months. OIRA may also disapprove requests for collections.

d. *Managing Collections* – Once a collection has been approved by the OMB, the program office may collect the approved information until the expiration date but not past the expiration date. Program offices are responsible for monitoring and managing information collection activities, making sure the collection does not exceed the authorization (including the information collected and burden). If any updates or changes arise within the approval period, program offices should submit non-substantive changes, revisions, and/or extension requests as needed. See Appendix B: Definitions for a definition of non-substantive changes.

e. *Renewal* – If a collection is needed beyond the approved expiration date, FAA program offices should begin the renewal process, starting with planning, a year prior to the month of expiration.

---

[4] ROCIS entries must be made by program office personnel who are trained and certified on the use of the ROCIS system. Training can be scheduled by contacting the FAA PRA office.

f. *Discontinuance* – When a collection is no longer needed, FAA program offices must discontinue the collection. Simply allowing a collection that is no longer necessary to expire is not an acceptable means of discontinuance. In order to discontinue a collection, the program office should complete and submit the Discontinuance form to the FAA PRA Office.[5] The FAA PRA Office will review and submit the discontinuance on behalf of the program office. Discontinuances are reviewed and approved by OIRA.

7. Scope and Applicability. This policy applies to all FAA personnel (employees and contractors) and information collections conducted by or on behalf of the FAA. Compliance with the PRA and this Order is mandatory and applies whenever an FAA program office is:

a. Obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either:

(1) Answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities, or employees of the United States; or

(2) Answers to questions posed to agencies, instrumentalities, or employees of the United States, which are to be used for general statistical purposes.[6]

b. Collections that have not been approved by the OMB (or unapproved changes to existing collections) are subject to termination by OIRA. Unapproved collections and changes are considered violations of the PRA.

c. Respondents are not required to respond to unapproved information requests. Information collected under an unapproved collection and any resulting work are subject to legal challenge.

d. *Exceptions:* PRA does not apply when an FAA program office is collecting information:

(1) During the conduct of a Federal criminal investigation or prosecution, or during the disposition of a particular criminal matter;

(2) During the conduct of:

(a) A civil action to which the United States or any official or agency thereof is a party;

(b) An administrative action or investigation involving an agency against specific individuals or entities;

(c) By compulsory process pursuant to the Antitrust Civil Process Act and section 13 of the Federal Trade Commission Improvements Act of 1980; or

[5] This form is available on the PRA KSN site.
[6] 44 U.S.C. 3502

(d) During the conduct of intelligence activities as defined in section 3.4(e) of Executive Order No. 12333, issued December 4, 1981, or successor orders, or during the conduct of cryptologic activities that are communications security activities.[7]

(3) Under 5 CFR § 1320.3(h), the information listed below does not generally constitute "information":

(a) Affidavits, oaths, affirmations, certifications, receipts, changes of address, consents, or acknowledgments under specified circumstances;

(b) Samples of products or of any other physical objects;

(c) Facts or opinions obtained through direct observation by an employee or agent of the sponsoring agency or through nonstandardized oral communication in connection with such direct observations;

(d) Facts or opinions submitted in response to general solicitations of comments from the public, published in the Federal Register or other publications, regardless of the form or format thereof, provided that no person is required to supply specific information pertaining to the commenter, other than that necessary for self-identification, as a condition of the agency's full consideration of the comment;

(e) Facts or opinions obtained initially or in follow-on 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;

(f) A request for facts or opinions addressed to a single person;

(g) 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;

(h) Facts or opinions obtained or solicited at or in connection with public hearings or meetings;

(i) Facts or opinions obtained or solicited through nonstandardized follow-up questions designed to clarify responses to approved collections of information; and

(j) Like items so designated by the OMB.

8. Policy. All FAA PRA information collection activities must comply with FAA-specific policy and process as well as DOT and OMB PRA policy and requirements and all applicable laws and regulations.

[7] 44 U.S.C. 3518 (c)(1)

a. Planning:

(1) Planning for PRA compliance begins at the program office planning stage and includes both the planning of the program office itself as well as the collection of information within the program office. The collection should be in alignment with the purpose of the program office.

(2) Planning should begin a year prior to the desired implementation date of the collection or the expiration date of an approved collection, however, more time may be needed.

