# UNITED STATES PATENT AND TRADEMARK OFFICE

## FEDERAL REGISTER PUBLICATIONS AND RULE MAKING, AND OFFICIAL GAZETTE PUBLICATIONS
## Agency Administrative Order 217-02A

**Date of Issuance:** August 30, 2004
**Effective Date:** February 22, 2005

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**Section**

# FEDERAL REGISTER PUBLICATIONS AND RULE MAKING, AND OFFICIAL GAZETTE PUBLICATIONS

## I. PURPOSE

This Order establishes a process for the effective review and clearance of Federal Register rule makings and Official Gazette publications. This Order establishes a process for consistent, effective, timely and expeditious review and clearance of such publications and rule makings.

## II. SUMMARY OF CHANGES

**A.** The revised Agency Administrative Order changes are summarized as follows:

1. **Office of Primary Interest Rule Making/Federal Register Checklist**. This revised Agency Administrative Order includes an administrative checklist for use by the Office of Primary Interest (OPI) in requesting Regulatory Information Numbers (RIN), routing rules/notice packages, and assembling such packages for submission for the Under Secretary and Director's signature.

2. **Regulatory Information Data Forms**. Because the USPTO has direct access to the General Services Administration regulatory database, Regulatory Information Service Center/Office of Information and Regulatory Affairs (RISC)/OIRA Combined Information System (ROCIS), the Agency will instantaneously enter all regulatory data previously entered only semi-annually through the Unified Agenda. The use of the Regulatory Information Data (RID) Form obviates the necessity for the "Initial Clearance Description" provided in the original Agency Administrative Order. Instead, the Office of Primary Interest must now complete the RID Form and submit it to the Office of General Law (OGL) prior to the assignment of a RIN. No RINs will be issued without completion of the RID Form.

3. **Regulatory Flexibility Act Procedures**. The revised AAO implements procedures relating to the Agency's certification that proposed and final rule makings will not have a significant economic impact on a substantial number of small entities. Additionally, the AAO provides the Office of Primary Interest with specific guidelines that will assist the Office of General Law in determining whether a proposed or final rule making can be certified under the Regulatory Flexibility Act.

4. **Procedural Changes**. The revised AAO requires the Office of Primary Interest to provide the Office of General Law with factual information relating to proposed and final rule makings regarding the USPTO's compliance with various procedural requirements.

## III. SCOPE

This Order covers all items issued by the USPTO, solely or jointly, for publication in the Federal Register and/or the Official Gazette. This Order, however, does not cover items issued by the USPTO for publication in the Official Gazette that are routine and are of the type that have not previously been reviewed by the Office of General Law or the Solicitor's Office. An exemplary listing of such items is included as "Appendix A."

## IV. DEFINITIONS

**A.** **Rule making** is defined at 5 U.S.C. § 551(5). Rule making includes both substantive rule making and non-substantive rule making.

1. Substantive rule making means any rule or regulation that is required to be published in the Federal Register and that is subject to the notice and comment requirements of 5 U.S.C. § 553.

2. Non-substantive rule making means any rule, regulation, or notice that is published in the Federal Register but which is not subject to the notice and comment requirements of 5 U.S.C. § 553.

**B.** **The Office of Primary Interest** is the business unit or program office that desires to publish a rule making or publication in the Federal Register or the Official Gazette.

**C.** **The Regulatory Information Data Form** (copy attached) is a document used for rule making publications only (e.g., for rule making notices that affect the Code of Federal Regulations). This form is not used for notices such as announcements or routine administrative procedural changes; nor is it required for items to be published in the Official Gazette only. Information from this form is for use in the Agency's Unified Agenda. An electronic version of this form may be found at: http://reginfo.gov/ridf.htm.

**D.** **The Unified Agenda** is published in the Federal Register twice a year, and includes a listing of rule makings under development or review for the next twelve months.

## V. RESPONSIBILITIES

**A.** The Office of the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (Office of the Under Secretary) is responsible for final clearance before the rule making or publication may be published in the Federal Register or the Official Gazette. All documents to be published in the

Federal Register or the Official Gazette shall first be cleared by the Office of the General Counsel before being submitted to the Office of the Under Secretary. The Office of General Law is responsible for submitting all documents to the Office of the Under Secretary.

**B.** The Office of Primary Interest is responsible for:

1. Completing and furnishing to the Deputy General Counsel for General Law the RID Form for rule makings to be published in the Federal Register in order to obtain a RIN/docket number. The Office of General Law will not issue any RINs until the RID Form has been properly completed;

2. Drafting all documents to be published in the Federal Register in accordance with the instructions in the Federal Register Document Drafting Handbook (http://www.nara.gov/fedreg). In addition to writing the substance of the rule, the Office of Primary Interest shall also be responsible for the technical formatting of the rule in accordance with the Handbook;

3. Providing the Office of General Law with a preliminary assessment of whether the proposed rule involves substantive changes or procedural changes, and if the rule is merely procedural, the Office of Primary Interest should state whether it is an interpretative rule, a general statement of policy, or a rule regarding agency organization, procedure or practice. If the rule is entirely procedural, the Office of Primary Interest shall provide the Office of General Law with its rationale for using the notice and comment provisions of 5 U.S.C. § 553. In order to provide this guidance, it is recommended that each Office of Primary Interest send at least one representative that frequently prepares rules, as well as any other employees who subsequently are assigned significant rule making responsibilities, to a training course regarding the technical aspects of rule drafting which has been approved by the Office of General Law and listed on OGL's intranet web site. The attendee(s) should have primary responsibility within his or her Office of Primary Interest for oversight of the rule drafting process. Upon request, the Office of General Law will coordinate on-site training for small groups. This training should be completed within six (6) months after the promulgation of this Agency Administrative Order and the Office of General Law should be notified of which employees have attended;

4. Advising the Office of General Law, in writing, of significant changes between the notice of proposed rule making and the final rule which are initiated by the Office of Primary Interest, and not in response to any comments from the public;

5. Drafting any documents to be published in the Official Gazette;

6. Providing the Office of General Law with sufficient information to assess whether a Regulatory Flexibility Act analysis should be conducted or whether a certification can be issued to avoid the analysis, including the following:

a. A statement describing whether the rule will have a significant economic impact upon a substantial number of small entities, as defined by the Small Business Administration (www.sba.gov/size/sizetable2002.html);

b. A summary, in the text of the rule, of any comments relevant to the Regulatory Flexibility Analysis, including any comments discussing general fee increases, as well as the Agency's responses to the comments;

c. A separate written statement (not to be included in the text of the rule) to the Office of General Law describing: (1) the factual basis and purpose of the rule (written in plain language); (2) a description and estimate of the number of small entities to which the rule applies (description of the universe of small entities); (3) an estimate of the economic impacts on small entities by entity size and industry; (4) an explanation of the criteria used to evaluate whether the rule would impose a "significant economic impact" on small entities (i.e., disproportionality and profitability); (5) an explanation of the criteria used to evaluate whether the rule would impose impacts on a "substantial number" of small entities; (6) a description of and explanation of the basis for any assumption used;

d. An electronic copy (if hard copies were used, the Office of Primary Interest is responsible for scanning documents into an electronic format) of all materials used to complete (a), (b) and/or (c) within three (3) days of submitting the proposed rule or the final rule to the Office of General Law for clearance;

7. If, based upon (a), (b), (c) and/or (d) of #6, above, the Office of General Law determines that a notice of proposed rule making requires the preparation of an Initial Regulatory Flexibility Analysis, the Office of Primary Interest is responsible for timely completing such analysis, which should include the following elements:

   a. A description of the reasons why action by the Agency is being taken;

   b. A succinct statement of the objectives of, and legal basis for, the proposed rule;

   c. A description and, where feasible, an estimate of the number of small entities to which the proposed rule will apply;

   d. A description of the projected reporting, record keeping, and other compliance requirements of the proposed rule, including an estimate of the number of classes of small entities which will be subject to the requirements of the report or record;

   e. An identification, to the extent practicable, of all relevant Federal rules which may duplicate, overlap or conflict with the proposed rule; and

   f. A description of any significant alternatives to the proposed rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the proposed rule on small entities, as well as an estimate of the cost of each alternative and the classes of entities that will be subjected to the costs.

8. If, based upon (a), (b), (c) and/or (d) of #6, above, the Office of General Law determines that a final rule making requires the preparation of a Regulatory Flexibility Analysis, the Office of Primary Interest is responsible for timely completing such analysis, which should include the following elements:

    a. A succinct statement of the need for, and objectives of, the rule;

    b. A summary of the significant issues raised by the public comments in response to the Initial Regulatory Flexibility Analysis, a summary of the Agency's assessment of these issues, and a statement of any changes made in the proposed rule as a result of such comments;

    c. A description and estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available;

    d. A description of the projected reporting, record keeping, and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for the preparation of the report or record; and

    e. A description of the steps the Agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and the reason that each one of the other significant alternatives to the rule considered by the Agency which affect small entities was rejected.

9. Obtaining clearance of the document in the following order: (a) from the Office of Primary Interest through the necessary hierarchy as established by that office; (b) from the Office of the Chief Information Officer; (c) from the Office of the Solicitor; and (d) from the Office of General Law, through the procedures reflected herein;

10. Prior to submission to the Office of the General Law, obtaining clearance of all other business units and coordinating clearance with any other necessary party that participated in the creation or drafting of the document. This shall be accomplished by the OPI circulating an abstract of the rule or notice to one designated representative for each business unit. The OPI must allow at least 5 working days for other business units to review the abstract, and must provide a complete copy of the rule or notice to any business unit, upon request. An OPI may submit the rule or notice to OGC only after the abstract has been circulated to business units and 5 working days have passed, or after the OPI has worked with the business units to obtain clearance from each one.

11. Prior to submission to the Office of General Law, obtaining clearance from the Office of Corporate Planning of any proposed or final rule making that institutes or changes any fees charged by the USPTO;

12. Making any edits to the rule requested by the Office of General Law or the Federal Register and verifying within the Office of Primary Interest that those edits do not substantively change the intended meaning of the rule;

13. Making any edits to the rule requested by the Office of the Solicitor in order to comply with relevant patent or trademark laws, rules and regulations;

14. Submitting completed rule/notice packages to the Office of General Law;

15. Forwarding the latest electronic version of the proposed rule or final rule to the Office of General Law that incorporates all necessary edits from the Office of General Law, the Office of the Solicitor and/or the Federal Register;

16. Requesting publication on the USPTO World-Wide Web page and/or the *Official Gazette* only after the document has obtained final clearance. The Office of Primary Interest must ensure that *Official Gazette* publication occurs only after publication in the Federal Register. For USPTO web site postings, the Office of Primary Interest shall comply with the March 1, 2002 Memorandum (attached) by electronically forwarding the cleared proposed rule or final rule to "OPA Web Review";

17. Preparing a brief executive summary to accompany the document when presented for signature to the Office of the Under Secretary and sending the executive summary to the Office of General Law, via an e-mail attachment;

18. Posting any public comments received in response to a request for comments in a rule making on the USPTO World-Wide Web, using the procedures described in the March 1, 2002 Memorandum (attached). The Office of Primary Interest must maintain either an electronic or hard copy of the comments for a period of six years after the publication date of the final rule. The Office of Primary Interest is required to notify the Office of General Law by e-mail that it has posted the comments on the USPTO's web site before the Office of General Law will clear the rule;

19. Complying with any newly promulgated E-Government Initiatives for Rule Making, which are posted on the Office of General Law's intranet web site; and

20. Requesting that the Deputy General Counsel for General Law dispense with any requirement under this Agency Administrative Order upon demonstration of an emergency within the meaning of the Administrative Procedures Act.

**C.** The Office of the Chief Information Officer, Office of Data Management is responsible for administering clearance of all rule makings and publications for compliance with the Paperwork Reduction Act and the Federal Records Act.

**D.** The Office of External Affairs is responsible for policy clearance on all rule makings and publications that address legislative or international matters.

**E.** The Office of the General Counsel is responsible for legal clearance of rule makings and publications. Normally, rule makings and publications requiring Office of the General Counsel clearance will be cleared by the Office of the Solicitor within seven business days of receipt of the final version of the proposed or final rule from the Office of Primary Interest. The General Law Office will ordinarily clear rule makings within five business days after the Solicitor's Office has cleared the rule making or publication. The Office of General Law is responsible for submitting all documents to the Office of the Under Secretary. The General Counsel undertakes this responsibility through the actions of the Deputy General Counsel for General Law and the Solicitor as set forth below.

**F.** Under the direction of the General Counsel, the Deputy General Counsel for General Law is delegated responsibility for:

1. Obtaining the final clearance from the Office of the Under Secretary of all rule makings and publications for publication in the Federal Register;

2. Coordinating clearance, as necessary, with the Department of Commerce and the Office of Management and Budget;

3. Communicating any edits recommended by the Department of Commerce, the Office of Management and Budget, the Small Business Administration's Office of Advocacy, or the Federal Register to the Office of Primary Interest;

4. Arranging for publication in the Federal Register all documents to be published in the Federal Register;

5. Determining whether a rule making is significant under Executive Order 12866;

6. Determining whether a rule making implicates fundamental federalism principles under Executive Order 13132;

7. Determining whether a rule making is "major" under 5 U.S.C. § 801 and thus subject to the 60-day deferral requirement;

8. Serving as the USPTO point of contact with the Department of Commerce, the Office of Management and Budget, and the Office of the Federal Register;

9. Certifying proposed and final rules for compliance with the Regulatory Flexibility Act (5 U.S.C. § 605(b)) to the Chief Counsel for Advocacy of the Small Business Administration;

10. Sending copies of final rules or regulations to the Speaker of the House of Representatives, the President of the Senate, and the General Counsel of the Government Accountability Office, in accordance with the Congressional Review Act, 5 U.S.C. §§ 801 *et seq*; and

11. Dispensing with any requirement under this Agency Administrative Order in situations where the Office of Primary Interest has demonstrated an emergency within the meaning of the Administrative Procedures Act.

**G.** Under the direction of the General Counsel, the Solicitor is responsible for:

1. Ensuring that all rule makings and publications comply with relevant patent or trademark laws, rules, and regulations; and

2. Providing final clearance of items to be published in the Official Gazette only.

## VI. THE UNIFIED AGENDA

**A.** The Unified Agenda is intended to include rule makings and publications under development or review for the next twelve-month period. The Office of Primary Interest shall provide to the Deputy General Counsel for General Law a completed RID Form estimating the timing of the publication.

**B.** The Office of Primary Interest shall provide to the Deputy General Counsel for General Law, upon request, twice a year, updated information on pending or planned rule makings. The Deputy General Counsel for General Law will provide relevant Agenda Review Reports for the purpose of indicating any changes. The Office of Primary Interest is responsible for reviewing and correcting any errors found in the Agenda Review Reports.

