



1           (1) are weakening the effectiveness of Federal  
2 programs;

3           (2) are costing excessive amounts of money  
4 through direct taxes or the hidden taxes of higher pro-  
5 duction costs and consumer prices; and

6           (3) are contributing to losses of productivity and  
7 increases in inflation.

8           (b) The Congress further finds that problems of unneces-  
9 sary paperwork and redtape can be eliminated or substantial-  
10 ly ameliorated if the following principles are followed when  
11 legislation and regulations are being drafted and when pro-  
12 grams are being planned and evaluated:

13           (1) The full costs and value of Government pro-  
14 grams, not only to the Government, but also to indi-  
15 viduals and groups outside the Government, must be  
16 examined.

17           (2) Alternative ways to run programs must be  
18 taken into account so that a conscious choice can be  
19 made as to who will bear the costs of the programs  
20 and who will receive benefits from them.

21           (3) Individuals, business enterprises, State and  
22 local governments, and other organizations and institu-  
23 tions involved in Federal programs must be allowed to  
24 make suggestions regarding the design and evaluation  
25 of those programs so that Government agencies can be

1 alerted to potential problems of unnecessary costs,  
2 losses in effectiveness, and inefficient approaches.

3 (4) The full array of information and paperwork  
4 handling technologies which might aid in operating  
5 programs must be identified and analyzed, to insure  
6 that their application is carefully coordinated within  
7 and among agencies and that waste, overlap, and du-  
8 plication are avoided. These technologies include, but  
9 are not restricted to, computers, communications equip-  
10 ment, word processors, office machines, and micro-  
11 forms.

12 (c) The Congress hereby determines that new informa-  
13 tion policies and management procedures are necessary to  
14 eliminate needless paperwork and redtape and make the Fed-  
15 eral Government an effective and efficient instrument in serv-  
16 ice to the American people. These policies and procedures  
17 should be founded on the realization that information is not a  
18 free good, but a valuable resource.

19 TITLE I—CENTRAL MANAGEMENT AND  
20 CONTROL RESPONSIBILITY

21 OFFICE OF FEDERAL INFORMATION MANAGEMENT POLICY

22 SEC. 101. (a) Title 44 of the United States Code is  
23 amended by striking out chapter 35 and inserting in its place  
24 the following new chapter:

1           **"CHAPTER 35—COORDINATION OF FEDERAL**  
2           **INFORMATION MANAGEMENT POLICY**

"Sec.

"3501. Information for Federal agencies.

"3502. Definitions.

"3503. Office of Federal Information Management Policy.

"3504. Authority and functions of Administrator.

"3505. Designation of central collection agency.

"3506. Independent collection by an agency prohibited.

"3507. Determination of necessity for information; hearing.

"3508. Cooperation of agencies in making information available.

"3509. Information collection activities—submission to Administrator; approval.

"3510. Time limit for action by Administrator.

"3511. Rules and regulations.

"3512. Consultation with other agencies.

"3513. Administrative powers.

"3514. Responsiveness to Congress.

"3515. Effect on existing laws.

"3516. Effect on existing regulations.

"3517. Access to information.

"3518. Unlawful disclosure of information; penalties; release of information to other agencies.

"3519. Penalty for failure to furnish information.

3   **"§ 3501. Information for Federal agencies**

4           "Information needed by Federal agencies shall be ob-  
5 tained with a minimum burden upon business enterprises, es-  
6 pecially small business enterprises, State and local govern-  
7 ments, and other persons required to furnish the information,  
8 and at a minimum cost to the Government. Unnecessary du-  
9 plication of efforts in obtaining information through the use of  
10 reports, questionnaires, and other methods shall be elimi-  
11 nated as rapidly as practicable. Information collected and  
12 tabulated by a Federal agency shall, as far as is expedient, be  
13 tabulated in a manner to maximize the usefulness of the in-  
14 formation to other Federal agencies and the public.

