

**Forest Service Handbook
National Headquarters - Washington Office
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**Forest Service Handbook 1309.14 – Information Requirements Handbook
Chapter 40 - Public Information Collections**

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Approved by: Hank Kashdan, Deputy Chief for Business Operations

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Responsible Staff:

Posting Instructions: Amendments are numbered consecutively by Handbook number and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this Handbook was 1309.14-94-2 to 1309.14, 40.

Explanation of changes: Following is an explanation of the changes throughout the directive by section.

40: Makes edits and changes throughout the chapter.

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40.1 - Authority

(See FSM 1380.1).

40.2 - Objectives

1. To collect information needed for Forest Service programs and activities with minimum burden on the public.

2. To manage the overall Forest Service public information collection program by avoiding duplication and using current technology.

40.3 - Policy

1. Conduct only those public information collections which meet Office of Management and Budget approval. Ensure that reporting or recordkeeping collections from the public comply with the Paperwork Reduction Act (44 U.S.C. 3501-3520), Office of Management and Budget regulations at 5 CFR Part 1320, and FSM 1380.1).

2. Design public information collections needed to conduct Forest Service programs and activities to minimize the burden placed on the public.

40.4 - Responsibility

40.41 - Deputy Chief for Business Operations

The Deputy Chief for Business Operations is responsible for ensuring that Forest Service information collections are conducted in accordance with Federal law, policy, and regulations.

40.42 - Director, Office of Regulatory and Management Services (ORMS)

The Director is responsible to review, and certify public information collections to be submitted to the Office of Management and Budget (OMB) for approval.

40.43 - Forest Service Information Collection Manager (ICM)

The ICM is responsible to:

1. Oversee Forest Service public information collection activities.
2. Provide advice and technical support to sponsors of public information collection activities.
3. Review submissions for Office of Management and Budget (OMB) approval.
4. Coordinate with the Department of Agriculture, Office of the Chief Information Officer for public information collection activities.

5. Coordinate submissions associated with rulemakings with the Directives and Regulations Branch, ORMS (FSM 1013; and sec. 23).

6. Annually coordinate public information collection activities with Washington Office Staffs, Regions, Stations, Area, and the International Institute of Tropical Forestry, referred to hereafter as the Institute.

40.44 - Sponsor of Public Information Collection

The sponsor is responsible to:

1. Prepare the requisite justification and documentation of the collection of information within the program area.

2. Coordinate with the Washington Office ORMS Staff concerning Office of Management and Budget (OMB) requirements.

3. Coordinate with concerned staffs and seek necessary internal approvals.

40.5 - Definitions

This section contains definitions for specialized terms used throughout this chapter. Unless otherwise noted, the definitions are those established in OMB regulations at 5 CFR Part 1320.

Burden. The total time, effort, or financial resources required to respond to a collection of information, including that needed to read or hear instructions; to develop, modify, or assemble any materials or equipment; to conduct tests, inspections, polls, observations, or the like, necessary to obtain the information; to organize the information into the requested format; to review its accuracy and the appropriateness of its manner of presentation; and to maintain, disclose, or report the information.

Burden Statement. A paragraph added to each collection instrument (written and oral) that provides the public with an estimated average burden hour per response, and a request that the public direct comments to the Office of Management and Budget (OMB) and the U.S. Department of Agriculture, the Office of the Chief Information Officer (OCIO).

Exemptions. Certain antitrust, intelligence, and criminal information collections that are exempt from OMB approval. Exemptions also include collections that are addressed to nine or fewer persons and other items such as affidavits or certifications which ask the respondents to identify themselves.

Expiration Date. A date placed in the upper right-hand corner of the collection vehicle, if any, to show when OMB approval expires.

Information. Any statement of fact or opinion, whether in numerical, graphic, or narrative form, and whether oral or maintained on paper, magnetic tapes, DVDs, computers, or other media.