**C.** The Deputy General Counsel for General Law shall prepare the Unified Agenda.

## VII. CONSULTATION WITH THE PUBLIC ADVISORY COMMITTEES

**A.** Each respective Public Advisory Committee (PAC) will be consulted, as described below, before the USPTO changes or proposes to change patent or trademark user fees or proposes to issue regulations with respect to patents or trademarks that are subject to the notice and comment requirements of 5 U.S.C. § 553 (defined above as substantive rule makings). Proposed and final rule makings subject to this paragraph shall be provided to the PAC Chairperson at least 10 business days before submission to the Federal Register.

**B.** The Office of the Commissioner for Patents (in the case of rule making affecting patents) or the Office of the Commissioner for Trademarks (in the case of rule making affecting trademarks) will provide the PAC Chairperson with the listings to appear in the Unified Agenda, and will indicate rule makings that (1) will require PAC consultation under paragraph A of this section, and/or (2) are expected to be controversial.

**C.** After providing the listings described in paragraph B of this section, the Office of the Commissioner for Patents (in rule makings affecting patents) or the Office of the Commissioner for Trademarks (in rule makings affecting trademarks) will provide the PAC, upon request, any proposed rule 30 days prior to the USPTO's submission to the Federal Register. In addition, the Office of the Commissioner for Patents or Trademarks, respectively, will provide additional time for PAC review, on a case-by-case basis, as warranted.

**D.** Each PAC will be provided with copies of rule makings to be published in the Federal Register unless the Commissioner for Patents (in the case of a document affecting patents) or the Commissioner for Trademarks (in the case of a document affecting trademarks) determines that a copy of the rule making cannot, based upon the particular circumstances, be provided to the PAC. Unless otherwise provided in paragraphs A or C of this section, all other documents shall be provided to the PAC Chairperson at the time that they are submitted to the Federal Register.

**E.** The Commissioner for Patents is responsible for transmitting Unified Agenda listings and copies of rule makings to the Chairperson of the Patent Public Advisory Committee and the Commissioner for Trademarks is responsible for transmitting Unified Agenda listings and copies of rule makings to the Chairperson of the Trademark Public Advisory Committee. The respective Chairperson is responsible for transmitting rule makings to the PAC members. With each rule transmitted, the PAC members shall be advised that items furnished to them prior to publication are pre-decisional matters that must be treated as privileged and confidential.

**F.** The Office of the Commissioner for Patents or Trademarks, respectively, will receive any comments from the respective PAC Chairperson about any proposed or final rule making reviewed under this procedure.

## VIII. EFFECT ON OTHER AAOS

A. AAO 217-02A replaces AAO 217-02. Copies of AAO 217-02 may be discarded.

ISSUED BY:

James A. Toupin
General Counsel

APPROVED BY:

FEB 22 2005

JON W. DUDAS
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

OFFICE OF PRIMARY INTEREST: Office of the General Counsel

**APPENDIX A**

Routine Publications

## I. PURPOSE

This appendix provided an exemplary listing of routine publications that do not require previous review by the Office of General Law.

a) Notice of Patent Grants

b) Rule 1.47 documents

c) Decisions in Interference

d) Items related to applications for Patent Term Extension pursuant to 35 U.S.C. § 156

e) Notices indicating that references to patents in the Official Gazette were in error as the patents were not granted

f) Expiration of Trademarks for Failure to Renew

g) Special Mail Box creation

h) PCT fee information

i) Reissue applications and requests for Reexamination notices

j) Notices of Maintenance Fee Payable

k) Notice of Expiration of Patents Due to Failure to Pay Maintenance Fees

l) Notice of Patents Reinstated Due to Acceptance of a Late Maintenance Fee

m) Service by publication for petitions to cancel trademark registration

n) Reclassification Alerts

o) Certificates of Correction listing

p) Special Boxes for Patent and Trademark related mail

q) Patent and Trademark Depository Libraries' contact information

r) Law Offices new case goals, amendment dates, and contact information (Trademarks)

s) Technology Center's new case goals, and contact information (Patents)

t) Disclaimers and Dedications

u) Office of Public Records status information

v) PCT update (list of countries when a new member state joins the PCT)

w) Paperwork Reduction Act Notices

**APPENDIX B**

## OPI RULE MAKING/FEDERAL REGISTER CHECKLIST

### I. PURPOSE

This appendix provided an Office of Primary Interest with a checklist for rule making and notice drafting.

### II. PRE-PUBLICATION PROCEDURES:

- Complete RID Form and submit to OGL (attached to AAO 217-2A)
- Obtain RIN from OGL
- Prepare draft of rule/notice (consult Document Drafting Handbook if a sample is desired)
- Include www.regulations.gov in the preamble portion of any proposed, interim or direct final rule
- Clear draft rule through appropriate OPI/Business Unit staff
    - Notice should be cleared through, at minimum, OPI/Business Unit Head or delegatee
    - OPI/Business Unit Head must sign clearance sheet transmitting the rule to the Office of General Law
- Provide OGL with preliminary assessment of the substantive or procedural nature of the proposed rule and reasons for notice and comment if merely procedural
- Advise OGL of significant changes in final rule that were not made in response to public comments
- Provide OGL with detailed information (see AAO 217-2A, Sec. V, B, 6) regarding Regulatory Flexibility Act certification
- Conduct Regulatory Flexibility Act analysis, if necessary, in accordance with AAO 217-2A. Sec. V, B, 6 - 7
- Include RIN in draft rule/notice
- Comply with all E-government initiatives

- Obtain clearance if rule requires substantive review by the Solicitor's Office (see Section V.G., AAO 217-2A)

- Determine if rule requires substantive review by the Office of General Law

- Obtain clearance from all other necessary business units within USPTO

## III. RULE/NOTICE READY FOR PUBLICATION:

- Prepare package for submission to Office of the Under Secretary

- Prepare Executive Summary (obtain sample from OGL)

- Deliver hard copy and electronic copy of proposed or final rule to OGC. All e-mails should go to Jennifer.simmons@uspto.gov, with a cc: to Shirley.hassan@uspto.gov, unless otherwise notified

- Make any edits requested by Office of the Under Secretary

- Deliver revised proposed or final rule to OGL, after making edits from the Office of the Under Secretary (IMPORTANT: Transmit revised version electronically to OGL at the same e-mail addresses above)

## IV. RULE/NOTICE PUBLISHED:

- Upon notification from OGL of the publication date (usually three to five business days after submission), e-mail OGL a link to the Federal Register on the date of publication

- Copy may be obtained on day of publication from Office of Federal Register web site at: http://www.access.gpo.gov/su_docs/aces/aces140.html

- Transmit to *Official Gazette* (if desired - contact appropriate publication offices for procedures)

- Transmit to USPTO web site for posting (consult the following intranet site for guidance: http://ptoweb/ptointranet/wsd/standards/posting.htm )

**Information Collection Request Process**

Under the Paperwork Reduction Act (PRA) of 1995, the USPTO is required to obtain Office of Management and Budget (OMB) approval before it can request the public to submit information or retain records. The package of materials describing the information collection (IC) that is submitted to OMB for approval is called an "Information Collection Request" (ICR). An ICR is a set of documents that describe reporting, recordkeeping, survey, or other information collection requirements imposed on the public.

**What are the PRA Clearance Process Options?**

The process for obtaining a PRA Clearance varies depending on the subject matter of the data collection. The processes can differ depending on the purpose, level of detail, and platform for submission. OMB must clear an information collection if the USPTO seeks to conduct or sponsor the collection of information from ten or more people within a twelve-month period.

The USPTO has many ways to gather information from the public. An IC may consist of one or many collection mechanisms in any form or format, including:

- Report forms
- Application forms
- Questionnaires
- Surveys
- Contracts or agreements
- Rules or regulations
- Requests for proposals or other procurement requirements
- Interview guides
- Oral communications
- Posting, notification, labeling, or similar disclosure requirements

Under the PRA, there are a number of clearance processes that may be used to gather information from the public.

<u>PRA Clearance Process Options</u>

New ICR

A new ICR may either be rule-related or non-rule-related. A rule-related ICR corresponds to the promulgation of a regulation that requires the IC. A non-rule-related ICR may refer to a one-time survey or collection, which has voluntary compliance, or to a required provision of information, such as an application for a permit or associated reporting.

Renewal ICR

A renewal ICR is submitted to OMB for the re-approval of an information collection. OMB approval extends for a maximum of three years, so the agency must renew any ICR for which compliance is required. If the agency wishes to continue collecting the information,

it must submit an ICR renewal package to OMB for approval prior to the collection's current expiration date.

Change Worksheet

A Change Worksheet (CWS) is a non-substantive change request to an existing IC that can be submitted for review and approval, along with a one-page justification instead of a supporting statement. A non-substantive change can include the introduction of new forms, the replacement of forms with updated versions, and updates of burden estimates.

Generic/Fast Track Clearance

Fast Tracks may be submitted for low-burden and the data collected by them are focused on the customer experience and seek to improve existing or future services. Activities covered under the Fast Track Clearances include comment cards, complaint forms, focus groups, surveys, usability studies, and one-time discussion groups. Fast Track Clearances take between seven and ten days from creation to approval by OMB.

**What Documents are Included in an ICR Package?**

New ICRs and Renewal ICRs

60-Day *Federal Register* Notices

The publication of the 60-Day Notice in the *Federal Register* notifies the public of the proposed information collection and initiates a 60-day period in which the public may provide comments on this collection to the agency. Any comments received during this period are summarized in the collection's Supporting Statement.

30-Day *Federal Register* Notice

The publication of the 30-Day Notice in the *Federal Register* notifies the public that the clearance request for the collection has been submitted to OMB. This Notice initiates a 30-day comment period in which the public may provide comments on this collection to OMB.

Supporting Statement

The Supporting Statement is the official document demonstrating the proposed or ongoing collection of information complies with the PRA. The Supporting Statement must clearly establish the need for and the use of the information, the advantages of the collection method(s) selected over alternative methods, and the estimated costs. Estimated costs include hourly costs associated with the burden hours and all non-hourly costs (including all filling fees, processing fees, capital costs, and miscellaneous fees) imposed on both respondents and program office personnel by the collection. Supporting Statements may have two parts:

1. Part A – a detailed description or discussion of the needs, uses, costs, and methodologies of the information collection. Items generally included in the Part A of the Supporting Statement include:
    a. Citation of the authorizing legislation or the pertinent regulations, if the collection is being carried out pursuant to a proposed rulemaking

b. An explicit reference to the operating unit's information quality guidelines
c. Citation of the 60-Day *Federal Register* Notice notifying the public of the proposed information collection and soliciting comments
d. The data collection instrument forms, questionnaires, surveys, interview guides, telephone interview scripts, or other instruments that will be used for collection along with any instructions for completing the information collection
e. Respondent numbers, respondent burden hours, annual hourly burden cost, annual (non-hourly) respondent costs (i.e., postage costs, processing costs, and filing fees), and burden hours and costs to the Federal government

2. Part B – a description of the methodology for developing ICRs for information collections involving statistical sampling, such as surveys and questions, and is required in addition to Part A for statistical surveys. The IC Team uses Part B to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. Supporting Statement Part B should be completed, if:
    a. Doing any kind of sampling
    b. Doing any kind of estimation, imputation, or weighting
    c. Collecting data using any survey methods
    d. Doing protesting or field-testing for a survey, including cognitive interviews or focus groups
    e. Clarifying that will not be generalizing beyond the sample

ROCIS Entry

ROCIS is the online web service that the IC Team uses to submit ICR packages to OMB for review and approval. A ROCIS entry provides a summary of all of the important parts of the ICR. New entries in ROCIS may be adjusted to reflect if it is a full ICR package seeking the three-year approval (either for a new IC or for a renewal) or if it is a non-substantive change (necessitating a Change Worksheet).

Forms

Forms are the most common tool through which the USPTO collects information from the public. All forms are required to display the OMB Control Number and the expiration date for the IC in which a particular form is used.

<u>Change Worksheet</u>

Change Worksheet

The Change Worksheet (CWS) is the brief document that describes the non-substantive changes that are being made to a collection between renewals. A CWS is typically filed to introduce a new form, update an existing form, or revise the burden of a collection. If needed, an updated Supporting Statement will be drafted to reflect the updates.

<u>Fast Track</u>

Request for Approval

The Request for Approval provides a description of the purpose for the fast track request, along with the description of the respondents for whom the information will be collected and the way the information be collected (i.e. complaint form, usability testing, survey, or small discussion group). The Request for Approval should also show the burden that the Fast Track will cover. The burden includes the participation time by the respondents and an estimated cost to the Federal government.

**Process for Preparing the ICR Package**

New and Renewal ICR Packages

Step 1: Kickoff

For a new ICR package, the need for a new information collection will be identified by both the IC Team and the business unit (BU) for whom the collection will be created. Triggers for the creation of a new IC include a new program being introduced or a new regulation being introduced to the agency.

Renewal ICRs are triggered by the upcoming expiration of an existing information collection. Typically, the IC Team kicks off an IC's renewal six to eight months prior to the expiration of the collection, depending on the complexity of the IC in question.

As part of the kickoff of the collection, the IC Team works with the BU to draft the 60-Day *Federal Register* Notice. For all new ICRs, this requires a lot of back-and-forth in order to get the language correct.

For renewal ICRs, the IC Team uses the Supporting Statement and 60-day notice from the previous renewal package, along with any Change Worksheets that was filed since the previous renewal, to draft the new notice. Once the notice has been created, the IC Team sends the document over to the BU to review and provide updated respondent numbers and necessary language changes as needed.

Step 2: 60-Day *Federal Register* Notice and Comment Period

Once the 60-Day *Federal Register* Notice has been finalized by the IC Team and the BU, the IC Team provides the Notice to the Office of General Law (OGL) for review. Once OGL has had the chance to provide their feedback on the notice, the notice must be sent back to the BU in order to review OGL's comments.

Once the BU approves the notice, it is forwarded to the Department of Commerce (DOC) for further review and feedback. The IC Team is required to get the approval of DOC before they can submit the Notice for publication in the *Federal Register*. Any comments or questions that DOC may ask must be addressed before it is approved.

Once the IC Team has received the approval to publish, they provide the Notice to the Director of the Records and Information Governance Branch to sign and submit to the *Federal Register*.

When Notice is published in the *Federal Register*, the public is notified of the proposed IC and have a 60-day period in which they can provide comments to the USPTO on this particular proposed IC.