1 **“§ 3502. Definitions**

2 “As used in this chapter, the term—

3 “(1) ‘Administrator’ means the Administrator for  
4 Federal Information Management Policy in the Office  
5 of Management and Budget;

6 “(2) ‘Federal agency’ means any executive de-  
7 partment, military department, Government corpora-  
8 tion, Government controlled corporation, or other es-  
9 tablishment in the executive branch of the Government  
10 (including the Executive Office of the President), or  
11 any independent regulatory agency; but does not in-  
12 clude the General Accounting Office or the govern-  
13 ments of the District of Columbia and of the territories  
14 and possessions of the United States, and their various  
15 subdivisions;

16 “(3) ‘independent regulatory agency’ means the  
17 Board of Governors of the Federal Reserve System,  
18 the Civil Aeronautics Board, the Commodity Futures  
19 Trading Commission, the Consumer Product Safety  
20 Commission, the Federal Communications Commission,  
21 the Federal Deposit Insurance Corporation, the Fed-  
22 eral Election Commission, the Federal Energy Regula-  
23 tory Commission, the Federal Home Loan Bank  
24 Board, the Federal Maritime Commission, the Federal  
25 Trade Commission, the Interstate Commerce Commis-

1 sion, the Mine Enforcement Safety and Health Review  
2 Commission, the National Labor Relations Board, the  
3 Nuclear Regulatory Commission, the Occupational  
4 Safety and Health Review Commission, the Postal  
5 Rate Commission, and the Securities and Exchange  
6 Commission;

7 “(4) ‘person’ means an individual, partnership, as-  
8 sociation, corporation, business trust, or legal repre-  
9 sentative, an organized group of persons, a State, terri-  
10 torial, or local government or branch thereof, or a po-  
11 litical subdivision of a State, territory, or local govern-  
12 ment or a branch of a political subdivision;

13 “(5) ‘collection of information’ means the obtain-  
14 ing or soliciting of facts or opinions for any purpose by  
15 a Federal agency by the use of written report forms,  
16 application forms, schedules, questionnaires, reporting  
17 or recordkeeping requirements, or other similar meth-  
18 ods calling for either—

19 “(A) answers to identical questions posed to  
20 or identical reporting or recordkeeping require-  
21 ments imposed on ten or more persons other than  
22 agencies, instrumentalities, or employees of the  
23 United States; or

24 “(B) answers to questions posed to agencies,  
25 instrumentalities, or employees of the United

1 States and which are to be used for statistical  
2 compilations of general public interest;

3 “(6) ‘information collection request’ means a writ-  
4 ten report form, application form, schedule, question-  
5 naire, or reporting or recordkeeping requirement for  
6 the collection of information;

7 “(7) ‘burden’ means the time, effort, and financial  
8 resources expended by persons to provide information  
9 collected by a Federal agency; and

10 “(8) ‘practical utility’ means the ability of an  
11 agency to use information it receives, particularly the  
12 capability to process such information in a timely and  
13 useful fashion.

14 **“§ 3503. Office of Federal Information Management**  
15 **Policy**

16 “(a) There is established in the Office of Management  
17 and Budget an office to be known as the Office of Federal  
18 Information Management Policy (hereinafter in this chapter  
19 referred to as the ‘Office’).

20 “(b) There shall be at the head of the Office an Adminis-  
21 trator for Federal Information Management Policy (herein-  
22 after in this chapter referred to as the ‘Administrator’), who  
23 shall be appointed by the President, by and with the advice  
24 and consent of the Senate.

1 **“§ 3504. Authority and functions of Administrator**

2       “(a) The Administrator shall have Government-wide re-  
3 sponsibility for setting policies and coordinating procedures  
4 governing the planning, budgeting, management, and control  
5 of Federal information management activities and of the  
6 measurement of burdens imposed by such activities on busi-  
7 ness enterprises, State and local governments, and other per-  
8 sons outside the Federal Government. Each agency shall  
9 have responsibility to account for and minimize the external  
10 burdens imposed by programs for which it is responsible, op-  
11 erating within the guidance provided under subsections (b)  
12 through (g) of this section.