(3) When planning for an information collection, the program office should consider the following:

(a) Is the collection necessary - does the program office require a collection of information, and is the information collection necessary for the FAA to achieve its goals;

(b) Is the information collection duplicative of any existing information collections, internal or external to the FAA;

(c) Is the information collection subject to PRA; (See Section 6 Scope and Applicability)

(d) Is the collection associated with a rulemaking; or

(e) Is this a new collection, an extension of an existing collection, or a revision of an existing collection?

(4) The program office should plan the collection of information by:

(a) Determining, reviewing, and/or updating the information to be collected;

(b) Determining the plan and method of collection and developing, reviewing, and/or updating the information collection instrument(s);

i. The instrument should be consistent with the necessity of information and intended use of the information; and

ii. The program office should use electronic means for the availability and submission of the collection.

(c) Determine or re-evaluate a specific, objectively supported burden estimate;

i. The burden should include all time, effort, and financial resources expended by the respondent to complete the collection;

ii. The burden should be the minimum amount needed to complete the collection;

iii. Conduct test of the information collection with the pilot program office, if appropriate;

iv. The program office should ensure the collection is not arduous, confusing, or unnecessarily complex; and

v. The program office should use the test to get an accurate estimate of the burden imposed on the respondent.

(d) Plan how the program office will efficiently and effectively manage and use the information collected; and

i. The collection should maximize the public benefit and practical utility of the information;

ii. The program office should minimize the cost of the collection on the Federal Government; and

iii. Ensure all aspects of the collection comply with all applicable laws and regulations.

(5) The program office should coordinate with all applicable offices including AGC, Forms, Privacy, and Records Management to determine and address requirements;

(6) The program office should draft and collect all remaining applicable PRA documents, including Supporting Statement A, Supporting Statement B (if applicable), and supporting documentation such as authority and privacy documents; and

(7) Program offices with new collections should meet with the FAA PRA Team to discuss the new collection and PRA requirements and process.

b. Public Engagement. The FAA requires program offices to publish 60-Day and 30-Day FRNs in the Federal Register to solicit feedback from the public. The notices must include a brief description of the need for the information and its proposed use, a description of the likely respondents and proposed frequency of response, and an estimate of the burden hours that will result from the information collection approval. All notices must be approved by AGC prior to publication in the Federal Register.

(1) For collections that are not associated with a rulemaking:

(a) The 60-Day and 30-Day FRNs should follow the appropriate FAA PRA template provided by the ICCO;

(b) Docket numbers should be used to allow for the electronic submission and tracking of comments;

i. Program offices should request a docket number from the DOT Docket Office;

ii. The docket number will be used for both the 60-Day and 30-Day FRNs.

iii. Program offices are responsible for submitting the 60-Day and 30-Day Notices to the Federal Register for publication; 30-Day Notices may only be published after the conclusion of the 60-Day FRN comment period;

iv. 30-Day Notices should contain the most accurate, current information and align with the information that will be submitted in the ICR Package, including the Supporting Statement; and

v. If any information has changed from what was submitted in the 60-Day, the program office should include the accurate information in the 30-Day and provide an explanation of what changed and why.

(c) Program offices are responsible for monitoring, acknowledging/responding, and incorporating comments, if applicable, received during the 60-Day FRN; and

(d) Comments to the 30-Day FRN go directly to Reginfo.gov.

(2) For collections associated with a rulemaking:

(a) Notice of the proposed collection should be included in the NPRM. The NPRM serves as the 60-Day Notice;

(b) The collection should also be included in the Final Rule. The Final Rule serves as the 30-Day Notice; and

(c) The NPRM and Final Rule should address all components included in the 60-Day and 30-Day FRN templates.

c. Submission, Review, and OMB Approval.

(1) After the 60-Day FRN comment period, the program office should finalize all components of the ICR package and prepare for submission. If any changes have occurred, either as a result of comments received or due to internal updates, the changes should be incorporated into the collection documentation;

(2) The program office is responsible for entering the complete ICR Package into ROCIS and notifying the FAA PRA office when the ICR entry is complete and ready for review;

(3) The FAA PRA office must review all collections prior to DOT and OMB review. Upon review, the FAA PRA Team will provide feedback to the program office. If the program office receives any feedback requiring updates, the program office shall update accordingly;