Step 3: Drafting the Supporting Statement

Once the 60-day comment period begins, the IC Team begins drafting the Supporting Statement for the ICR package. The Supporting Statement provides more detailed descriptions about the collection, especially needs and uses, regulations governing the collection, and the burden on both the public and the Federal government.

The IC Team works with the BU to finalize the draft of the Supporting Statement. Typically, the Supporting Statement and the 30-Day *Federal Register* Notice are finalized in conjunction with one another.

Step 4: 30-Day *Federal Register* Notice and Comment Period

Following the close of the 60-day comment period, the collection is required to have one more comment period as part of the process. This comment period last 30 days. All comments provided by the public are directed to the agency's OMB desk officer and should be about the final version of the ICR package.

The IC Team works with the BU to draft the 30-day notice. After the draft has been finalized, the IC Team sends this notice to OGL for their review and feedback. If no comments were received during the 60-day comment period, OGL does not need to send the 30-Day Notice to DOC for review and approval for publication. OGL will, however, send an email to DOC alerting them to our pending actions in publishing the 30 day notice and giving DOC two days to respond, if they care to. Unlike the 60 day notice, USPTO can publish once that time period has elapsed; it does not require an affirmative response.
If comments were received, the USPTO is required to send the 30-Day Notice to DOC for their review and approval. In this case, USPTO also provides the comment and our drafted response.

Once the 30-Day Notice has been approved, the IC Team sends the document to the Director of the Records and Information Governance Branch to sign and submit to the *Federal Register* for publication.

Typically, the Supporting Statement and the 30-Day *Federal Register* Notice are finalized in conjunction with one another.

Step 5: ROCIS Entry and Submission to OMB

Once the 30-Day Notice and the Supporting Statement have been finalized, the IC Team creates the ROCIS Entry for the ICR package. The ROCIS entry covers the details of the collection, including a line-by-line explanation of the responses, burden hours, annual non-hourly cost, and cost to the Federal government. The Supporting Statement and the

USPTO Information Quality Guidelines are required to be uploaded into the ICR ROCIS entry. Any Change Worksheets that had been submitted to OMB since the previous renewal will be in the Supplementary Documents field of the ROCIS entry as well.

Once the ROCIS entry has been completed, the "Check for Completed" function has been used, and the 30-Day Notice has been published in the *Federal Register*, the ROCIS entry is ready to be submitted to OMB.

Step 6: OMB Review

Once the ICR has been submitted to OMB via ROCIS, the IC Team waits for OMB to approve the package. Each agency in the Federal government has at least one OMB desk officer responsible for handling the ICR packages submitted to OMB. Typically, it takes about two months for OMG to review and approved an ICR.

Step 7: OMB Approval

OMB's approval of the ICR package results in the collection's ROCIS entry to move from the Submitted Request List to the Concluded Request List in ROCIS. When OMB approves an ICR package, they give the IC a new expiration date three years out from the month of approval.

At this point, the IC Team is able to download both the Notice of Action and the Concluding Report associated with the approval from the specific ROCIS entry. Once those two documents have been attained, the IC Team reaches out to the BU to inform them of the approval and the IC's new expiration date and provide them with the two documents from ROCIS for their records.

Once an ICR has been approved and a new expiration date has been given for an IC, the BU will be required to update the forms associated with the collection to include the new expiration date.

The IC Team uploads the final versions of the Notices and the Supporting Statement, along with the Concluding Report and the Notice of Action, into SharePoint.

<u>Change Worksheets</u>

Step 1: Identifying Need for Change

The need for a CWS is identified in a few ones. First, a regulation or rulemaking action takes places that has direct impact on an IC and necessitates a change. This includes an update to a collection's fees or a change to the language of the program that the collection covers. Second, there is a change to the forms in the collection. The BU may seek to introduce a new form, remove an old form, or update a current form.

Step 2: Drafting the Change Worksheet

When the needs for a CWS has been identified, the IC Team drafts the CWS document. The BU provides any necessary supporting documents, including new or updated forms, and confirms the changes being made to the collection.

Step 3: Creating the ROCIS Entry

Once the CWS has been drafted, the IC Teams creates the ROCIS entry for the CWS. This includes noting the changes to the collection, updating IC lines to reflect the changes in burden as needed, and uploading both the CWS and any new or updated forms.

Step 4: Submission to OMB

After the ROCIS entry has been created, the IC Team reaches out to the Director of the Records and Information Governance Brach to have them submit the ROCIS entry to OMB.

Step 5: OMB Approval

The OMB desk officer reviews the ROCIS entry and approves the change to the collection. Once this approval has been made, the IC Team informs the BU of the approval. At this point, the change to the collection is considered official.

<u>Fast Tracks</u>

Step 1: Identification of a Fast Track Need

A USPTO business unit or program office wants to have a survey, discussion group, or any other low-burden event that would trigger a Fast Track. They reach out to the IC Team to get coverage for their collection needs.

Step 2: Drafting the Fast Track

The IC creates the appropriate documentation to cover the needs of the BU or the program office, working with the appropriate point-of-contact to ensure that the needs, uses, and burdens are appropriately represented in the request.

Step 3: Creating the ROCIS Entry.

Once the documentation has been drafted and the appropriate information gathered, the IC Team creates the ROCIS entry to cover the Fast Track request.

Step 4: Submission to OMB

When the ROCIS entry is finalized by the IC Team, they reach out to the Director of the Records and Information Branch to have them submit the ROCIS entry to OMB.

Step 5: OMB Approval

The OMB desk officer reviews the ROCIS entry and approves the Fast Track. Typically, a Fast Track approval is gained within a few days of the package being submitted to OMB. A Fast Track request usually takes between seven and ten days from initial identification to approval from OMB.

**Other OMB Actions**

Emergency Approvals

OMB grants emergency approvals for renewals and new collections facing extenuating circumstances. The IC Team may request emergency processing of an ICR based on the following circumstances:

- When the collection is needed prior to the expiration of time periods established under the PRA and is essential to the mission of the agency
- When the agency cannot reasonably comply with the normal clearance procedures under the PRA because:
    - Public harm is reasonably likely to result if normal clearance procedures are followed
    - An unanticipated event has occurred
    - The use of normal clearances is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause the agency to miss a statutory or court-order deadline

Each request for an emergency approval needs to be accompanied by documentation that addresses the circumstances that the emergency approval necessary. The IC Team will also submit information indicating that it has taken all practicable steps to consult with all agency groups and members of the public to minimize the burden of the IC.

Approval of an emergency submission is valid for no more than six months (180 days) from the day of the requested approval. If the IC will be needed after those six months, the normal request process must be initiated immediately upon approval of the emergency request.

Emergency Extensions

Emergency Extensions are used to request OMB approval to continue an approved collection for no longer than three months beyond the current expiration date. The requirement to renew an IC should be determined far enough in advance that an Emergency Extension should not be necessary.

Emergency Extensions are strongly discouraged. However, if an Emergency Extension is necessary, the request must be fully justified in writing and signed by a senior program official.

# POLICY

# Paperwork Reduction Act Compliance


**UNITED STATES PATENT AND TRADEMARK OFFICE**

**OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER**

**September 2019**

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of the Freedom of Information and Privacy Act

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# INSTRUCTIONS FOR REQUESTING OMB REVIEW UNDER THE PAPERWORK REDUCTION ACT

Please answer all questions and have the Senior Official or designee sign the form. These instructions should be used in conjunction with 5 CFR 1320, which provides information on coverage, definitions, and other matters of procedure and interpretation under the Paperwork Reduction Act of 1995.

**1. Agency/Subagency Originating Request**

Provide the name of the agency or subagency originating the request. For most Cabinet-level agencies, a subagency designation is also necessary. For non-Cabinet agencies, the subagency designation is generally unnecessary.

**2. OMB Control Number**

a. If the information collection in this request has previously received or now has an OMB control or comment number, enter the number.

b. Mark "None" if the information collection in this request has not previously received an OMB control number. Enter the four digit agency code for your agency.

**3. Type of Information Collection** *(X one)*

a. Mark "New collection" when the collection has not previously been used or sponsored by the agency.

b. Mark "Revision" when the collection is currently approved by OMB, and the agency request includes a material change to the collection instrument, instructions, its frequency of collection, or the use to which the information is to be put.

c. Mark "Extension" when the collection is currently approved by OMB and the agency wishes only to extend the approval past the current expiration date without making any other material change in the collection instrument, instructions, its frequency of collection, or the use to which the information is to be put.

d. Mark "Reinstatement without change" when the collection previously had OMB approval, but the approval has expired or was withdrawn before this submission was made, and there is no change to the collection.

e. Mark "Reinstatement with change" when the collection previously had OMB approval, but the approval has expired or was withdrawn before this submission was made, and there is change to the collection.

f. Mark "Existing collection in use without OMB control number" when the collection is currently in use but does not have a currently valid OMB control number.

**4. Type of Review Requested** *(X one)*

a. Mark "Regular" when the collection is submitted under 5 CFR 1320.10, 1320.11, or 1320.12 with a standard 60 day review schedule.

b. Mark "Emergency" when the agency is submitting the request under 5 CFR 1320.13 for emergency processing and provides the required supporting material. Provide the date by which the agency requests approval.

c. Mark "Delegated" when the agency is submitting the collection under the conditions OMB has granted the agency delegated authority.

**5. Small Entities**

Indicate whether this information collection will have a significant impact on a substantial number of small entities.
A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.

**6. Requested Expiration Date**

a. Mark "Three years" if the agency requests a three year approval for the collection.

b. Mark "Other" if the agency requests approval for less than three years. Specify the month and year of the requested expiration date.

**7. Title**

Provide the official title of the information collection. If an official title does not exist, provide a description which will distinguish this collection from others.

**8. Agency Form Number(s)** *(If applicable)*

Provide any form number the agency has assigned to this col- lection of information. Separate each form number with a comma.

**9. Keywords**

Select and list at least two keywords (descriptors) from the "Federal Register Thesaurus of Indexing Terms" that describe the subject area(s) of the information collection. Other terms may be used but should be listed after those selected from the thesaurus. Separate keywords with commas. Keywords should not exceed two lines of text.

**10. Abstract**

Provide a statement, limited to five lines of text, covering the agency's need for the information, uses to which it will be put, and a brief description of the respondents.

**11. Affected Public**

Mark all categories that apply, denoting the primary public with a "P" and all others that apply with "X."

**12. Obligation to Respond**

Mark all categories that apply, denoting the primary obligation with a "P" and all others that apply with "X."

a. Mark "Voluntary" when the response is entirely discretionary and has no direct effect on any benefit or privilege for the respondent.

b. Mark "Required to obtain or retain benefits" when the response is elective, but is required to obtain or retain a benefit.

c. Mark "Mandatory" when the respondent must reply or face civil or criminal sanctions.

**13. Annual Reporting and Recordkeeping Hour Burden**

a. Enter the number of respondents and/or recordkeepers. If a respondent is also a recordkeeper, report the respondent only once.

b. Enter the number of responses provided annually. For recordkeeping as compared to reporting activity, the number of responses equals the number of recordkeepers.

(1) Enter the estimated percentage of responses that will be submitted/collected electronically using magnetic media (i.e., diskette), electronic mail, or electronic data interchange. Facsimile is NOT considered an electronic submission.

c. Enter the total annual recordkeeping and reporting hour burden.

d. Enter the burden hours currently approved by OMB for this collection of information. Enter zero (0) for any new submission or for any collection whose OMB approval has expired.

e. Enter the difference by subtracting line d from line c. Record a negative number (d larger than c) within parentheses.

f. Explain the difference. The difference in line e must be accounted for in lines f.(1) and f.(2).

(1). "Program change" is the result of deliberate Federal government action. All new collections and any subsequent revision of existing collections (e.g. the addition or deletion of questions) are recorded as program changes.

(2). "Adjustment" is a change that is not the result of a deliberate Federal government action. Changes resulting from new estimates or actions not controllable by the Federal government are recorded as adjustments.

**14. Annual Reporting and Recordkeeping Cost Burden (In thousands of dollars)**

The costs identified in this item must exclude the cost of hour burden identified in Item 13.

a. Enter total dollar amount of annualized cost for all respondents of any associated capital or start-up costs.

b. Enter recurring annual dollar amount of cost for all respondents associated with operating or maintaining systems or purchasing services.

c. Enter total (14.a. + 14.b.) annual reporting and recordkeeping cost burden.

## INSTRUCTIONS FOR REQUESTING OMB REVIEW UNDER THE PAPERWORK REDUCTION ACT *(Continued)*

**14.** *(Continued)*

d. Enter any cost burden currently approved by OMB for this collection of information. Enter zero (0) if this is the first submission after October 1, 1995.

e. Enter the difference by subtracting line d from line c. Record a negative number (d larger than c) within parentheses.

f. Explain the difference. The difference in line e must be accounted for in lines f.(1) and f.(2).

(1) "Program change" is the result of deliberate Federal government action. All new collections and any subsequent revisions or changes resulting in cost changes are recorded as program changes.

(2) "Adjustment" is a change that is not the result of a deliberate Federal government action. Changes resulting from new estimations or actions not controllable by the Federal government are recorded as adjustments.

**15. Purpose of Information Collection**

Mark all categories that apply, denoting the primary purpose with a "P" and all others that apply with "X."

a. Mark "Application for benefits" when the purpose is to participate in, receive, or qualify for a grant, financial assistance, etc., from a Federal agency or program.

b. Mark "Program evaluation" when the purpose is a formal assessment, through objective measures and systematic analysis, of the manner and extent to which Federal programs achieve their objectives or produce other significant effects.

c. Mark "General purpose statistics" when the data is collected chiefly for use by the public or for general Government use without primary reference to the policy or program operations of the agency collecting the data.

d. Mark "Audit" when the purpose is to verify the accuracy of accounts and records.

e. Mark "Program planning or management" when the purpose relates to progress reporting, financial reporting and grants management, procurement and quality control, or other administrative information that does not fit into any other category.

f. Mark "Research" when the purpose is to further the course of research, rather than for a specific program purpose.

g. Mark "Regulatory or compliance" when the purpose is to measure compliance with laws or regulations.

**16. Frequency of Recordkeeping or Reporting**

Mark "Recordkeeping" if the collection of information explicitly includes a recordkeeping requirement.

Mark "Third party disclosure" if a collection of information includes third-party disclosure requirements as defined by 1320.3(c).

Mark "Reporting" for information collections that involve reporting and check the frequency of reporting that is requested or required of a respondent. If the reporting is on "an event" basis, mark "On Occasion".