Information Collection Budget (ICB). The agency's plan for its public information collections for the upcoming fiscal year, as required by OMB. It includes overall strategy for the planning and management of such current collections, and a specific listing of proposed new collections.

Information Management. (See FSM 1390.5).

Information Processing Technologies. (See FSM 1390.5).

OMB Control Number. The number assigned by OMB to the docket approving a public information collection. It is placed in the upper right-hand corner of the collection vehicle, along with its expiration date.

Person. An individual, partnership, association, corporation, business trust, or legal representative; an organized group of individuals, a State, territorial, or local government or branch thereof, or a political subdivision of a State, territory, or local government. Current employees of the Federal Government are excluded from this definition for purposes of the collection of information within the scope of their employment.

Practical Utility. The usefulness of information (considering its accuracy, adequacy, and reliability) to carry out the agency's functions in a timely manner.

Public Information Collection. The obtaining or soliciting of facts or opinions by an agency through the use of written report forms, application forms, schedules, questionnaires, and reporting or recordkeeping requirements calling for answers to identical questions posed to 10 or more persons. (This includes all oral, written, or electronically transmitted expressions of opinion or fact.) The collection may be voluntary, required to obtain a benefit, or mandatory.

Public Information Requirement. The collection of information by means of an agency rule adopted after public notice and comment. The term comprises any form or other written instrument for the collection of information that is published as a part of the rule.

Required To Obtain a Benefit. A reply to a public information request that is elective, but the reply is required to obtain or retain a benefit. This requirement includes licenses and permits.

Voluntary. A reply to a public information request that is entirely discretionary and has no direct effect on any benefit or privilege for the respondent.

41 - Approval by Office of Management and Budget (OMB)

To carry out some Forest Service programs and activities, it is necessary to obtain certain information from the public. OMB is responsible for and has the authority to protect the public from unnecessary burden in complying with Federal Government requests for information.

41.1 - What Needs Approval

1. Any collection of information which places a burden on the public should be considered for review by the Information Collection Manager, Office of Regulatory and Management Services.
 - a. If the collection asks identical questions of 10 or more persons, or if it is addressed to all or a substantial majority of an industry, and if it is not part of an exempt category (sec. 41.2), it needs approval.
 - b. If the collection involves fewer than 10 people, the sponsor should state on the collection instrument that it is not subject to OMB approval.
 - c. The collection format may be a form, questionnaire, survey, or a series of questions.
 - d. The collection may be generated through a request for information (sec. 42) written into an agency rule. For example, if the public is asked to submit a report to the Agency in an Agency rulemaking document, that request constitutes an information collection.
2. Public information collections which require approval by OMB include:
 - a. Application forms.
 - b. Disclosure requirements.
 - c. Interviews.
 - d. Permits.
 - e. Plans.
 - f. Questionnaires.
 - g. Schedules.
 - h. Surveys.

41.2 - What Does Not Need Approval

The following categories generally are not deemed to constitute information collections, and, therefore, do not need approval:

1. Affidavits, oaths, affirmations, certifications, receipts, changes of address, consents, or acknowledgments.
2. Samples of products or any other physical objects.
3. Facts or opinions obtained by direct observation by an employee or agent of the sponsoring agency or in response to nonstandardized oral communication in connection with such direct observation.
4. Facts or opinions submitted in response to general solicitations of comment from the general public, provided that no respondent is required to supply specific information pertaining to the comments except as necessary for self-identification.
5. Information from individuals under treatment or clinical examination in connection with a clinical disorder.
6. Facts or opinions requested from a one to nine persons.
7. Examinations designed to test the aptitude, abilities, or knowledge of the persons tested and the collection of information for identification in connection with such examination.
8. Facts or opinions in connection with public hearings or meetings.
9. Information solicited through nonstandardized followup questions designed to clarify responses to approved collections of information.
10. Items similar to those in paragraphs 1-9 that the Director of OMB determines to be exempt.