13       “(b) The Administrator shall publish annually, with an  
14 analysis by agency and by such other categories as he may  
15 deem useful, a report describing the compliance burden of  
16 public-use reports, recordkeeping, and other information re-  
17 quirements imposed by agencies on persons outside the Fed-  
18 eral Government. The report shall describe the burdens of all  
19 such requirements on such persons, as well as the costs to  
20 agencies.

21       “(c)(1) The Administrator shall review, at least once  
22 every three years, by means of reports and selective inspec-  
23 tions, the information management activities, information col-  
24 lection and clearance activities, and the paperwork reduction  
25 activities of each agency to ascertain their adequacy. Upon



1 completion of such review, which shall include the accom-  
2 plishments made by the agency since the preceding review  
3 (or, in the case of the first review of an agency's activities,  
4 the accomplishments of the preceding three years), the Ad-  
5 ministrator shall—

6           “(A) evaluate the adequacy and efficiency of the  
7 activities; and

8           “(B) set target goals for further reductions of the  
9 numbers and burdens of Federal reports and other rec-  
10 ordkeeping requirements imposed on persons outside  
11 the Federal Government.

12           “(2) In evaluating the adequacy and efficiency of the  
13 information management activities, information collection and  
14 clearance activities, and paperwork reduction activities of  
15 each agency pursuant to paragraph (1)(A), the Administrator  
16 shall pay particular attention to whether—

17           “(A) a senior official of the agency has been des-  
18 ignated to act as the coordinator of such activities  
19 within the agency;

20           “(B) the agency has systematically inventoried  
21 and periodically reviewed its information resources;

22           “(C) the agency has integrally planned and man-  
23 aged its information resource needs in conjunction with  
24 the agency's other resource needs; and

1           “(D) the agency has taken steps to ensure that its  
2           information systems do not overlap each other or dupli-  
3           cate those of other Federal agencies.

4           “(3) In setting goals for further reductions pursuant to  
5           paragraph (1)(B), the Administrator shall take into considera-  
6           tion the time, effort, and financial costs of reviewing data and  
7           putting it into usable form that such reductions would impose  
8           on Federal agencies. He shall not set any goals which would,  
9           in his opinion, unreasonably increase those costs.

10          “(d) The Administrator shall conduct advance planning  
11          of Federal information collection, storage, and use activities,  
12          provide technical assistance to agencies which are developing  
13          such programs, and promote the use of standards and guide-  
14          lines for data presentation.

15          “(e) The Administrator shall develop and recommend to  
16          the President and the Congress policies and standards on in-  
17          formation disclosure, confidentiality, and safeguarding the se-  
18          curity of information collected or maintained by Federal  
19          agencies, or in conjunction with Federal programs. The Ad-  
20          ministrator shall provide agencies with advice and guidance  
21          about information security, monitor compliance with privacy  
22          aspects of information management laws, and issue such  
23          standards and regulations with regard to privacy and confi-  
24          dentiality of information as he may deem necessary.

1       “(f) The Administrator shall conduct a research program  
2 to develop improved information and paperwork cost ac-  
3 counting and reduction techniques.

4       “(g) The Administrator shall conduct studies and pro-  
5 mulgate standards with respect to records retention require-  
6 ments imposed on the public by Federal agencies.

7       “(h) Except as otherwise provided by law, no duties,  
8 functions, or responsibilities, other than those expressly as-  
9 signed by this chapter, shall be assigned, delegated, or trans-  
10 ferred to the Administrator.

11       **“§ 3505. Designation of central collection agency**

12       “When, after investigation, the Administrator is of the  
13 opinion that the needs of two or more Federal agencies for  
14 information from business enterprises and other persons will  
15 be adequately served by a single collecting agency, he shall  
16 fix a time and place for a hearing at which the agencies con-  
17 cerned and other interested persons may have an opportunity  
18 to present their views. After the hearing, the Administrator  
19 may issue an order designating a collecting agency to obtain  
20 information for two or more of the agencies concerned, and  
21 prescribing (with reference to the collection of information)  
22 the duties and functions of the collecting agency so designat-  
23 ed and the Federal agencies for which it is to act as agent, so  
24 long as such sharing of data does not conflict with section  
25 3518 of this chapter, section 552a of title 5 (commonly