**17. Statistical Methods**

Mark "Yes" if the information collection uses statistical methods such as sampling or imputation. Generally, mark "No" for applications and audits (unless a random auditing scheme is used). Mark "Yes" for statistical collections, most research collections, and program evaluations using scientific methods. For other types of data collections, the use of sampling, imputation, or other statistical estimation techniques should dictate the response for this item. Ensure that supporting documentation is provided in accordance with Section B of the Supporting Statement.

**18. Agency Contact**

Provide the name and telephone number of the agency person best able to answer questions regarding the content of this submission.

**19. Certification for Paperwork Reduction Act Submissions**

By signing this statement, the Program Official certifies internally to WHS/DIOR that the collection of information encompassed by the request complies with 5 CFR 1320.9. However, the signature of the Senior Official or designee certifies to OMB, *for the Department of Defense*, that the information encompassed by the request complies with the provisions of 5 CFR 1320.9. Provisions of this certification that the agency cannot comply with should be identified here and fully explained in Item 18 of the attached Supporting Statement. NOTE: The Office that "develops" and "uses" the information to be collected is the office that "conducts or sponsors" the collection of information (see 5 CFR 1320.3(d)).

## CERTIFICATION REQUIREMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS

5 CFR 1320.9 reads "As part of the agency submission to OMB of a proposed collection of information, the agency (through the head of the agency, the Senior Official or their designee), shall certify (and provide a record supporting such certification) that the proposed collection of information -

"(a) is necessary for the proper performance of the functions of the agency, including that the information to be collected will have practical utility;

"(b) is not unnecessarily duplicative of information otherwise reasonably accessible to the agency;

"(c) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:

"(1) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;

"(2) the clarification, consolidation, or simplification of compliance and reporting requirements; or collection of information, or any part thereof;

"(3) an exemption from coverage of the collection of information, or any part thereof;

"(d) is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond;

"(e) is to be implemented in ways consistent and compatible, to the maximum extent practicable, with the existing reporting and recordkeeping practices of those who are to respond;

"(f) indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;

"(g) informs potential respondents of the information called for under 1320.8(b)(3); (see below)

"(h) has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

"(i) uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and

"(j) to the maximum extent practicable, uses appropriate information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public."

**NOTE:** 5 CFR 1320.8(b)(3) requires that each collection of information:

"(3) informs and provides reasonable notice to the potential persons to whom the collection of information is addressed of:

"(i) the reasons the information is planned to be and/or has been collected;

"(ii) the way such information is planned to be and/or has been used to further the proper performance of the functions of the agency;

"(iii) an estimate, to the extent practicable, of the average burden of the collection (together with a request that the public direct to the agency any comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden);

"(iv) whether responses to the collection of information are voluntary, required to obtain or retain a benefit (citing authority), or mandatory (citing authority);

"(v) the nature and extent of confidentiality to be provided, if any (citing authority); and

"(vi) the fact that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number."

# SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS

**GENERAL INSTRUCTIONS**

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When item 17 of the OMB Form 83-I is marked "Yes," Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

**SPECIFIC INSTRUCTIONS**

**A. Justification.**

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2. above.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

7. Explain any special circumstances that require the collection to be conducted in a manner:
- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

7. *(Continued)*
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that mitigate against consultation in a specific situation. These circumstances should be explained.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- If the request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

- Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.

**A. Justification** *(Continued)*

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from paragraphs 12, 13, and 14 in a single table.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

**B. Collections of Information Employing Statistical Methods.**

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the OMB Form 83-I is marked "Yes," the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.

2. Describe the procedures for the collection of information including:
- Statistical methodology for stratification and sample selection.
- Estimation procedure.
- Degree of accuracy needed for the purpose described in the justification.
- Unusual problems requiring specialized sampling procedures, and
- Any use of periodic (less frequent than annual) data collection cycles to reduce burden.

3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.

4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.

5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

**ROCIS Entries: Standard Operating Procedure**

About the Submission Process

An information collection (IC) is the vehicle through which the agency gathers information from the public. Each collection must be sent to the Office of Management and Budget (OMB) for approval. ROCIS, the vehicle through which these collections are reviewed by OMB, is a web-based system through which all pertinent data for the collection is entered and submitted to OMB. It is the IC Team's responsibility to create and finalize the entries.

Creating a ROCIS Entry

From the main PRA ROCIS landing page[1], go to the "Request" tab and select "Information Collection Request (ICR)". There, you will be prompted to either create a new collection or make a request from an existing collection. The latter option is used much more frequently by the IC Team.

The "Edit ICR" Screen

This is where most of the changes to the collection will occur.

Certain fields will be automatically filled in, when a Renewal, Extension, or Change Worksheet package is created. These fields are:

- **OMB Control No:** Most critically, this number should match the Control Number for the information collection for which the submission package is being created.
- **Status:** Should typically say "Active."
- **Agency/Subagency:** Should show the Department and agency acronym and should automatically be filled in when the Renewal, Extension, or Change Worksheet package is created.
- **Agency Tracking Number**: This field will always remain blank.
- **Title**: The title should match the one listed in the *Federal Register* notices.

Other items will have to be checked and filled in as needed. These fields are:

- **Type of Information Collection**: Select based on type (Renewal/Extension/Change Worksheet). *If you choose the "nonsubstantive change" option (CWS), many of the options on the screen will become locked, as they are not affected by the CWS action.*
- **Type of Review Requested**: Usually "Regular", unless it is an emergency collection.
- **Requested Expiration Date:** Usually "Three years from approval date", unless circumstances require specific date.
- **Agency Contact:** Use the name of the Business Unit responsible for the collection.
- **Abstract/Justification**: Insert a short paragraph describing the collection. This can be taken directly from the "Necessity of Information Collection" and "Needs and Uses" sections of the collection's supporting statement.

[1] https://www.rocis.gov/rocis/index.do

- **Legal Statutes**: Enter statutes and laws from the Supporting Statement here (found in "Needs and Uses" and "Background" sections).
- **Rulemaking and FR Notices/Comments Sections**: Enter this information as needed.
    - When submitting a rulemaking request, choose the "nonsubstantive change" option and attach a copy of the rulemaking action as a supplemental document on the supplemental page.

<u>"Edit IC" Screen</u>

"Edit IC" is another section of ROCIS used regularly by the IC Team. This area is where all the information pertaining to the individual ICs is entered. Each IC requires:

- **Title:** This should match the Supporting Statement.
- **Obligation to Respond:** Varies by collection, so choose appropriately for the collection. The options to choose from are:
    - Mandatory
    - Required to maintain or obtain benefits
    - Voluntary
- **CFR Citation**: Check the "Needs and Uses" section of the Supporting Statement to confirm that this is correct.
- **Burden Information:** Most of the boxes are self-explanatory, but there are a few things worth mentioning.
    - **Line of Business**: Choose "Economic development", then the subset "Intellectual Property Protection.
    - **Affected Public**: Usually "Private Sector", choose subset "businesses and other for-profits" *and "not-for-profit institutions*".
    - **IC Burden Worksheet**:
        - **Number of Responses Per Respondent:** Enter "1" into this field. USPTO usually assumes that each respondent provides one response.
        - **Cost per Response:** Use the ROCIS number from the Burden Calculator to determine.
        - **Frequency of Reporting:** "On Occasion" or "Annually" are typically used.
        - ***ROCIS will always round up the "Annual IC Time Burden".***
        - **Table:** Based on the reason for the change in burden from the previous renewal, the numbers in the table at the bottom of the screen may need to be transferred from the "Agency Discretion" to the Agency Estimate" column.

When entering the Burden Information into ROCIS, use the collection's supporting statement and burden calculator as a reference point

<u>"Add/Edit Supporting Statement and Other Documents" Screen</u>

This is where the Supporting Statements, Change Worksheets and other documents are uploaded. Make sure they are the latest versions.

Documents to be uploaded to this section:

- Supporting Statement
- Information Quality Guidelines
- Collection Change Worksheets since last collection renewal, if any
- Comments received during the 60-Day Comment period, if any

**It is of the utmost importance that the "Check IC for Completeness" button is used before submission. Marcie will not be able to submit the collection if there are errors in the ROCIS entry. There has been an instance where ROCIS deleted an entry when it was attempted to be submitted incomplete.**

## USPTO's SORN Review and Submission Procedures

### The Starting Blocks

The Privacy Process, for new SORNS, begins at the point a system is created and is launched into the SDLC process, which usually involves a Privacy Threshold Analysis (PTA).

*The USPTO OPG-CD, in coordination with System Owners (SOs), conducts PIAs for information systems, programs, or other activities that pose a privacy risk in accordance with applicable law, OMB policy, or any existing Department of Commerce (DOC) and USPTO policies and procedures. All USPTO information systems are required to first undergo a Privacy Threshold Analysis (PTA) to determine whether the information system contains PII. If it is determined that the system contains PII, a PIA is conducted to identify privacy risks and identify methods to mitigate those risks. PIAs are also conducted to ensure that programs or information systems comply with legal, regulatory, and policy requirements. PIAs also serve as notice to the public of privacy practices. PIAs are performed before developing or procuring information systems, or initiating programs or projects, that collect, use, maintain, or share PII and are updated when changes create new privacy risks. All PTAs and PIAs are reviewed and updated at least on an annual basis as part of the annual Security Authorization and Assessment process.*

SORN activity is started in response to one of the following:

1. Cybersecurity alerting RIDG that a PIA indicates a SORN is needed or that a SORN needs modification.
2. SDLC process interaction turns up evidence that PII is being collected and managed in a SOR that is not a part of an existing SORN.
3. BU asks the PRA team questions about PII usage that indicate a SOR may be in operation.
4. Requests for PRA support involving PII that indicate a SOR should/has been in operation
5. OGL alerts us to regulatory needs that may result in SORN modification or creation.
6. PRA team review of systems determines that a SOR exists outside of SORN coverage or that an existing SORN needs modification.

**Timeline:**

As the SORN creation and modification processes are lengthy it takes at least eight months to get anything through the system, signed, and published. (This timeline could get tightened with repeated use of the process, but as of November 2019 this is still over a year from concept to publication.)

SORNs do not have expiration dates. There is an expectation that agencies will review their SORN on a regular basis and update items that are in need of modification. In 2019, USPTO is in the middle of a long term update to its SORN inventory. SORNs are reviewed quarterly to determine if any agency action or interest require particular SORNs to be advanced in the queue.

**Process Steps for SORN creation/modification**

**Initial Creation and First Internal Review**

1. Information Collection (IC) Team i.e. PRA/Privacy in consultation with Business Units/System Owners and Office of General Law (OGL) of USPTO Prepare System of Records Notice (SORN) using the template available on the team SharePoint site. For new SORNs document maybe cut up into sections for different offices to draft. For updates, PRA team takes first edit. (SORN draft and Narrative Statement created at this stage. Transmittal letters are needed for step 6. Supporting documents showing changes since last update are also needed.)
2. Draft is reviewed by Cybersecurity POC for PIA
3. Draft is reviewed, if available, by OCIO support unit (Trademarks support branch.etc.) and also any IT support group within OPIM or the BU.
4. Draft is reviewed by OGL-Regulatory as needed

5. Draft is reviewed by RIGB
6. Draft is reviewed by any additional components (OGA, OAS-CAO, OCIO) that need to review document. (It is expected that this step could vary between one SORN to the next and if an item is new or a modification; and how extensive the modifications are.)
7. Draft is reviewed by BU for final check.
8. Draft is reviewed by OGL-Privacy Contact.
9. All relevant USPTO Stakeholders (steps 1-6) review the draft SORN to ensure that all uses and descriptions are included.
    a. Substantial edits at step 7 or 8, may require special review by BU, OGL. Etc.

**DOC Privacy Office Involvement**

10. OGL/PRA Submits draft SORN to Departmental Privacy Act Officer in DOC for review to ensure that all Privacy Act and legal requirements are met.

11. USPTO revises draft SORN (if needed) based on DOC Privacy Act Officer's feedback.

**USPTO Internal Review and Signing**

12. Second (final) USPTO Stakeholders review of the draft SORN to ensure that all edits and inclusions are agreeable.

13. OAS clears and submits to CAO.

14. CAO begins inter-office review with red folder including all major BUs and Office of Governmental Affairs

15. Front Office and CIO clear SORN.

**DOC policy review**

16. Sent for clearance from PTO OGL to DOC, Office of Policy and Strategic Planning (OPSP) for policy clearance.

17. PTO responses to any queries or edits from DOC policy, if any.

**Submission of SORN**

18. CIO signs transmittal letters and sends to front office.

19. Hard copy documents (House and Senate) are sent to OGA for delivery to Congress. PRA team receives soft copy of transmittal letter for OMB.

20. PRA Team creates ROCIS entry for SORN.

21. PTO Privacy module submitter, submits ROCIS entry to OMB.

22. 30 day window for Congress and OMB to provide questions or comments. OMB will provide pre-approval through ROCIS.

23. Response to OMB edits, if any. (Congressional questions are possible, but not likely.) The nature of the edits would dictate what pathway was needed for responding. Would work with front office, OGL, and OGA to determine.

**Publication**

24. CIO signs SORN document. (Director of Agency or any assigned delegate could also sign as desired.)

25. Notice is submitted to FR through appropriate channels; assume hard copy submission.

26. Notice is published!!

27. PRA team publishes copy of notice on agency website for Federal Register page. PRA team published copy of notice on agency Privacy/SORN page on the website.

**OMB Action**

28. ROCIS entry is created for SORN and submitted to OMB.

29. Monitor any feedback from public.

30. OMB gives final approval.

31. SORN provisions take effect. (The last three steps could occur in a variety of orders depending the changes proposed.)

# OFFICE OF MANAGEMENT AND BUDGET

# STANDARDS AND GUIDELINES FOR STATISTICAL SURVEYS

## September 2006

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## LIST OF STANDARDS FOR STATISTICAL SURVEYS

## SECTION 1 DEVELOPMENT OF CONCEPTS, METHODS, AND DESIGN

**Survey Planning**
**Standard 1.1:** Agencies initiating a new survey or major revision of an existing survey must develop a written plan that sets forth a justification, including: goals and objectives; potential users; the decisions the survey is designed to inform; key survey estimates; the precision required of the estimates (e.g., the size of differences that need to be detected); the tabulations and analytic results that will inform decisions and other uses; related and previous surveys; steps taken to prevent unnecessary duplication with other sources of information; when and how frequently users need the data; and the level of detail needed in tabulations, confidential microdata, and public-use data files.

**Survey Design**
**Standard 1.2:** Agencies must develop a survey design, including defining the target population, designing the sampling plan, specifying the data collection instrument and methods, developing a realistic timetable and cost estimate, and selecting samples using generally accepted statistical methods (e.g., probabilistic methods that can provide estimates of sampling error). Any use of nonprobability sampling methods (e.g., cut-off or model-based samples) must be justified statistically and be able to measure estimation error. The size and design of the sample must reflect the level of detail needed in tabulations and other data products, and the precision required of key estimates. Documentation of each of these activities and resulting decisions must be maintained in the project files for use in documentation (see Standards 7.3 and 7.4).