(4) The FAA PRA Team will notify the DOT once the collection is ready for Department review. The DOT reviews the collection and provides feedback as appropriate. The FAA PRA office will communicate any feedback to the program office. The program office is responsible for making any necessary updates or providing the information requested;

(5) The DOT submits all FAA ICR packages to the OMB. Program offices must receive OMB approval for all collections before program offices can collect or use the information;

(6) OMB approval is required to begin a new collection, continue an existing collection, or change an existing collection;

(7) If the renewal of an existing collection is submitted to the OMB prior to the expiration date, the program office may continue the existing collection beyond the expiration date within the previously approved limits. However, a collection may not collect information based on the pending request until receiving OMB approval. For example, a collection may continue collecting information exactly as currently approved within the approved parameters (collection instrument, burden amounts, respondents, etc.), however, a collection may not start using an updated version of the collection instrument or change information collected until the OMB approves the updated ICR; and

(8) Upon OMB approval, new collections will receive an OMB Control Number. The OMB Control Number remains the same for the lifetime of the collection. All approved collections will receive a Notice of Action (NOA) with the terms of approval, including an expiration date through which the approved information may be collected. Collections may be approved for a maximum of 3 years, however, collections may be approved for shorter durations, such as 6, 12, or 18 months. Collections must either be renewed or discontinued prior to the expiration date.

d. Managing Collections.

(1) All program offices must review and adhere to the NOA issued by the OMB;

(a) If any Terms of Clearance are received, the program office must complete the required action(s) by the due date; and

(b) If no due date is provided, the program office must complete the action(s) prior to the submission of a renewal.

(2) Upon OMB approval, program offices may collect the approved information until the expiration date;

(3) Program offices must display the PRA Burden Statement, OMB Control Number, Expiration Date, and Privacy Act Statement (if applicable) on the collection instrument(s) unless the OMB explicitly approved an exemption to this requirement;

(4) The newly approved collection instrument(s) must be available to the public. Previous versions can no longer be used and shall not be made available to the public; and

(5) Program offices must monitor and manage the information collection activities throughout the course of the collection:

(a) The collection may not exceed the authorization approved by the OMB; and

i. The program office should submit non-substantive changes, revisions, or extensions as needed, for any updates or changes to the collection, including a need for additional burden; and

ii. The program office should continually strive to minimize the burden on the public.

(b) Program offices should continuously monitor the use of the data received to strive for:

i. Greatest public benefit and maximum utility of the information;

ii. Useful data that is managed effectively;

iii. Improvement of productivity, efficiency, and effectiveness of the program office;

iv. Quality and use for decision-making; and

v. Minimal cost to the Federal Government.

e. Renewal. For any collection that the FAA requires beyond the expiration date, the program office must submit a request to renew the collection:

(1) Program offices must begin the renewal process, starting with planning, a year prior to the date of expiration;

(2) Program offices must submit a renewal or discontinuance for a collection prior to the expiration date;

(3) A complete information collection request renewal package should be submitted to the FAA PRA Team in ROCIS;

(4) The information collection must be specified as a revision if there are changes to the program;

(5) The information collection must be specified as an extension if there are no program changes and only the burden is being updated;

(6) The FAA PRA Team reviews collections and submits finalized ICR packages to the DOT;

(7) The DOT reviews ICR packages and submits them to the OMB; and

(8) Once a collection renewal has been submitted to the OMB, the collection will automatically renew in one-month increments if not approved by the expiration date.

f. Discontinuance. FAA program offices are required to discontinue a collection if it is no longer needed.

(1) Discontinuances should be submitted when the information no longer needs to be collected but must be submitted prior to the expiration date;

(2) If a collection is not discontinued or renewed prior to the expiration date, it will result in a violation. Program offices are not permitted to allow a collection to expire when no longer needed—it must be formally discontinued;

(3) Program offices are required to submit a discontinuance form to the FAA PRA Office. The FAA PRA Team will review the discontinuance, enter it in ROCIS on behalf of the program office, and notify the DOT;

(4) Upon their review, the DOT will submit the formal notice of discontinuance to the OMB for approval;

(5) Once the OMB approves the discontinuance, program offices may not collect information after the discontinuance date; and

(6) Collection instruments associated with the collection should also be discontinued and made unavailable.

g. Violations. Non-compliance with the PRA results in a violation.