1 known as the Privacy Act of 1974), or any other law. The  
2 Administrator may modify the order from time to time as  
3 circumstances require, but modification may not be made  
4 except after investigation and hearing. If, during an investi-  
5 gation or hearing, the Administrator concludes that a Federal  
6 agency needs certain information from business enterprises  
7 and other persons but does not have authority to collect that  
8 information, he shall make a report to the President of the  
9 Senate and the Speaker of the House of Representatives de-  
10 scribing legislative impediments to such information collec-  
11 tion and citing reasons for eliminating them.

12 **“§ 3506. Independent collection by an agency prohibited**

13 “While an order or modified order issued under section  
14 3505 is in effect, a Federal agency covered by it may not  
15 obtain for itself information which it is the duty of the collect-  
16 ing agency designated by the order to obtain.

17 **“§ 3507. Determination of necessity for information;**  
18 **hearing**

19 “Upon the request of a party having a substantial inter-  
20 est, or upon his own motion, the Administrator may deter-  
21 mine whether or not the collection of information by a Feder-  
22 al agency is necessary for the proper performance of the  
23 functions of the agency and has practical utility for the  
24 agency. Before making a determination the Administrator  
25 may give the agency and other interested persons an oppor-

1 tunity to be heard or to submit statements in writing. To the  
2 extent, if any, that the Administrator determines the collec-  
3 tion of information by the agency is unnecessary, for any  
4 reason, the agency may not engage in the collection of the  
5 information.

6 **“§ 3508. Cooperation of agencies in making information**  
7 **available**

8 “For the purposes of this chapter, the Administrator  
9 may order a Federal agency to make available to another  
10 Federal agency information obtained from any person after  
11 December 24, 1942, and all agencies are directed to cooper-  
12 ate to the fullest practicable extent at all times in sharing  
13 information with one another. No order issued under this au-  
14 thority may be inconsistent with section 3518 of this title,  
15 section 552a of title 5, or any other law.

16 **“§ 3509. Information collection activities—submission to**  
17 **Administrator; approval**

18 “(a) A Federal agency, including any individual member  
19 of an independent regulatory agency, shall not conduct or  
20 sponsor the collection of information unless, in advance of  
21 adoption or revision of the request for collection of such infor-  
22 mation—

23 “(1) the agency has taken appropriate steps, in-  
24 cluding consultation with the Federal Information Lo-  
25 cator System, to eliminate requirements which seek to

1 obtain information available from another source within  
2 the Federal Government, to minimize the compliance  
3 burden on respondents, and to formulate plans for tab-  
4 ulating the information in a manner which will maxi-  
5 mize its usefulness to other Federal agencies and to  
6 the public;

7 “(2) the agency has submitted to the Administra-  
8 tor the proposed information collection request, copies  
9 of pertinent regulations and of other related materials  
10 as the Administrator may specify, and an explanation  
11 of measures taken to satisfy paragraph (1) of this sec-  
12 tion; and

13 “(3) the Administrator has approved the proposed  
14 information collection request, except that any disap-  
15 proval, in whole or in part, of a proposed requirement  
16 from an independent regulatory agency may be voided  
17 if the agency, by a two-thirds vote of its members,  
18 votes to override the Administrator’s decision.

19 “(b) The Administrator shall not approve a proposed in-  
20 formation collection request for a period of time greater than  
21 two years unless he (or, prior to the effective date of this Act,  
22 the Director of the Office of Management and Budget) had  
23 previously approved an identical or similar request, in which  
24 case he shall not approve the proposed request for a period of  
25 time greater than five years.