**Survey Response Rates**
**Standard 1.3:** Agencies must design the survey to achieve the highest practical rates of response, commensurate with the importance of survey uses, respondent burden, and data collection costs, to ensure that survey results are representative of the target population so that they can be used with confidence to inform decisions. Nonresponse bias analyses must be conducted when unit or item response rates or other factors suggest the potential for bias to occur.

**Pretesting Survey Systems**
**Standard 1.4:** Agencies must ensure that all components of a survey function as intended when implemented in the full-scale survey and that measurement error is controlled by conducting a pretest of the survey components or by having successfully fielded the survey components on a previous occasion.

## SECTION 2 COLLECTION OF DATA

**Developing Sampling Frames**
**Standard 2.1:** Agencies must ensure that the frames for the planned sample survey or census are appropriate for the study design and are evaluated against the target population for quality.

**Required Notifications to Potential Survey Respondents**
**Standard 2.2:** Agencies must ensure that each collection of information instrument clearly states the reasons the information is planned to be collected; the way such information is planned to be used to further the proper performance of the functions of the agency; whether responses to the collection of information are voluntary or mandatory (citing authority); the nature and extent of confidentiality to be provided, if any, citing authority; an estimate of the average respondent burden together with a request that the public direct to the agency any comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden; the OMB control number; and a statement that an agency may not conduct and a person is not required to respond to an information collection request unless it displays a currently valid OMB control number.

**Data Collection Methodology**
**Standard 2.3:** Agencies must design and administer their data collection instruments and methods in a manner that achieves the best balance between maximizing data quality and controlling measurement error while minimizing respondent burden and cost.

## SECTION 3 PROCESSING AND EDITING OF DATA

**Data Editing**
**Standard 3.1:** Agencies must edit data appropriately, based on available information, to mitigate or correct detectable errors.

**Nonresponse Analysis and Response Rate Calculation**
**Standard 3.2:** Agencies must appropriately measure, adjust for, report, and analyze unit and item nonresponse to assess their effects on data quality and to inform users. Response rates must be computed using standard formulas to measure the proportion of the eligible sample that is represented by the responding units in each study, as an indicator of potential nonresponse bias.

**Coding**
**Standard 3.3:** Agencies must add codes to collected data to identify aspects of data quality from the collection (e.g., missing data) in order to allow users to appropriately analyze the data. Codes added to convert information collected as text into a form that permits immediate analysis must use standardized codes, when available, to enhance comparability.

**Data Protection**
**Standard 3.4:** Agencies must implement safeguards throughout the production process to ensure that survey data are handled to avoid disclosure.

**Evaluation**
**Standard 3.5:** Agencies must evaluate the quality of the data and make the evaluation public (through technical notes and documentation included in reports of results or through a separate report) to allow users to interpret results of analyses, and to help designers of recurring surveys focus improvement efforts.

## SECTION 4 PRODUCTION OF ESTIMATES AND PROJECTIONS

**Developing Estimates and Projections**
**Standard 4.1**: Agencies must use accepted theory and methods when deriving direct survey-based estimates, as well as model-based estimates and projections that use survey data. Error estimates must be calculated and disseminated to support assessment of the appropriateness of the uses of the estimates or projections. Agencies must plan and implement evaluations to assess the quality of the estimates and projections.

## SECTION 5 DATA ANALYSIS

**Analysis and Report Planning**
**Standard 5.1:** Agencies must develop a plan for the analysis of survey data prior to the start of a specific analysis to ensure that statistical tests are used appropriately and that adequate resources are available to complete the analysis.

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**Standard 5.2:** Agencies must base statements of comparisons and other statistical conclusions derived from survey data on acceptable statistical practice.

## SECTION 6 REVIEW PROCEDURES

**Review of Information Products**
**Standard 6.1:** Agencies are responsible for the quality of information that they disseminate and must institute appropriate content/subject matter, statistical, and methodological review procedures to comply with OMB and agency Information Quality Guidelines.

## SECTION 7 DISSEMINATION OF INFORMATION PRODUCTS

**Releasing Information**
**Standard 7.1:** Agencies must release information intended for the general public according to a dissemination plan that provides for equivalent, timely access to all users and provides information to the public about the agencies' dissemination policies and procedures including those related to any planned or unanticipated data revisions.

**Data Protection and Disclosure Avoidance for Dissemination**
**Standard 7.2:** When releasing information products, agencies must ensure strict compliance with any confidentiality pledge to the respondents and all applicable Federal legislation and regulations.

**Survey Documentation**
**Standard 7.3:** Agencies must produce survey documentation that includes those materials necessary to understand how to properly analyze data from each survey, as well as the information necessary to replicate and evaluate each survey's results (See also Standard 1.2). Survey documentation must be readily accessible to users, unless it is necessary to restrict access to protect confidentiality.

**Documentation and Release of Public-Use Microdata**

**Standard 7.4:** Agencies that release microdata to the public must include documentation clearly describing how the information is constructed and provide the metadata necessary for users to access and manipulate the data (See also Standard 1.2). Public-use microdata documentation and metadata must be readily accessible to users.

## INTRODUCTION

This document provides 20 standards that apply to Federal censuses and surveys whose statistical purposes include the description, estimation, or analysis of the characteristics of groups, segments, activities, or geographic areas in any biological, demographic, economic, environmental, natural resource, physical, social, or other sphere of interest. The development, implementation, or maintenance of methods, technical or administrative procedures, or information resources that support such purposes are also covered by these standards. In addition, these standards apply to censuses and surveys that are used in research studies or program evaluations if the purpose of the survey meets any of the statistical purposes noted above. To the extent they are applicable, these standards also cover the compilation of statistics based on information collected from individuals or firms (such as tax returns or the financial and operating reports required by regulatory commissions), applications/registrations, or other administrative records.

### Background

Standards for Federal statistical programs serve both the interests of the public and the needs of the government. These standards document the professional principles and practices that Federal agencies are required to adhere to and the level of quality and effort expected in all statistical activities. Each standard has accompanying guidelines that present recommended best practices to fulfill the goals of the standards. Taken together, these standards and guidelines provide a means to ensure consistency among and within statistical activities conducted across the Federal Government. Agency implementation of standards and guidelines ensures that users of Federal statistical information products are provided with details on the principles and methods employed in the development, collection, processing, analysis, dissemination, and preservation of Federal statistical information.

In 2002, the U.S. Office of Management and Budget (OMB), in response to Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554), popularly known as the Information Quality Act, issued government-wide guidelines that "provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies" (67 FR 8452-8460; February 22, 2002). Federal statistical agencies worked together to draft a common framework to use in developing their individual Information Quality Guidelines. That framework, published in the June 4, 2002, *Federal Register* Notice, "Federal Statistical Organizations' Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Disseminated Information" (67 FR 38467-38470), serves as the organizing framework for the standards and guidelines presented here.[1] The framework for these standards and guidelines includes:

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[1] The *Federal Register* notice included eight areas where statistical organizations set standards for performance. The framework utilized here combines "Development of concepts and methods" with "Planning and design of surveys and other means of collecting data" into the single section on "Development of concepts, methods, and design." The standards for these activities were closely linked and attempting to separate them into two distinct sections would have resulted in some duplication of standards between sections. The only other change is the title of Section 7, which was shortened to "Dissemination of Information Products" for convenience rather than "Dissemination of data by published reports, electronic files, and other media requested by users" as it originally appeared in the *Federal Register* notice.

- Development of concepts, methods, and design
- Collection of data
- Processing and editing of data
- Production of estimates and projections
- Data analysis
- Review procedures
- Dissemination of Information Products.

Within this framework, the 20 standards and their related guidelines for Federal statistical surveys focus on ensuring high quality statistical surveys that result in information products satisfying an agency's and OMB's Information Quality Guidelines' requirements for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by the Federal Government.

The standards and guidelines are not intended to substitute for the extensive existing literature on statistical and survey theory, methods, and operations. When undertaking a survey, an agency should engage knowledgeable and experienced survey practitioners to effectively achieve the goals of the standards. Persons involved should have knowledge and experience in survey sampling theory, survey design and methodology, field operations, data analysis, and dissemination as well as technological aspects of surveys.

Under the OMB Information Quality Guidelines, quality is an encompassing term comprising objectivity, utility, and integrity.

Objectivity refers to whether information is accurate, reliable, and unbiased, and is presented in an accurate, clear, and unbiased manner. It involves both the content of the information and the presentation of the information. This includes complete, accurate, and easily understood documentation of the sources of the information, with a description of the sources of any errors that may affect the quality of the data, when appropriate. Objectivity is achieved by using reliable information sources and appropriate techniques to prepare information products.

Standards related to the production of accurate, reliable, and unbiased information include Survey Response Rates (1.3), Developing Sampling Frames (2.1), Required Notifications to Potential Survey Respondents (2.2), Data Collection Methodology (2.3), Data Editing (3.1), Nonresponse Analysis and Response Rate Calculation (3.2), Coding (3.3), Evaluation (3.5), Developing Estimates and Projections (4.1), Analysis and Report Planning (5.1), and Inference and Comparisons (5.2).

Standards related to presenting results in an accurate, clear, and unbiased manner include: Review of Information Products (6.1), Survey Documentation (7.3), and Documentation and Release of Public-Use Microdata (7.4).

Utility refers to the usefulness of the information that is disseminated to its intended users. The usefulness of information disseminated by Federal agencies should be considered from the perspective of specific subject matter users, researchers, policymakers, and the public. Utility is

achieved by continual assessment of information needs, anticipating emerging requirements, and developing new products and services.

To ensure that information disseminated by Federal agencies meets the needs of the intended users, agencies rely upon internal reviews, analyses, and evaluations along with feedback from advisory committees, researchers, policymakers, and the public. In addition, agencies should clearly and correctly present all information products in plain language geared to their intended audiences. The target audience for each product should be clearly identified, and the product's contents should be readily accessible to that audience.

In all cases, the goal is to maximize the usefulness of information and minimize the costs to the government and the public. When disseminating their information products, Federal agencies should utilize a variety of efficient dissemination channels so that the public, researchers, and policymakers can locate and use information in an equitable, timely, and cost-effective fashion.

The specific standards that contribute directly to the utility and the dissemination of information include: Survey Planning (1.1), Survey Design (1.2), Pretesting Survey Systems (1.4), Review of Information Products (6.1), Releasing Information (7.1), Survey Documentation (7.3), and Documentation and Release of Public-Use Microdata (7.4).

Integrity refers to the security or protection of information from unauthorized access or revision. Integrity ensures that the information is not compromised through corruption or falsification.

Federal agencies have a number of statutory and administrative provisions governing the protection of information. Examples that may affect all Federal agencies include the Privacy Act; the Freedom of Information Act; the Confidential Information Protection and Statistical Efficiency Act of 2002; the Federal Information Security Management Act of 2002; the Health Insurance Portability and Accountability Act of 1996; OMB Circular Nos. A-123, A-127, and A-130; and the Federal Policy for the Protection of Human Subjects. The standards on Required Notifications to Potential Survey Respondents (2.2), Data Protection (3.4), and Data Protection and Disclosure Avoidance for Dissemination (7.2) directly address statistical issues concerning the integrity of data.

**Requirements for Agencies**

The application of standards to the wide range of Federal statistical activities and uses requires judgment that balances such factors as the uses of the resulting information and the efficient allocation of resources; this should not be a mechanical process. Some surveys are extremely large undertakings requiring millions of dollars, and the resulting general-purpose statistics have significant, far-reaching effects. (Examples of major Federal information programs, many based on statistical surveys, are the Principal Federal Economic Indicators.[2]) Other statistical activities may be more limited and focused on specific program areas (e.g., customer satisfaction surveys, program evaluations, or research).

[2] For the list of principal economic indicators and their release dates see http://www.whitehouse.gov/omb/inforeg/statpolicy.html#sr

For each statistical survey in existence when these standards are issued and for each new survey, the sponsoring and/or releasing agency should evaluate compliance with applicable standards. The agency should establish compliance goals for applicable standards if a survey is not in compliance. An agency should use major survey revisions or other significant survey events as opportunities to address areas in which a survey is not in compliance with applicable standards.

Federal agencies are required to adhere to all standards for every statistical survey, even those that have already received OMB approval. Agencies should provide sufficient information in their Information Collection Requests (ICR) to OMB under the Paperwork Reduction Act (PRA) to demonstrate whether they are meeting the standards. OMB recognizes that these standards cannot be applied uniformly or precisely in every situation. Consideration will be given to the importance of the uses of the information as well as the quality required to support those uses. If funding or other contingencies make it infeasible for all standards to be met, agencies should discuss in their ICR submissions the options that were considered and why the final design was selected.

The agency should also include in the standard documentation for the survey, or in an easily accessible public venue, such as on its web site, the reasons why the standard could not be met and what actions the agency has taken or will take to address any resulting issues.[3]

The following standards and guidelines are not designed to be completely exhaustive of all efforts that an agency may undertake to ensure the quality of its statistical information. Agencies are encouraged to develop additional, more detailed standards focused on their specific statistical activities.

The standards are presented in seven sections. For each standard, there is a list of key terms that are used in the standard or accompanying guidelines, and these terms are defined in the appendix to provide clarification on their use in this document. The guidelines for each standard represent best practices that may be useful in fulfilling the goals of the standard and provide greater specificity and detail than the standards. However, as noted earlier, these standards and guidelines are not intended to substitute for the extensive existing literature on statistical and survey theory, methods, and operations. Additional information relevant to the standards can be found in other more specialized publications, and references to other Federal guidance documents or resources and the work of the Federal Committee on Statistical Methodology are provided in this document.

Agencies conducting surveys should also consult guidance issued by OMB entitled *Questions and Answers When Designing Surveys for Information Collections*. That document was developed by OMB to assist agencies in preparing their Information Collection Requests for OMB review under the Paperwork Reduction Act (PRA). The PRA requires that all Federal agencies obtain approval from OMB prior to collecting information from ten or more persons.[4]

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[3] In cases where the agency determines that ongoing surveys are not in compliance with the standards, the documentation should be updated at the earliest possible time.