(1) Consequences of non-compliance include:

(a) Violations are reported to Congress and the President in the Information Collection Budget by the OMB;

(b) The OMB may require collections in violation to be stopped;

(c) The program office's work, including any decisions based on the information collected, is open to legal challenge; and

(d) Under the public protection provision (44 U.S.C. § 3512), no one can be penalized for failing to comply with a collection of information subject to the PRA if the collection does not display a valid OMB control number or if the agency does not inform the respondents that they are not required to respond unless the collection of information contains a valid OMB control number.

(2) Violations include:

(a) Collecting information without active OMB approval, including:

i. collections that have never received OMB clearance; and

ii. collections that continue collecting information after the expiration date.

(b) Changing the collection without submitting the revision or adjustment and receiving OMB approval;

(c) Exceeding the authorization; and (e.g., exceeding approved burden amount)

(d) Failing to discontinue a collection Collections must be discontinued rather than allowed to expire if no longer needed.

h. Reinstatements. A reinstatement must be submitted and approved before a program office may collect information for any expired or discontinued collection. Reinstatements must go through the same process as new collections and renewals.

9. Non-Standard Collections and Processes

a. Generic Clearances:

(1) Generic clearances are used for a specific type of information collection, and most information collections do not qualify for a generic clearance. They can be used when multiple information collections will collect similar information using very similar methods. When the need and practical utility is known in advance, however, details of individual collections will not be known until shortly before you collect data; a generic clearance may be appropriate. Generic clearances are typically voluntary, have a low burden estimate and are uncontroversial, and as such, do not raise substantive or policy issues. Generic clearances are typically used for surveys or involve statistical methods.

(a) Examples of generic clearances are customer satisfaction surveys, focus group tests, event evaluations, and usability surveys; and

(b) The initial or parent generic clearance ICR will need to go through the standard PRA process. Individual collections can then be processed quicker within the parent clearance.

i. The program office should work with the PRA Office to determine if their collection qualifies as a generic clearance and if the individual information collections meet the requirements.

ii. To request a generic clearance, the program office must complete the Generic Clearance Submission Template and enter the information collection request in ROCIS under the Generic Clearance option.

iii. The Generic Clearance must have the burden hours available to cover the information collection requested.

iv. Information collections submitted under a generic clearance ICR typically are not required to publish 60-Day and 30-Day public comment.

(2) Generic Clearance Fast-Track Processing:

(a) Certain generic clearances may qualify for the fast-track process. The fast-track process is limited primarily to customer satisfaction-related collections.

(b) The program office should work with the PRA Office to determine if their generic clearance qualifies for the fast-track process.

b. Request for Common Forms:

(1) A common form is a type of information collection that is used by multiple federal agencies for the same purpose.

(2) The FAA may be the host agency for a common form collection, or the FAA may request to use a common form collection.

(3) If a program office wishes to create or renew a common form collection, it will need to go through the standard PRA process.

(4) If a program office wishes to use a common form, it must submit a request for common form (RCF):

(a) The program office must submit the RCF in ROCIS with the program office-specific information, such as the number of respondents, the burden estimate, etc.;

(b) RCF approvals are expedited, and once an RCF has been approved, the program office may collect the information within the burden requested as long as the host collection remains active;

(c) If the program office requires a change to the RCF, for example, an increase in burden, the program office will need to submit the updated request. Additionally, if the program office no longer requires the use of the form, the program office should submit a discontinuance for the RCF; and

(d) The host agency is responsible for renewing the common form collection before expiration.

c. Emergency Clearances:

(1) There are certain situations in which a collection may qualify for an emergency clearance, which is a faster, more streamlined process. However, emergency clearances are very rare and have very strict criteria. In cases where the regular PRA approval process may not be reasonable to complete due to a time-sensitive need resulting from something outside of agency/program office control. If public harm or missing a court-ordered or statutory deadline is at risk due to the standard PRA process, the collection may qualify for an emergency clearance. The following limitations apply to emergency clearances:

(a) The program office should make every possible effort to engage the public and receive input about the collection;

(b) Program offices should work with the PRA Office to determine if a collection qualifies for an emergency clearance;

(c) If approved, emergency clearances are only approved for a maximum of 6 months, during which time the program office must renew the collection through the standard PRA process if the collection is needed beyond the approval period; and

(d) Internal delays do not qualify for an emergency clearance. Renewals are required to begin the process no later than 12 months in advance of the expiration, and new collections should begin the process a year in advance of the desired start date.