1 **“§ 3510. Time limit for action by Administrator**

2 “When the Administrator receives a proposed informa-  
3 tion collection request from a Federal agency pursuant to  
4 section 3509(a), he shall within sixty days of receipt of the  
5 proposal notify the agency of his decision to approve or dis-  
6 approve the proposed request. If the Administrator deter-  
7 mines that a request submitted for review is too controversial  
8 or complicated to review within sixty days, he may, after  
9 notice to the agency, extend the review period for an addi-  
10 tional thirty days. If the Administrator does not notify the  
11 agency of an extension, denial, or approval within sixty days  
12 (or, if he has extended the review period for an additional  
13 thirty days and does not notify the agency of a denial or  
14 approval within the time of the extension), his approval may  
15 be implied and the agency may collect the information for the  
16 maximum period of time for which the Administrator might  
17 have approved the request pursuant to section 3509(b).

18 **“§ 3511. Rules and regulations**

19 “(a) The Administrator shall promulgate rules and regu-  
20 lations necessary to exercise the authority provided by this  
21 chapter.

22 “(b) No Federal agency shall be exempt from the re-  
23 quirements of this chapter. However, the Administrator may  
24 delegate his power to approve proposed information collec-  
25 tion requests in specific program areas, for specific purposes,

1 or for all agency purposes, to any agency, providing that he  
2 finds that the agency has sufficient capability, independent  
3 from any program responsibility, to evaluate whether the  
4 proposed requests should be approved. He shall retain au-  
5 thority to revoke such delegations of power. In acting for the  
6 Administrator, any agency to which approval powers have  
7 been delegated shall comply fully with the rules and regula-  
8 tions promulgated by the Administrator.

9 **“§ 3512. Consultation with other agencies**

10 “In the development of policies, rules, regulations, pro-  
11 cedures, and forms to be prescribed by him, the Administra-  
12 tor shall consult with persons outside the Federal Govern-  
13 ment and the agencies affected, including the Small Business  
14 Administration and other agencies promulgating policies,  
15 rules, regulations, procedures, and forms affecting public-use  
16 reports and recordkeeping. To the extent feasible, the Ad-  
17 ministrator may designate an agency or agencies, establish  
18 interagency committees, or otherwise use agency representa-  
19 tives or personnel, to solicit the views and the agreement, so  
20 far as possible, of persons outside the Federal Government  
21 and agencies affected on significant changes in policies, rules,  
22 regulations, procedures, and forms.

23 **“§ 3513. Administrative powers**

24 “Upon the request of the Administrator, each agency is  
25 directed to—



1           “(1) make its services, personnel, and facilities  
2 available to the Office to the greatest extent practica-  
3 ble for the performance of his functions; and

4           “(2) except when prohibited by law, furnish to the  
5 Administrator and give him access to all information  
6 and records in its possession which the Administrator  
7 may determine to be necessary for the performance of  
8 the functions of the Office.

9 **“§ 3514. Responsiveness to Congress**

10          “(a) The Administrator shall keep the Congress and its  
11 duly authorized committees fully and currently informed of  
12 the major activities of the Office, and shall submit a report  
13 thereon to the President of the Senate and the Speaker of the  
14 House of Representatives annually and at such other times  
15 as may be necessary for this purpose, together with appropri-  
16 ate legislative recommendations. The Administrator shall in-  
17 clude in his reports notification of all violations of provisions  
18 of this chapter and rules, regulations, goals, and orders  
19 issued by him pursuant to them.

20          “(b) The preparation of these reports shall not increase  
21 the burden on persons outside the Federal Government of  
22 responding to mandatory requests for information.

23 **“§ 3515. Effect on existing laws**

24          “‘The authority of an agency under any other law to  
25 prescribe policies, rules, regulations, procedures, and forms

1 for public-use reports, recordkeeping requirements, and other  
2 Government information collection requests is subject to the  
3 authority conferred on the Administrator by this chapter.

4 **“§ 3516. Effect on existing regulations**

5 “Policies, rules, regulations, procedures, or forms re-  
6 garding public-use reports, recordkeeping, and other informa-  
7 tion collection requests in effect as of the date of enactment  
8 of this chapter shall continue in effect, as modified from time  
9 to time, until repealed, amended, or superseded by policies,  
10 rules, regulations, procedures, or forms promulgated by the  
11 Administrator.