[4] Under the PRA, "Person means an individual, partnership, association, corporation (including operations of government-owned contractor-operated facilities), business trust, or legal representative, an organized group of

## SECTION 1 DEVELOPMENT OF CONCEPTS, METHODS, AND DESIGN

### Section 1.1 Survey Planning

**Standard 1.1:** Agencies initiating a new survey or major revision of an existing survey must develop a written plan that sets forth a justification, including: goals and objectives; potential users; the decisions the survey is designed to inform; key survey estimates; the precision required of the estimates (e.g., the size of differences that need to be detected); the tabulations and analytic results that will inform decisions and other uses; related and previous surveys; steps taken to prevent unnecessary duplication with other sources of information; when and how frequently users need the data; and the level of detail needed in tabulations, confidential microdata, and public-use data files.

**Key Terms:** bridge study, confidentiality, consistent data series, crosswalk study, data series, effect size, individually-identifiable data, key variables, measurement error, microdata, minimum substantively significant effect (MSSE), pretest, public-use data file, respondent burden, survey system

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 1.1.1:** Surveys (and related activities such as focus groups, cognitive interviews, pilot studies, field tests, etc.) are collections of information subject to the requirements of the Paperwork Reduction Act of 1995 (Pub.L. No. 104-13, 44 U.S.C. § 3501 et seq.) and OMB's implementing regulations (5 C.F.R. § 1320, Controlling Paperwork Burdens on the Public). An initial step in planning a new survey or a revision of an existing survey should be to contact the sponsoring agency's Chief Information Officer or other designated official to ensure the survey work is done in compliance with the law and regulations. OMB approval will be required before the agency may collect information from 10 or more members of the public in a 12-month period. A useful reference document regarding the approval process is OMB's *Questions and Answers When Designing Surveys for Information Collections*.

**Guideline 1.1.2:** Planning is an important prerequisite when designing a new survey or survey system, or implementing a major revision of an ongoing survey. Key planning and project management activities include the following:

1. A justification for the survey, including the rationale for the survey, relationship to prior surveys, survey goals and objectives (including priorities within these goals and objectives), hypotheses to be tested, and definitions of key variables. Consultations with potential users to identify their requirements and expectations are also important at this stage of the planning process.
2. A review of related studies, surveys, and reports of Federal and non-Federal sources to ensure that part or all of the survey would not unnecessarily duplicate available data from an existing

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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" (5 C.F.R. § 1320.3(k)).

source, or could not be more appropriately obtained by adding questions to existing Federal statistical surveys. The goal here is to spend Federal funds effectively and minimize respondent burden. If a new survey is needed, efforts to minimize the burden on individual respondents are important in the development and selection of items.

3. A review of the confidentiality and privacy provisions of the Privacy Act, the Confidential Information Protection and Statistical Efficiency Act of 2002, and the privacy provisions of the E-Government Act of 2002, and all other relevant laws, regulations, and guidance, when planning any surveys that will collect individually-identifiable data from any survey participant.
4. A review of all survey data items, the justification for each item, and how each item can best be measured (e.g., through questionnaires, tests, or administrative records). Agencies should assemble reasonable evidence that these items are valid and can be measured both accurately and reliably, or develop a plan for testing these items to assess their accuracy and reliability.
5. A plan for pretesting the survey or survey system, if applicable (see Section 1.4).
6. A plan for quality assurance during each phase of the survey process to permit monitoring and assessing performance during implementation. The plan should include contingencies to modify the survey procedures if design parameters appear unlikely to meet expectations (for example, if low response rates are likely). The plan should also contain general specifications for an internal project management system that identifies critical activities and key milestones of the survey that will be monitored, and the time relationships among them.
7. A plan for evaluating survey procedures, results, and measurement error (see Section 3.5).
8. An analysis plan that identifies analysis issues, objectives, key variables, minimum substantively significant effect sizes, and proposed statistical tests (see Section 5.1).
9. An estimate of resources and target completion dates needed for the survey cycle.
10. A dissemination plan that identifies target audiences, proposed major information products, and the timing of their release.
11. A data management plan for the preservation of survey data, documentation, and information products as well as the authorized disposition of survey records.

**Guideline 1.1.3:** To maintain a consistent data series over time, use consistent data collection procedures for ongoing data collections. Continuous improvement efforts sometimes result in a trade-off between the desire for consistency and a need to improve a data collection. If changes are needed in key variables or survey procedures for a data series, consider the justification or rationale for the changes in terms of their usefulness for policymakers, conducting analyses, and addressing information needs. Develop adjustment methods, such as crosswalks and bridge studies that will be used to preserve trend analyses and inform users about the effects of changes.

## Section 1.2 Survey Design

**Standard 1.2:** Agencies must develop a survey design, including defining the target population, designing the sampling plan, specifying the data collection instrument and methods, developing a realistic timetable and cost estimate, and selecting samples using generally accepted statistical methods (e.g., probabilistic methods that can provide estimates of sampling error). Any use of nonprobability sampling methods (e.g., cut-off or model-based samples) must be justified statistically and be able to measure estimation error. The size and design of the sample must reflect the level of detail needed in tabulations and other data products, and the precision required of key estimates. Documentation of each of these activities and resulting decisions must be maintained in the project files for use in documentation (see Standards 7.3 and 7.4).

**Key Terms:** bias, confidentiality, cut-off sample, domain, effective sample size, estimation error, frame, imputation, key variables, model-based sample, nonprobabilistic methods, nonsampling error, power, precision, probabilistic methods, probability of selection, response rate, sampling error, sampling unit, strata, target population, total mean square error, variance

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 1.2.1:** Include the following in the survey design: the proposed target population, response rate goals, frequency and timing of collection, data collection methods, sample design, sample size, precision requirements, and, where applicable, an effective sample size determination based on power analyses for key variables.

**Guideline 1.2.2:** Ensure the sample design will yield the data required to meet the objectives of the survey. Include the following in the sample design: identification of the sampling frame and the adequacy of the frame; the sampling unit used (at each stage if a multistage design); sampling strata; power analyses to determine sample sizes and effective sample sizes for key variables by reporting domains (where appropriate); criteria for stratifying or clustering, sample size by stratum, and the known probabilities of selection; response rate goals (see Standard 1.3); estimation and weighting plan; variance estimation techniques appropriate to the survey design; and expected precision of estimates for key variables.

**Guideline 1.2.3:** When a nonprobabilistic sampling method is employed, include the following in the survey design documentation: a discussion of what options were considered and why the final design was selected, an estimate of the potential bias in the estimates, and the methodology to be used to measure estimation error. In addition, detail the selection process and demonstrate that units not in the sample are impartially excluded on objective grounds in the survey design documentation.

**Guideline 1.2.4:** Include a pledge of confidentiality (if applicable), along with instructions required to complete the survey. A clear, logical, and easy-to-follow flow of questions from a respondents point of view is a key element of a successful survey.

**Guideline 1.2.5:** Include the following in the data collection plans: frequency and timing of

data collections; methods of collection for achieving acceptable response rates; training of enumerators and persons coding and editing the data; and cost estimates, including the costs of pretests, nonresponse follow-up, and evaluation studies.

**Guideline 1.2.6:** Whenever possible, construct an estimate of total mean square error in approximate terms, and evaluate accuracy of survey estimates by comparing with other information sources. If probability sampling is used, estimate sampling error; if nonprobability sampling is used, calculate the estimation error.

**Guideline 1.2.7:** When possible, estimate the effects of potential nonsampling errors including measurement errors due to interviewers, respondents, instruments, and mode; nonresponse error; coverage error; and processing error.

### Section 1.3 Survey Response Rates

**Standard 1.3:** Agencies must design the survey to achieve the highest practical rates of response, commensurate with the importance of survey uses, respondent burden, and data collection costs, to ensure that survey results are representative of the target population so that they can be used with confidence to inform decisions. Nonresponse bias analyses must be conducted when unit or item response rates or other factors suggest the potential for bias to occur.

**Key Terms**: cross-sectional, key variables, longitudinal, nonresponse bias, response rates, stage of data collection, substitution, target population, universe

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 1.3.1:** Calculate sample survey unit response rates without substitutions.

**Guideline 1.3.2:** Design data collections that will be used for sample frames for other surveys (e.g., the Decennial Census, and the Common Core of Data collection by the National Center for Education Statistics) to meet a target unit response rate of at least 95 percent, or provide a justification for a lower anticipated rate (See Section 2.1.3).

**Guideline 1.3.3:** Prior to data collection, identify expected unit response rates at each stage of data collection, based on content, use, mode, and type of survey.

**Guideline 1.3.4:** Plan for a nonresponse bias analysis if the expected unit response rate is below 80 percent (see Section 3.2.9).

**Guideline 1.3.5:** Plan for a nonresponse bias analysis if the expected item response rate is below 70 percent for any items used in a report (see Section 3.2.9).

### Section 1.4 Pretesting Survey Systems

**Standard 1.4:** Agencies must ensure that all components of a survey function as intended when implemented in the full-scale survey and that measurement error is controlled by conducting a pretest of the survey components or by having successfully fielded the survey components on a previous occasion.

**Key Terms:** cognitive interview, edit, estimation, field test, focus group, frame, pretest, survey system, usability testing

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 1.4.1:** Test new components of a survey using methods such as cognitive testing, focus groups, and usability testing, prior to a field test of the survey system and incorporate the results from these tests into the final design.

**Guideline 1.4.2:** Use field tests prior to implementation of the full-scale survey when some or all components of a survey system cannot be successfully demonstrated through previous work. The design of a field test should reflect realistic conditions, including those likely to pose difficulties for the survey. Elements to be tested include, for example, frame development, sample selection, questionnaire design, data collection, item feasibility, electronic data collection capabilities, edit specifications, data processing, estimation, file creation, and tabulations. A complete test of all components (sometimes referred to as a dress rehearsal) may be desirable for highly influential surveys.

## SECTION 2 COLLECTION OF DATA

### Section 2.1 Developing Sampling Frames

**Standard 2.1:** Agencies must ensure that the frames for the planned sample survey or census are appropriate for the study design and are evaluated against the target population for quality.

**Key Terms:** bias, coverage, estimation, frame, frame populations, target populations

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 2.1.1:** Describe target populations and associated survey or sampling frames. Include the following items in this description:

1. The manner in which the frame was constructed and the maintenance procedures;
2. Any exclusions that have been applied to target and frame populations;
3. Coverage issues such as alternative frames that were considered, coverage rates (an estimation of the missing units on the frame (undercoverage), and duplicates on the frame (overcoverage)), multiple coverage rates if some addresses target multiple populations (such

as schools and children or households and individuals), what was done to improve the coverage of the frame, and how data quality and item nonresponse on the frame may have affected the coverage of the frame;
4. Any estimation techniques used to improve the coverage of estimates such as post-stratification procedures; and
5. Other limitations of the frame including the timeliness and accuracy of the frame (e.g., misclassification, eligibility, etc.).

**Guideline 2.1.2**: Conduct periodic evaluations of coverage rates and coverage of the target population in survey frames that are used for recurring surveys, for example, at least every 5 years.

**Guideline 2.1.3:** Coverage rates in excess of 95 percent overall and for each major stratum are desirable. If coverage rates fall below 85 percent, conduct an evaluation of the potential bias.

**Guideline 2.1.4:** Consider using frame enhancements, such as frame supplementation or dual-frame estimation, to increase coverage.

For more information on developing survey frames, see *Federal Committee on Statistical Methodology (FCSM) Statistical Policy Working Paper 17, Survey Coverage*.

### Section 2.2 Required Notifications to Potential Survey Respondents

**Standard 2.2:** Agencies must ensure that each collection of information instrument clearly states the reasons the information is planned to be collected; the way such information is planned to be used to further the proper performance of the functions of the agency; whether responses to the collection of information are voluntary or mandatory (citing authority); the nature and extent of confidentiality to be provided, if any, citing authority; an estimate of the average respondent burden together with a request that the public direct to the agency any comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden; the OMB control number; and a statement that an agency may not conduct and a person is not required to respond to an information collection request unless it displays a currently valid OMB control number.

**Key Terms:** confidentiality, mandatory, respondent burden, voluntary

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The following guideline represents best practices that may be useful in fulfilling the goals of the standard:

**Guideline 2.2.1:** Provide appropriate informational materials to respondents, addressing respondent burden as well as the scope and nature of the questions to be asked. The materials may include a pre-notification letter, brochure, set of questions and answers, or an 800 number to call that does the following:
1. Informs potential respondents that they have been selected to participate in a survey;
2. Informs potential respondents about the name and nature of the survey; and

3. Provides any additional information to potential respondents that the agency is required to supply (e.g., see further requirements in the regulations implementing the Paperwork Reduction Act, 5 C.F.R. § 1320.8(b)(3)).

## Section 2.3 Data Collection Methodology

**Standard 2.3:** Agencies must design and administer their data collection instruments and methods in a manner that achieves the best balance between maximizing data quality and controlling measurement error while minimizing respondent burden and cost.

**Key Terms:** imputation, item nonresponse, nonresponse bias, required response item, respondent burden, response analysis survey, response rates, target population, validation studies

The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 2.3.1:** Design the data collection instrument in a manner that minimizes respondent burden, while maximizing data quality. The following strategies may be used to achieve these goals:

1. Questions are clearly written and skip patterns easily followed;
2. The questionnaire is of reasonable length;
3. The questionnaire includes only items that have been shown to be successful in previous administrations or the questionnaire is pretested to identify problems with interpretability and ease in navigation.
4. Methods to reduce item nonresponse are adopted.

**Guideline 2.3.2:** Encourage respondents to participate to maximize response rates and improve data quality. The following data collection strategies can also be used to achieve high response rates:

1. Ensure that the data collection period is of adequate and reasonable length;
2. Send materials describing the data collection to respondents in advance, when possible;
3. Plan an adequate number of contact attempts; and
4. If applicable, train interviewers and other staff who may have contact with respondents in techniques for obtaining respondent cooperation and building rapport with respondents. Techniques for building rapport include respect for respondents' rights, follow-up skills, knowledge of the goals and objectives of the data collection, and knowledge of the uses of the data.
5. Although incentives are not typically used in Federal surveys, agencies may consider use of respondent incentives if they believe incentives would be necessary to use for a particular survey in order to achieve data of sufficient quality for their intended use(s).

**Guideline 2.3.3:** The way a data collection is designed and administered also contributes to data quality. The following issues are important to consider:

1. Given the characteristics of the target population, the objectives of the data collection, the resources available, and time constraints, determine the appropriateness of the method of data collection (e.g., mail, telephone, personal interview, Internet);
2. Collect data at the most appropriate time of year, when relevant;
3. Establish the data collection protocol to be followed by the field staff;
4. Provide training for field staff on new protocols, with refresher training on a routine, recurring cycle;
5. Establish best practice mechanisms to minimize interviewer falsification, such as protocols for monitoring interviewers and reinterviewing respondents;
6. Conduct response analysis surveys or other validation studies for new data collection efforts that have not been validated;
7. Establish protocols that minimize measurement error, such as conducting response analysis surveys to ensure records exist for data elements requested for business surveys, establishing recall periods that are reasonable for demographic surveys, and developing computer systems to ensure Internet data collections function properly; and
8. Quantify nonsampling errors to the extent possible.