41.3 - Annual Information Collection Budget

1. The Information Collection Budget process. The Forest Service must submit to OMB, through the Department of Agriculture, Office of the Chief Information Officer (OICIO), an annual information collection budget (ICB) as required by Title 5, Code of Federal Regulations, section 1320.17 (5 CFR 1320.17).

- a. What is in the ICB. The ICB describes the Forest Service program to plan and manage its public information collections in the upcoming fiscal year. It includes reviewing current collections and proposing new ones. This is the first step in gaining OMB approval for a new public information collection.

- b. How the ICB is put together. Each fiscal year, the Washington Office, ORMS Staff requests the Regions, Stations, Area, the Institute and Washington Office Staffs to submit information on current and proposed public information collection activities. This information is used to complete the Annual Information Collection Budget, which is submitted to OCIO.
2. Types of information collections reported in the ICB include:
 - a. Collections currently in existence and approved by OMB.
 - b. Collections currently in existence but which have not received OMB approval.
 - c. New collections for which OMB approval will be sought but not expected until the next fiscal year.
 - d. New collections that are expected to be used in the upcoming fiscal year.

41.4 - Approval Process

41.41 - Timeframes

Submit a description of the collection as part of the annual information collection budget (sec. 41.3).

1. Request for New Approvals. Six to seven months prior to the beginning of the collection, submit the approval package (sec. 41.42) to the Washington Office, Director of the ORMS Staff.
2. Extension of Current Approvals. Submit a request to revise or extend a current approval, 6 to 7 months prior to its expiration date.

41.42 - Approval Package for New, Revised, and Extended Requests

41.42a - Components of Approval Package

Each information collection package submitted for approval must include the following:

1. Standard Form 83-I, Request for OMB Review, Parts I and III completed. Leave blank the paperwork certification blocks of the form.
2. A supporting statement which justifies collecting the information and how the information will be used. Explain what would happen if the proposed collection were not approved.

3. Any questionnaires, forms, instructions, transmittal letters, or other related documents (instruments) to be used in the collection of information. These instruments must contain one of the following paragraphs:

a. Public reporting burden for this collection of information is estimated to average hours (or minutes) per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OCIO, AG Box 7630, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB #0596-XXXX), Washington, DC 20503.

b. Public reporting burden for this collection of information is estimated to vary from ___ to ___ hours (or minutes) per response, with an average of ___ hours (or minutes) per response including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB #0596-XXXX), Washington, DC 20503.

4. Current statutes, executive orders, or regulations authorizing or related to the collection.

41.42b - Procedures for Submitting Approval Packages

Submit the completed package to the ICM for review and to other concerned staffs. Initiate coordination where appropriate.

1. After internal review by the unit approving official, submit the package to the Washington Office, Director of ORMS, for review and submission to the Office of Management and Budget (OMB).

2. The ICM should receive the package 6 to 7 months before the beginning of the information collection to ensure necessary agency clearance through the ORMS Staff, the Department OCIO, and OMB, which has 60 to 90 days to review such requests. This timeframe also allows for printing any related forms or questionnaires.

3. Upon approval of the collection package, the ICM informs the requesting unit and provides the necessary control number and expiration date for inclusion on the collection instrument. Rules containing approved information requirements must display the OMB number in the text of the rule (sec. 42).

41.5 - Termination of Approval

When an information collection is no longer needed, the sponsoring unit must inform the ICM, ORMS Staff so that OMB can be notified and approval for the burden discontinued.

42 - Reporting Requirements in Regulations

1. Any rulemaking or agency policy, which is published in the Federal Register and which establishes public information requirements, requires special text about paperwork reduction in the Federal Register document.

2. The rulemaking or agency policy must be accompanied by Form SF-83-I, Request for OMB Review, and must be submitted to OMB and USDA for review and clearance.

3. Washington Office authors of rule and policy documents which contain new or modified public information requirements must, early in the drafting process, consult with the ICM. Consult the Regulatory Officer, Directives and Regulations Branch, ORMS Staff, for appropriate text for rules and policies published in the Federal Register.