12 **“§ 3517. Access to information**

13 “(a) The Administrator and personnel in his office shall  
14 furnish such information as the Comptroller General may re-  
15 quire for the discharge of his responsibilities. For this pur-  
16 pose, the Comptroller General or his representatives shall  
17 have access to all books, documents, papers, and records of  
18 the Office.

19 “(b) The Administrator shall, by regulation, require that  
20 formal meetings of the Office, as designated by him, for the  
21 purpose of establishing Federal information management  
22 policies and regulations shall be open to the public, and that  
23 public notice of each such meeting shall be given not less  
24 than ten days prior thereto.

1 **“§ 3518. Unlawful disclosure of information; penalties; re-**  
2 **lease of information to other agencies**

3       “(a) If information obtained in confidence by a Federal  
4 agency is released by that agency to another Federal agency,  
5 all the provisions of law including penalties which relate to  
6 the unlawful disclosure of information apply to the officers  
7 and employees of the agency to which information is released  
8 to the same extent and in the same manner as the provisions  
9 apply to the officers and employees of the agency which  
10 originally obtained the information. The officers and employ-  
11 ees of the agency to which the information is released, in  
12 addition, shall be subject to the same provisions of law, in-  
13 cluding penalties, relating to the unlawful disclosure of infor-  
14 mation as if the information had been collected directly by  
15 that agency.

16       “(b) Information obtained by a Federal agency from a  
17 person under this chapter may be released to another Federal  
18 agency only—

19               “(1) in the form of statistical totals or summaries;

20               “(2) if the information is information which the  
21 agency could be compelled to disclose under section  
22 552 of title 5 and would not be barred from disclosing  
23 under section 552a of such title;

24               “(3) when the persons supplying the information  
25 consent to the release of it to a second agency by the

1       agency to which the information was originally sup-  
2       plied;

3               “(4) when the Federal agency to which another  
4       Federal agency releases the information has authority  
5       to collect the information itself and the authority is  
6       supported by legal provision for civil or criminal penal-  
7       ties against persons failing to supply the information;  
8       or

9               “(5) when the disclosure would be—

10               “(A) restricted to a list containing names,  
11               addresses, and any related information which is  
12               necessary to the collection or compilation of  
13               survey data (provided that such list is not derived  
14               from the decennial or mid-decade census of popu-  
15               lation and housing);

16               “(B) for the purpose of developing or report-  
17               ing aggregate or anonymous information not to be  
18               used in any way in which the identity of the re-  
19               spondent may be revealed without his permission;

20               “(C) subject to a written agreement by the  
21               receiving agency that prohibits any further use or  
22               redisclosure of the list involved; and

23               “(D) pursuant to a written order by the Ad-  
24               ministrators.

1 **“§ 3519. Penalty for failure to furnish information**

2       “(a) Notwithstanding any other provision of law, no  
3 person shall be subject to any penalty whatsoever for failing  
4 to provide information to any Federal agency unless the col-  
5 lection of the information has been approved by the Adminis-  
6 trator under the provisions of this chapter.

7       “(b) A person failing to furnish information required by  
8 an agency shall be subject to penalties specifically prescribed  
9 by law if the collection of the information has been approved  
10 by the Administrator under the provisions of this chapter,  
11 and no other penalty may be imposed either by way of fine or  
12 imprisonment or by the withdrawal or denial of a right, privi-  
13 lege, priority, allotment, or immunity except when the right,  
14 privilege, priority, allotment, or immunity is legally condi-  
15 tioned on facts which would be revealed by the information  
16 requested.”.

17       (b) The table of chapters of title 44, United States Code,  
18 is amended by striking out

“35. Coordination of Federal Reporting Services.”

19 and inserting in its place

“35. Coordination of Federal Information Management Policy.”.

20                               **DELEGATION OF RELATED FUNCTIONS**

21       **SEC. 102. (a)** The President and the Director of the  
22 Office of Management and Budget shall delegate to the Ad-  
23 ministrator for Federal Information Management Policy all

1 their functions, authority, and responsibility under section  
2 103 of the Budget and Accounting Procedures Act of 1950  
3 (31 U.S.C. 18b).