**Guideline 2.3.4**: Develop protocols to monitor data collection activities, with strategies to correct identified problems. The following issues are important to consider:

1. Implement quality and performance measurement and process control systems to monitor data collection activities and integrate them into the data collection process. These processes, systems, and tools will provide timely measurement and reporting of all critical components of the data collection process, on the dimensions of progress, response, quality, and cost. Thus, managers will be able to identify and resolve problems and ensure that the data collection is completed successfully. Additionally, these measurements will provide survey designers and data users with indicators of survey performance and resultant data quality.
2. Use internal reporting systems that provide timely reporting of response rates and the reasons for nonresponse throughout the data collection. These systems should be flexible enough to identify important subgroups with low response rates for more intensive follow-ups.
3. If response rates are low and it is impossible to conduct more extensive procedures for the full sample, select a probabilistic subsample of nonrespondents for the more intensive data collection method. This subsample permits a description of nonrespondents' characteristics, provides data needed for nonresponse bias analysis, and allows for possible weight adjustments or for imputation of missing characteristics.
4. Determine a set of required response items to obtain when a respondent is unwilling to cooperate fully. These items may then be targeted in the nonresponse follow-up in order to meet the minimum standard for unit response. These items may also be used in a nonresponse bias analysis that compares characteristics of respondents and nonrespondents using the sample data for those items. These required response items may also be used for item nonresponse imputation systems.

## SECTION 3 PROCESSING AND EDITING OF DATA

### Section 3.1 Data Editing

**Standard 3.1:** Agencies must edit data appropriately, based on available information, to mitigate or correct detectable errors.

**Key Terms:** editing

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 3.1.1:** Check and edit data to mitigate errors. Data editing is an iterative and interactive process that includes procedures for detecting and correcting errors in the data. Editing uses available information and some assumptions to derive substitute values for inconsistent values in a data file. When electronic data collection methods are used, data are usually edited both during and after data collection. Include results from analysis of data and input from subject matter specialists in the development of edit rules and edit parameters. As appropriate, check data for the following and edit if errors are detected:

1. Responses that fall outside a prespecified range (e.g., based on expert judgment or previous responses) or, for categorical responses, are not equal to specified categories;
2. Consistency, such as the sum of categories matches the reported total, or responses to different questions are logical;
3. Contradictory responses and incorrect flow through prescribed skip patterns;
4. Missing data that can be directly filled from other portions of the same record (including the sample frame);
5. The omission and duplication of records; and
6. Inconsistency between estimates and outside sources.

**Guideline 3.1.2:** Possible actions for failed edits include the following:

1. Automated correction within specified criteria;
2. Data verified by respondent, and edit overridden;
3. Corrected data provided by respondent;
4. Corrected data available from other sources;
5. If unable to contact respondent, and after review by survey staff, an imputed value may be substituted for a failed edit; and
6. Data edit failure overridden after review by survey staff.

**Guideline 3.1.3:** Code the data set to indicate any actions taken during editing, and/or retain the unedited data along with the edited data.

For more information on data editing, see *FCSM Statistical Policy Working Paper 18, Data Editing in Federal Statistical Agencies*, and *FCSM Statistical Policy Working Paper 25, Data Editing Workshop and Exposition*.

## Section 3.2 Nonresponse Analysis and Response Rate Calculation

**Standard 3.2:** Agencies must appropriately measure, adjust for, report, and analyze unit and item nonresponse to assess their effects on data quality and to inform users. Response rates must be computed using standard formulas to measure the proportion of the eligible sample that is represented by the responding units in each study, as an indicator of potential nonresponse bias.

**Key Terms:** bias, cross-wave imputation, cross-sectional, eligible sample unit, frame, imputation, item nonresponse, key variables, longitudinal, longitudinal analysis, missing at random, missing completely at random, multivariate analysis, multivariate modeling, nonresponse bias, overall unit nonresponse, probability of selection, response rates, stages of data collection, unit nonresponse, wave, weights

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 3.2.1:** Calculate all response rates unweighted and weighted. Calculate weighted response rates based on the probability of selection or, in the case of establishment surveys, on the proportion of key characteristics that is represented by the responding units. Agencies may report other response rates in addition to those given below (e.g., to show the range of response rates given different assumptions about eligibility) as long as the rates below are reported and any additional rates are clearly defined.

**Guideline 3.2.2:** Calculate unweighted unit response rates (RRU) as the ratio of the number of completed cases (or sufficient partials) (C) to the number of in-scope sample cases (AAPOR, 2004). There are a number of different categories of cases that comprise the total number of in-scope cases:

C = number of completed cases or sufficient partials;
R = number of refused cases;
NC = number of noncontacted sample units known to be eligible;
O = number of eligible sample units not responding for reasons other than refusal;
U = number of sample units of unknown eligibility, not completed; and
e = estimated proportion of sample units of unknown eligibility that are eligible.

The unweighted unit response rate represents a composite of these components:

$$RRU = \frac{C}{C + R + NC + O + e(U)}$$

**Guideline 3.2.3:** Calculate weighted unit response rates (RRW) to take into account the different probabilities of selection of sample units, or for economic surveys, the different proportions of key characteristics that are represented by the responding units. For each observation *i:*

$C_i = 1$ if the *ith* case is completed (or is a sufficient partial), and $C_i = 0$ if the *ith* case is not completed;
$R_i = 1$ if the *ith* case is a refusal and $R_i = 0$ if the *ith* case is not a refusal;
$NC_i = 1$ if the *ith* case is a noncontacted sample unit known to be eligible and $NC_i = 0$ if

the *ith* case is not a noncontacted sample unit known to be eligible;
$O_i = 1$ if the *ith* case is a eligible sample units not responding for reasons other than refusal and $O_i = 0$ if the *ith* case is not a eligible sample unit not responding for reasons other than refusal;
$U_i = 1$ if the *ith* case is a sample units of unknown eligibility and $U_i = 0$ if the *ith* case is not a sample unit of unknown eligibility;
e = estimated proportion of sample units of unknown eligibility that are eligible; and
$w_i$ = the inverse probability of selection for the *ith* sample unit.

The weighted unit response rate can be given by summing over all sample units selected to be in the sample, as shown below:

$$RRW = \frac{\sum w_i C_i}{\sum w_i (C_i + R_i + NC_i + O_i + e(U_i))}$$

Many economic surveys use weighted response rates that reflect the proportion of a key characteristic, *y*, such as "total assets," "total revenues," or "total amount of coal produced." Though it may be referred to as a coverage rate, it is, in fact, a weighted item response rate where the item of interest is a quantity of primary interest for the survey. If we let $y_i$ be the value of the characteristic *y* for the *ith* sample unit and sum over the entire sample, then the weighted response rate can be given by:

$$RRW = \frac{\sum w_i y_i C_i}{\sum w_i y_i (C_i + R_i + NC_i + O_i + e(U_i))}$$

Alternatively, the denominator can be based on the population total from a previous period or from administrative records.

**Guideline 3.2.4:** Calculate the overall unit response rates for cross-sectional sample surveys ($RRO^C$) as the product of two or more unit-level response rates when a survey has multiple stages:

$$RRO^C = \prod_{i=1}^{K} RRU_i$$

Where:

$RRU_i$ = the unit level response rate for the *ith* stage;
C denotes cross-sectional; and
K = the number of stages.

When a sample is drawn with probability proportionate to size (PPS), then the interpretation of $RRO^C$ can be improved by using size weighted response rates for the K stages . This is especially helpful if nonresponse is related to the size of the sample units.

**Guideline 3.2.5:** Calculate longitudinal response rates for each wave. Use special procedures for longitudinal surveys where previous nonrespondents are eligible for inclusion in subsequent waves. The overall unit response rate used in longitudinal analysis ($RRO^L$) reflects the proportion of all eligible respondents in the sample who participated in all waves in the analysis, and includes the response rates from all stages of data collection used in the analysis:

$$RRO^L = \prod_{k=1}^{K} \frac{I_k^L}{I_k^1 + R_k^1 + O_k^1 + NC_k^1 + e_k(U_k^1)}$$

where:

K = the last stage of data collection used in the analysis;
$I^L$ = the number of responding cases common to all waves in the analysis
$R^1_k$ = Refusals at wave 1 at stage k
so that $I^1_k + R^1_k + O^1_k + NC^1_k + e_k(U^1_k)$ is the entire sample entered at wave 1

**Guideline 3.2.6:** Calculate item response rates (RRI) as the ratio of the number of respondents for whom an in-scope response was obtained ($I^x$ for item x) to the number of respondents who were asked to answer that item. The number asked to answer an item is the number of unit-level respondents (I) minus the number of respondents with a valid skip for item x ($V^x$). When an abbreviated questionnaire is used to convert refusals, the eliminated questions are treated as item nonresponse:

$$RRI^x = \frac{I^x}{I - V^x}$$

**Guideline 3.2.7:** Calculate the total item response rates ($RRT^x$) for specific items as the product of the overall unit response rate (RRO) and the item response rate for item x ($RRI^x$):

$$RRT^x = RRO * RRI^x$$

**Guideline 3.2.8:** When calculating a response rate with supplemented samples, base the reported response rates on the original and the added sample cases. However, when calculating response rates where the sample was supplemented during the initial sample selection (e.g., using matched pairs), calculate unit response rates without the substituted cases included (i.e., only the original cases are used).

**Guideline 3.2.9:** Given a survey with an overall unit response rate of less than 80 percent, conduct an analysis of nonresponse bias using unit response rates as defined above, with an assessment of whether the data are missing completely at random. As noted above, the degree of nonresponse bias is a function of not only the response rate but also how much the respondents and nonrespondents differ on the survey variables of interest. For a sample mean, an estimate of the bias of the sample respondent mean is given by:

$$B(\bar{y}r) = \bar{y}_r - \bar{y}_t = \left(\frac{n_{nr}}{n}\right)(\bar{y}_r - \bar{y}_{nr})$$

Where:

$\bar{y}_t$ = the mean based on all sample cases;
$\bar{y}_r$ = the mean based only on respondent cases;
$\bar{y}_{nr}$ = the mean based only on the nonrespondent cases;
n = the number of cases in the sample; and
$n_{nr}$ = the number of nonrespondent cases.

For a multistage (or wave) survey, focus the nonresponse bias analysis on each stage, with particular attention to the "problem" stages. A variety of methods can be used to examine nonresponse bias, for example, make comparisons between respondents and nonrespondents across subgroups using available sample frame variables. In the analysis of unit nonresponse, consider a multivariate modeling of response using respondent and nonrespondent frame

variables to determine if nonresponse bias exists. Comparison of the respondents to known characteristics of the population from an external source can provide an indication of possible bias, especially if the characteristics in question are related to the survey's key variables.

**Guideline 3.2.10:** If the item response rate is less than 70 percent, conduct an item nonresponse analysis to determine if the data are missing at random at the item level for at least the items in question, in a manner similar to that discussed in Guideline 3.2.9.

**Guideline 3.2.11:** In those cases where the analysis indicates that the data are not missing at random, the amount of potential bias should inform the decision to publish individual items.

**Guideline 3.2.12:** For data collections involving sampling, adjust weights for unit nonresponse, unless unit imputation is done. The unit nonresponse adjustment should be internally consistent, based on theoretical and empirical considerations, appropriate for the analysis, and make use of the most relevant data available.

**Guideline 3.2.13:** Base decisions regarding whether or not to adjust or impute data for item nonresponse on how the data will be used, the assessment of nonresponse bias that is likely to be encountered in the review of collections, prior experience with this collection, and the nonresponse analysis discussed in this section. When used, imputation and adjustment procedures should be internally consistent, based on theoretical and empirical considerations, appropriate for the analysis, and make use of the most relevant data available. If multivariate analysis is anticipated, care should be taken to use imputations that minimize the attenuation of underlying relationships.

**Guideline 3.2.14:** In the case of imputing longitudinal data sets, use cross-wave imputations or cross-sectional imputations.

**Guideline 3.2.15:** Clearly identify all imputed values on a data file (e.g., code them).

For more information on calculating response rates and conducting nonresponse bias analyses, see *FCSM Statistical Policy Working Paper 31, Measuring and Reporting Sources of Error in Surveys*.

## Section 3.3 Coding

**Standard 3.3:** Agencies must add codes to collected data to identify aspects of data quality from the collection (e.g., missing data) in order to allow users to appropriately analyze the data. Codes added to convert information collected as text into a form that permits immediate analysis must use standardized codes, when available, to enhance comparability.

**Key Terms:** coding, quality assurance process

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 3.3.1:** Insert codes into the data set that clearly identify missing data and cases where an entry is not expected (e.g., skipped over by skip pattern). Do not use blanks and zeros as codes to identify missing data, as they tend to be confused with actual data.

**Guideline 3.3.2:** When converting text data to codes to facilitate easier analysis, use standardized codes, if they exist. Use the Federal coding standards listed below, if applicable. Provide cross-referencing tables to the Federal standard codes for any legacy coding that does not meet the Federal standards. Develop other types of codes using existing Federal agency practice or standard codes from industry or international organizations, when they exist. Current Federal standard codes include the following:

1. FIPS Codes. The National Institute of Standards and Technology maintains Federal Information Processing Standards (FIPS) required for use in Federal information processing in accordance with OMB Circular No. A-130. Use the following FIPS for coding (see www.itl.nist.gov/fipspubs/index.htm for the most recent versions of these standards):
    - 5-2 Codes for the Identification of the States, the District of Columbia and the Outlying Areas of the United States, and Associated Areas
    - 6-4 Counties and Equivalent Entities of the United States, Its Possessions, and Associated Areas
    - 9-1 Congressional Districts of the United States
    - 10-4 Countries, Dependencies, Areas of Special Sovereignty and Their Principal Administrative Divisions
2. NAICS Codes. Use the North American Industry Classification System (NAICS) to classify establishments. NAICS was developed jointly by Canada, Mexico, and the United States to provide new comparability in statistics about business activity across North America. NAICS coding has replaced the U.S. Standard Industrial Classification (SIC) system (for more information, see www.census.gov/epcd/www/naics.html).
3. SOC Codes. Use the Standard Occupational Classification (SOC) system to classify workers into occupational categories for the purpose of collecting, calculating, or disseminating data (for more information, see www.bls.gov/soc).
4. Race and Ethnicity. Follow OMB's Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity when collecting data on race and ethnicity (for more information, see www.whitehouse.gov/omb/inforeg/statpolicy.html).
5. Statistical Areas. Use the Standards for Defining Metropolitan and Micropolitan Statistical Areas for collecting, tabulating, and publishing Federal statistics for geographic areas (for more information, see www.whitehouse.gov/omb/inforeg/statpolicy.html).