(2) Per DOT policy:

(a) The DOT will only request an Emergency Clearance under the following circumstances:

i. A collection of information is needed prior to the expiration of time periods established under the PRA, and the collection is essential to the mission of the agency, and

ii. The agency cannot reasonably comply with normal clearance procedures because:

(i) Public harm is reasonably likely to result if normal procedures are followed;

(ii) An unanticipated event has occurred, such as a natural disaster; or

(iii) 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.

(b) All requests for emergency clearance must be made in writing by a Component Head, the Departmental Chief Information Officer (CIO), or their designees;

i. The DOT shall publish a notice in the Federal Register notifying the public that an Emergency clearance is being sought unless the OMB waives this requirement; and

ii. The DOT shall not request relief from standard public notice and comment requirements for more than 180 days.

(i) The DOT shall coordinate with the OMB on all emergency requests prior to formal submission of such requests; and

(ii) The DOT shall not request emergency relief from PRA requirements due to a lack of planning.[8]

---

[8] DOT Order 1351.29A

d. Rulemaking:

(1) When a collection of information is associated with a rulemaking, the collection must receive OMB approval prior to implementing the collection; however, the rulemaking process differs slightly from the standard PRA process.

(2) When possible, program offices should leverage the rulemaking public engagement process to notify the public of the collection, including the minimum comment period to solicit public input.

(3) The NPRM should serve as the 60-Day FRN, and should include all applicable information:

(a) Immediately following the publication of the NPRM, the program office should enter the draft collection in ROCIS, including the Supporting Statement(s) and any available supplementary documentation; and

(b) This should be associated with the NPRM in the system.

(4) The Final Rule should serve as the 30-Day FRN, and should include all applicable information:

(a) Immediately following the publication of the Final Rule, the program office should enter the final collection in ROCIS, including all applicable documentation; and

(b) This should be associated with the Final Rule in the system.

(5) If it is not possible for the collection to use the rulemaking process for the public notification and engagement process, the program office must follow the standard PRA process, including publishing 60-Day and 30-Day Notices in the Federal Register.

(6) The burden amount must be the same in the Final Rule and the final ICR.

10. Roles & Responsibilities. This section defines the roles within the FAA-wide PRA program office and the responsibilities of each.

a. FAA Administrator and/or CIO is responsible for creating and maintaining the PRA program office, which includes:

(1) Establish the PRA Office for the management of FAA Information Collections;

(2) Ensure the PRA Office is supported and appropriately staffed; and

(3) Appoint the FAA PRA ICCO.

b. Information Collection Clearance Officer (ICCO) is responsible for overseeing the FAA-wide PRA program office to ensure collection compliance with the PRA as well as all applicable laws and regulations, OMB guidance, DOT policy, and FAA policy. The ICCO will:

(1) Manage all FAA ICR Packages to be compliant throughout the lifecycle of the collection;

(2) Coordinate with program offices, the DOT Clearance Officer, and the OMB as needed;

(3) Provide training, guidance, and templates to program offices regarding the PRA process, requirements, FRNs, and ICRs;

(4) Coordinate program office responses and submit FAA Information Collection Budget (ICB) reports to the DOT PRA Clearance Officer;

(5) Work with other DOT Component Clearance Officers and the public as needed regarding questions about FAA collections; and

(6) Report FAA PRA violations to the DOT PRA Clearance Officer.

c. FAA Office of the Chief Counsel (AGC) is responsible for:

(1) Approving all Federal Register Notices before publication; and

(2) Providing a legal review of rulemakings with the program office, the FAA PRA Clearance Officer, the FAA, and the DOT to ensure compliance and organize timing.

d. FAA Privacy Office assists program offices and the FAA PRA Clearance Officer when requested to make sure collections meet all applicable privacy requirements and have necessary privacy documentation.

e. FAA Forms Office responsibilities include:

(1) Working with program offices that use a form as a collection instrument to display the current OMB approved version on the FAA Forms site;

(2) Assigning FAA Form Numbers; and

(3) Coordinating with the FAA PRA Clearance Officer to ensure forms are compliant with PRA where applicable.

f. FAA Records Management Office will coordinate with program offices to ensure records resulting from the collection are properly maintained.

g. FAA Program office is the Information Collection Owner. As the Information Collection Owner, the program office is responsible for managing the information collection(s). The Program office will:

(1) Manage the collection throughout its lifecycle;

(2) Plan and design the information collection;

(3) Coordinate with the FAA PRA Clearance Officer to determine if the collection is subject to PRA and the appropriate clearance type;

(4) Create all relevant documentation for ICR;

(5) Coordinate with AGC for review and approval of FRNs;

(6) Submit FRNs to the Federal Register for publication and acknowledge/address comments received;

(7) Coordinate with appropriate coordination offices (AGC, Privacy, Forms, Records Management) to ensure applicable requirements are met;

(8) Coordinate with the FAA PRA Clearance Officer for collections that utilize surveys, questionnaires, and/or statistical methods;

(9) Enter the ICR package in ROCIS;

(10) Respond to requests by the FAA PRA Clearance Office, the DOT, and the OMB;

(11) Monitor the approved collection, including burden usage;

(12) Ensure the collection does not violate the PRA or applicable laws; and

(13) Report any violations to the FAA PRA Clearance Officer.

Appendix A: References

1. Paperwork Reduction Act of 1995, Pub. L. 104-13, 44 U.S.C. Chapter 35

2. Controlling Paperwork Burdens on the Public, Title 5 CFR, Part 1320

3. Government Paperwork Elimination Act, Pub. L 105-277 Title XVII

4. OMB Memorandum: Information Collection under the Paperwork Reduction Act, April 7, 2010

5. OMB Memorandum: Paperwork Reduction Act – Generic Clearances May 28, 2010

6. OMB Memorandum M-11-26: New Fast-Track Process for Collecting Service Delivery Feedback Under the Paperwork Reduction Act, June 15, 2011

7. OMB Memorandum: Reducing Reporting and Paperwork Burdens, June 22, 2012

8. OMB Memorandum: Flexibilities under the Paperwork Reduction Act for Compliance with Information Collection Requirements, July 22, 2016

9. DOT Order 1351.29 Paperwork Reduction Act/Information Collection

10. A Guide to the Paperwork Reduction Act

11. OMB Federal Collection of Information

Appendix B: Definitions

1. Burden: The total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency, including:

a. Reviewing instructions;

b. Developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information;

c. Developing, acquiring, installing, and utilizing technology and systems for the purpose of processing and maintaining information;

d. Developing, acquiring, installing, and utilizing technology and systems for the purpose of disclosing and providing information;

e. Adjusting the existing ways to comply with any previously applicable instructions and requirements;

f. Training personnel to be able to respond to a collection of information;

g. Searching data sources;

h. Completing and reviewing the collection of information; and

i. Transmitting or otherwise disclosing the information.

2. Collection of Information: The obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties, or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, ten or more persons, whether such collection of information is mandatory, voluntary, or required to obtain or retain a benefit. “Collection of information” includes any requirement or request for persons to obtain, maintain, retain, report, or publicly disclose information.

3. Information - any communication or representation of knowledge such as facts, data, or opinions in any medium or form, including textual, numerical, graphic, cartographic, narrative, electronic, or audiovisual forms.

4. Information Collection Budget (ICB) - Total amount of hours an agency/program office is allowed (has budgeted) to impose on the public for collection/reporting of information.

5. Information Collection Instrument: The means used to capture the data/information (e.g., a form, survey, script, etc.).

6. Information Collection Request (ICR): The set of documents that comprise the formal packet prepared by a Federal Agency that describes reporting, record keeping, disclosure, survey, or other information collection requirements imposed on the public by a federal agency. An information collection request is submitted to the OMB for review and approval to collect information from 10 or more respondents (people, businesses, entities, etc.).

7. Information Resource - information and related resources, such as personnel, equipment, funds, and information technology.

8. Person - an individual, partnership, association, corporation (including operations of government-owned contractor-operated facilities), business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government or a branch of a political subdivision.

9. Practical Utility - the actual, not potential, usefulness of information to or for an agency, as well as the agency's capability to process such information in a timely and useful fashion.

10. Public Information - any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public.

11. Non-Substantive Changes (to an information collection) - Changes to an already approved information collection that do not introduce new concepts or measures that have not received public comment. Non-Substantive changes do not require public notice.

12. Substantive Changes (to an information collection) - Changes that introduce new concepts or requirements not included in the original public notice and approval.