4 (b) The Director of the Office of Management and  
5 Budget shall delegate to the Administrator for Federal Infor-  
6 mation Management Policy all functions, authority, and re-  
7 sponsibility of the Director under the Privacy Act of 1974.

8 RELATED RESPONSIBILITIES OF OTHER OFFICIALS

9 SEC. 103. (a) Section 708 of the Public Health Service  
10 Act (42 U.S.C. 292h) is amended by striking out subsection  
11 (f).

12 (b) Section 400A of the General Education Provisions  
13 Act (20 U.S.C. 1221-3) is repealed.

14 (c) Section 201 of the Surface Mining Control and Rec-  
15 lamation Act of 1977 (30 U.S.C. 1211) is amended by strik-  
16 ing out subsection (e).

17 (d) The Office of Personnel Management, after consulta-  
18 tion with the Administrator for Federal Information Manage-  
19 ment Policy, shall coordinate a Government-wide training  
20 program to improve the skills of information management  
21 specialists within the Government.

22 ANNUAL PAY

23 SEC. 104. Section 5315 of title 5, United States Code,  
24 is amended by inserting immediately after paragraph (49) the  
25 following new paragraph:



1       lated items as the official name of the report or re-  
2       quirement, its location, the responsible Federal agency  
3       which established and administers it, the authorizing  
4       statute, a description of its contents, and other infor-  
5       mation necessary to identify, access, and use the data  
6       contained in it;

7               “(4) ‘duplication’ means redundancy in data and  
8       information collected by Federal agencies, whether  
9       through public-use, interagency, or intra-agency re-  
10      ports, or through recordkeeping requirements, includ-  
11      ing, but not limited to—

12               “(A) identical duplication, involving two or  
13      more data elements which have the same defini-  
14      tion or meaning;

15               “(B) similar duplication, involving data ele-  
16      ments related to the same specific subject but  
17      with minor differences in definition; and

18               “(C) generic duplication, involving reports  
19      requesting groups of data that relate to the same  
20      subject;

21               “(5) ‘Federal agency’ means any executive de-  
22      partment, military department, Government corpora-  
23      tion, Government controlled corporation, or other es-  
24      tablishment in the executive branch of the Government  
25      (including the Executive Office of the President), or



1 any independent regulatory agency; but does not in-  
2 clude the General Accounting Office or the govern-  
3 ments of the District of Columbia and of the territories  
4 and possessions of the United States, and their various  
5 subdivisions;

6 “(6) ‘information locator’ means a catalog of  
7 public-use, interagency, and intra-agency reports, and  
8 recordkeeping requirements, containing a data profile  
9 for each report or requirement;

10 “(7) ‘information referral service’ means the com-  
11 munications function that permits officials and citizens  
12 access to the Federal Information Locator System;

13 “(8) ‘interagency report’ means a data collection  
14 instrument used by one Federal agency to collect infor-  
15 mation from any other Federal agency or agencies;

16 “(9) ‘intra-agency report’ means a document pre-  
17 pared by a Federal agency from data collected through  
18 public-use reports, recordkeeping requirements, and  
19 interagency reports and issued for use within the pre-  
20 paring agency;

21 “(10) ‘public-use report’ means a data collection  
22 instrument used by Federal agencies to collect informa-  
23 tion from ten or more persons outside the Federal  
24 Government; and

1           “(11) ‘recordkeeping requirement’ means a re-  
2           quirement imposed by a Federal agency on ten or more  
3           persons outside the Federal Government to maintain  
4           records concerning an identical data element.

5   **“§ 3602. Establishment of Federal Information Locator**  
6           **System**

7           “(a) There is hereby established in the Office of Federal  
8   Information Management Policy a Federal Information Loca-  
9   tor System composed of an information locator, a data ele-  
10   ment dictionary, and an information referral service.

11          “(b) The Federal Information Locator System shall  
12   serve as the authoritative register of all public-use reports,  
13   recordkeeping requirements, and interagency and intra-  
14   agency reports.

15          “(c) The data profiles describing the general contents of  
16   such reports and requirements shall be used to—

17           “(1) identify duplication in existing or new report-  
18           ing and recordkeeping requirements;

19           “(2) locate existing information that may meet the  
20           needs of a Federal agency and thereby promote shar-  
21           ing of such information to avoid duplication;

22           “(3) provide a central coordination mechanism for  
23           the Federal Government’s requirements for informa-  
24           tion;

1           “(4) maximize the use of information by identify-  
2           ing available information which will be of utility to  
3           Congress and the general public; and

4           “(5) monitor the total reporting and recordkeeping  
5           burdens imposed on the public by the Federal Govern-  
6           ment so that effective action can be applied to reduce  
7           such burdens.

8   **“§ 3603. Duties of Administrator for Federal Information**  
9           **Management Policy**

10          “The Administrator for Federal Information Manage-  
11          ment Policy (hereinafter in this chapter referred to as the  
12          ‘Administrator’) shall—

13               “(1) design and operate the Federal Information  
14               Locator System;

15               “(2) design and operate an indexing system for  
16               such System;

17               “(3) promulgate rules requiring the head of each  
18               Federal agency to prepare in a form specified by the  
19               Administrator, and to insert into the Federal Informa-  
20               tion Locator System, a data profile for each public-use  
21               report, recordkeeping requirement, interagency report,  
22               and intra-agency report;

23               “(4) register all data elements in public-use re-  
24               ports, recordkeeping requirements, interagency reports,

1 and intra-agency reports in the Federal Information  
2 Locator System; and

3 “(5) match data profiles for proposed public-use  
4 reports, recordkeeping requirements, interagency re-  
5 ports, and intra-agency reports against existing profiles  
6 in such System, and make available the results of such  
7 matching to—

8 “(A) Federal agency officials who are plan-  
9 ning new information collection activities;

10 “(B) relevant Federal agency reports clear-  
11 ance officers; and

12 “(C) on request, members of the general  
13 public.

14 **“§ 3604. Privacy and confidentiality controls**

15 “(a) The Administrator shall insure that no actual data,  
16 except descriptive data profiles necessary to identify dupli-  
17 cative data or to locate information, are contained within the  
18 Locator System. Any data profile which identifies a data ele-  
19 ment of a personal or proprietary nature within the meaning  
20 of the section 552a of title 5 shall be appropriately annotated  
21 through a coding system that—

22 “(1) identifies the fact that the actual data, wher-  
23 ever located, are personal or proprietary and that  
24 access to and use of such data is therefore restricted in

1       accordance with safeguards prescribed by section 552a  
2       of title 5, or other provisions of law; and

3               “(2) classifies the data elements with respect to  
4       the degree of sensitivity of the data, user restrictions,  
5       access restrictions, safeguard provisions, and such  
6       other identifying information as may be helpful to users  
7       of the System.

8       “(b) The Administrator shall identify, by means of ap-  
9       propriate classification systems and coding controls, data  
10      which have been determined to be subject to the provisions of  
11      section 552 of title 5, including whether such data may fall  
12      within a category listed in subsection (b) of such section.

13       “(c) The head of each Federal agency shall establish  
14      such procedures as he may deem necessary to insure the  
15      compliance of his agency with the requirements of this  
16      section, including necessary screening and compliance  
17      activities.”.

18       (b) The table of chapters of title 44, United States Code,  
19      is amended by adding after the item relating to chapter 35  
20      the following new item:

      “36. Federal Information Locator System.”

30

1       **TITLE III—MISCELLANEOUS PROVISIONS**

2                   **AUTHORIZATION OF APPROPRIATIONS**

3           **SEC. 301.** There are hereby authorized to be appropri-  
4 ated to carry out the provisions of this Act, and for no other  
5 purpose, such sums as may be necessary.

6                   **EFFECTIVE DATE**

7           **SEC. 302.** This Act shall take effect on the sixtieth day  
8 following the date of its enactment.

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