**Guideline 3.3.3:** When setting up a manual coding process to convert text to codes, create a quality assurance process that verifies at least a sample of the coding to determine if a specific level of coding accuracy is being maintained.

## Section 3.4 Data Protection

**Standard 3.4:** Agencies must implement safeguards throughout the production process to ensure that survey data are handled to avoid disclosure.

**Key Terms:** confidential, individually-identifiable data

The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 3.4.1:** For surveys that include confidential data, establish procedures and mechanisms to ensure the information's protection during the production, use, storage, transmittal, and disposition of the survey data in any format (e.g., completed survey forms, electronic files, and printouts).

**Guideline 3.4.2:** Ensure that

1. Individually-identifiable survey data are protected;
2. Data systems and electronic products are protected from unauthorized intervention; and
3. Data files, network segments, servers, and desktop PCs are electronically secure from malicious software and intrusion using best available information resource security practices that are periodically monitored and updated.

**Guideline 3.4.3:** Ensure controlled access to data sets so that only specific, named individuals working on a particular data set can have read only, or write only, or both read and write access to that data set. Data set access rights are to be periodically reviewed by the project manager responsible for that data set in order to guard against unauthorized release or alteration.

For more information on data protection, see *FCSM Statistical Policy Working Paper 22, Report on Statistical Disclosure Limitation Methodology,* and forthcoming OMB guidance on implementation of the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA).

### Section 3.5 Evaluation

**Standard 3.5:** Agencies must evaluate the quality of the data and make the evaluation public (through technical notes and documentation included in reports of results or through a separate report) to allow users to interpret results of analyses, and to help designers of recurring surveys focus improvement efforts.

**Key Terms:** coverage error, instrument, item nonresponse, measurement error, nonresponse error, nonsampling error, sampling error, weights

The following guideline represents best practices that may be useful in fulfilling the goals of the standard:

**Guideline 3.5.1:** Include an evaluation component in the survey plan that evaluates survey procedures, results, and measurement error (see Section 1.1). Review past surveys similar to the one being planned to determine likely sources of error, appropriate evaluation methods, and problems that are likely to be encountered. Address the following areas:

1. Potential sources of error, including
   - Coverage error (including frame errors);
   - Nonresponse error;
   - Measurement error, including sources from the instrument, interviewers, and collection process; and
   - Data processing error (e.g., keying, coding, editing, and imputation error);
2. How sampling and nonsampling error will be measured, including variance estimation and studies to isolate error components;
3. How total mean square error will be assessed;
4. Methods used to reduce nonsampling error in the collected data;
5. Methods used to mitigate nonsampling error after collection;
6. Post-collection analyses of the quality of final estimates (include a comparison of the data and estimates derived from the survey to other independent collections of similar data, if available); and
7. Make evaluation studies public to inform data users.

**Guideline 3.5.2:** Where appropriate, develop and implement methods for bounding or estimating the nonsampling error from each source identified in the evaluation plan.

For more information on evaluations, see *FCSM Statistical Policy Working Paper 15, Measurement of Quality in Establishment Surveys*, and *FCSM Statistical Policy Working Paper 31, Measuring and Reporting Sources of Error in Surveys*.

## SECTION 4 PRODUCTION OF ESTIMATES AND PROJECTIONS

### Section 4.1 Developing Estimates and Projections

**Standard 4.1**: Agencies must use accepted theory and methods when deriving direct survey-based estimates, as well as model-based estimates and projections that use survey data. Error estimates must be calculated and disseminated to support assessment of the appropriateness of the uses of the estimates or projections. Agencies must plan and implement evaluations to assess the quality of the estimates and projections.

**Key Terms:** design effect, direct survey-based estimates, estimation, model, model-based estimate, model validation, population, post-stratification, projection, raking, ratio estimation, sensitivity analysis, strata, variance, weights

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 4.1.1:** Develop direct survey estimates according to the following practices:

1. Employ weights appropriate for the sample design to calculate population estimates. However, an agency may employ an alternative method (e.g., ratio estimators) to calculate population estimates if the agency has evaluated the alternative method and determined that it leads to acceptable results.

2. Use auxiliary data to improve precision and/or reduce the error associated with direct survey estimates.
3. Calculate variance estimates by a method appropriate to a survey's sample design taking into account probabilities of selection, stratification, clustering, and the effects of nonresponse, post-stratification, and raking. The estimates must reflect any design effect resulting from a complex design.

**Guideline 4.1.2:** Develop model-based estimates according to accepted theory and practices (e.g., assumptions, mathematical specifications).

**Guideline 4.1.3:** Develop projections in accordance with accepted theory and practices (e.g., assumptions, mathematical specifications).

**Guideline 4.1.4:** Subject any model used for developing estimates or projections to the following:
1. Sensitivity analysis to determine if changes in key model inputs cause key model outputs to respond in a sensible fashion;
2. Model validation to analyze a model's performance by comparing the results to available independent information sources; and
3. Demonstration of reproducibility to show that, given the same inputs, the model produces similar results.

**Guideline 4.1.5:** Prior to producing estimates, establish criteria for determining when the error (both sampling and nonsampling) associated with a direct survey estimate, model-based estimate, or projection is too large to publicly release the estimate/projection.

**Guideline 4.1.6:** Document methods and models used to generate estimates and projections to help ensure objectivity, utility, transparency, and reproducibility of the estimates and projections. (For details on documentation, see Section 7.3). Also, archive data and models so the estimates/projections can be reproduced.

For more information on developing model-based estimates, see *FCSM Statistical Policy Working Paper 21, Indirect Estimators in Federal Programs*.

## SECTION 5 DATA ANALYSIS

### Section 5.1 Analysis and Report Planning

**Standard 5.1:** Agencies must develop a plan for the analysis of survey data prior to the start of a specific analysis to ensure that statistical tests are used appropriately and that adequate resources are available to complete the analysis.

**Key Terms:** key variables, response rates

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The following guidelines represent best practices that may be useful in fulfilling the goals of the

standard:

**Guideline 5.1.1:** Include the following in the analysis plan:

1. An introduction that describes the purpose, the research question, relevant literature, data sources (including a brief description of the survey data and any limitations of the data), key variables to be used in the analysis, type of analysis, and significance level to be used;

2. Table and figure shells that support the analysis; and

3. A framework for technical notes including, as appropriate, the history of the survey program, data collection methods and procedures, sample design, response rates and the treatment of missing data, weighting methods, computation of standard errors, instructions for constructed variables, limitations of the data, and sources of error in the data.

**Guideline 5.1.2:** Include standard elements of project management in the plan, including target completion dates, the resources needed to complete each activity, and risk planning.

## Section 5.2 Inference and Comparisons

**Standard 5.2:** Agencies must base statements of comparisons and other statistical conclusions derived from survey data on acceptable statistical practice.

**Key Terms:** Bonferroni adjustment, covariance, estimates, hypothesis test, multiple comparisons, *p* value, standard error, statistical significance, Type I error

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 5.2.1:** Specify the criterion for judging statistical significance for tests of hypotheses (Type I error) before conducting the testing.

**Guideline 5.2.2:** Before including statements in information products that two characteristics being estimated differ in the actual population, make comparison tests between the two estimates, if either is constructed from a sample. Use methods for comparisons appropriate for the nature of the estimates. In most cases, this requires estimates of the standard error of the estimates and, if the estimates are not independent, an estimate of the covariance between the two estimates.

**Guideline 5.2.3:** When performing multiple comparisons with the same data between subgroups, include a note with the test results indicating whether or not the significance criterion (Type I error) was adjusted and, if adjusted, by what method (e.g., Bonferroni, modified Bonferroni, Tukey).

**Guideline 5.2.4:** When performing comparison tests, test and report only the differences that are substantively meaningful (i.e., don't necessarily run a comparison between every pair of estimates; run only those that are meaningful within the context of the data, and report only

differences that are large enough to be substantively meaningful, even if other differences are also statistically significant).

**Guideline 5.2.5:** Given a comparison that does not have a statistically significant difference, conclude that the data do not support a statement that they are different. If the estimates have apparent differences, but have large standard errors making the difference statistically insignificant, note this in the text or as a note with tables or graphs.

**Guideline 5.2.6:** Support statements about monotonic trends (strictly increasing or decreasing) in time series using appropriate tests. If extensive seasonality, irregularities, known special causes, or variation in trends are present in the data, take those into account in the trend analysis.

**Guideline 5.2.7:** If part of an historical series is revised, data for both the old and the new series should be published for a suitable overlap period for the use of analysts.

## SECTION 6 REVIEW PROCEDURES

### Section 6.1 Review of Information Products

**Standard 6.1:** Agencies are responsible for the quality of information that they disseminate and must institute appropriate content/subject matter, statistical, and methodological review procedures to comply with OMB and agency Information Quality Guidelines.

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 6.1.1:** Conduct a content/subject-matter review of all information products that present a description or interpretation of results from the survey, such as analytic reports or "briefs." Select reviewers with appropriate expertise in the subject matter, operation, or statistical program discussed in the document. Among the areas that reviewers should consider are the following:

1. Subject-matter literature is referenced in the document if appropriate;
2. Information is factually correct; and
3. Information is presented clearly and logically, conclusions follow from analysis, and no anomalous findings are ignored.

**Guideline 6.1.2:** Conduct a statistical and methodological review of all information products. Select reviewers with appropriate expertise in the methodology described in the document. Among the tasks that reviewers should consider are the following:

1. Review assumptions and limitations for accuracy and appropriateness;
2. Ensure that appropriate statistical methods are used and reported;
3. Review calculations and formulas for accuracy and statistical soundness;
4. Review data and presentations of data (e.g., tables) for disclosure risk, as necessary;

5. Review contents, conclusions, and technical (statistical and operational areas) recommendations to ensure that they are supported by the methodology used; and
6. Ensure that data sources and technical documentation, including data limitations, are included or referenced.

**Guideline 6.1.3:** Review all information products that will be disseminated electronically for compliance with Section 508 of the U.S. Rehabilitation Act (29 U.S.C. § 794d ) for accessibility by persons with disabilities. Ensure that any product that is disseminated via special software is tested for accessibility and interpretability prior to dissemination.

## SECTION 7 DISSEMINATION OF INFORMATION PRODUCTS

### Section 7.1 Releasing Information

**Standard 7.1:** Agencies must release information intended for the general public according to a dissemination plan that provides for equivalent, timely access to all users and provides information to the public about the agencies' dissemination policies and procedures including those related to any planned or unanticipated data revisions.

**Key Terms:** estimate, forecast, key variables, model, nonsampling error, variance

The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 7.1.1:** Dissemination procedures for major information products include the following:
1. Develop schedule and mode for the release of information products;
2. Inform targeted audiences; and
3. Ensure equivalent, timely access to all users.

**Guideline 7.1.2**: Protect information against any unauthorized prerelease, and release information only according to established release procedures.

**Guideline 7.1.3:** If revisions to estimates are planned, establish a schedule for anticipated revisions, make it available to users, and identify initial releases as preliminary.

**Guideline 7.1.4:** Establish a policy for handling unscheduled corrections due to previously unrecognized errors. The policy may include threshold criteria (e.g., the correction will change a national level total value by more than one percent or a regional value by more than five percent) identifying conditions under which data will be corrected and redisseminated.

**Guideline 7.1.5:** When information products are disseminated, provide users access to the following information:
1. Definitions of key variables;

2. Source information, such as a survey form number and description of methodology used to produce the information or links to the methodology;
3. Quality-related documentation such as conceptual limitations and nonsampling error;
4. Variance estimation documentation;
5. Time period covered by the information and units of measure;
6. Data taken from alternative sources;
7. Point of contact to whom further questions can be directed;
8. Software or links to software needed to read/access the information and installation/operating instructions, if applicable;
9. Date the product was last updated; and
10. Standard dissemination policies and procedures.

**Guideline 7.1.6:** For information products derived using models, adhere to the following:
1. Clearly identify forecasts and derived estimates ; and
2. Make descriptions of forecasting models or derivation procedures accessible from the product along with any available evaluation of its accuracy.

**Guideline 7.1.7:** Include criteria for instances when information will not be publicly disseminated (e.g., underlying data are of insufficient quality) in the agency's standard dissemination policies and procedures.

For more information on electronic dissemination of statistical data, see *FCSM Statistical Policy Working Paper 24, Electronic Dissemination of Statistical Data.*

### Section 7.2 Data Protection and Disclosure Avoidance for Dissemination

**Standard 7.2: When releasing** information products, agencies must ensure strict compliance with any confidentiality pledge to the respondents and all applicable Federal legislation and regulations.

**Key Terms:** confidentiality, data protection, disclosure

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 7.2.1**: For survey information collected under a pledge of confidentiality, employ sufficient procedures and mechanisms to protect any individually-identifiable data from unauthorized disclosure.

**Guideline 7.2.2**: Do not publicly reveal parameters associated with disclosure limitation rules.

For more information, see *FCSM Statistical Policy Working Paper 22, Report on Statistical Disclosure Limitation Methodology*, and forthcoming OMB guidance on the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA).

## Section 7.3 Survey Documentation

**Standard 7.3:** Agencies must produce survey documentation that includes those materials necessary to understand how to properly analyze data from each survey, as well as the information necessary to replicate and evaluate each survey's results (See also Standard 1.2). Survey documentation must be readily accessible to users, unless it is necessary to restrict access to protect confidentiality.

**Key Terms:** coverage, editing, imputation, instrument, nonsampling error, response rates, sampling error, sampling unit, strata, variance

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The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 7.3.1:** Survey system documentation includes all information necessary to analyze the data properly. Along with the final data set, documentation, at a minimum, includes the following:

1. OMB Information Collection Request package;
2. Description of variables used to uniquely identify records in the data file;
3. Description of the sample design, including strata and sampling unit identifiers to be used for analysis;
4. Final instrument(s) or a facsimile thereof for surveys conducted through a computer-assisted telephone interview (CATI) or computer-assisted personal interview (CAPI) or Web instrument that includes the following:
   - All items in the instrument (e.g., questions, check items, and help screens);
   - Items extracted from other data files to prefill the instrument (e.g., dependent data from a prior round of interviewing); and
   - Items that are input to the post data collection processing steps (e.g., output of an automated instrument);
5. Definitions of all variables, including all modifications;
6. Data file layout;
7. Descriptions of constructed variables on the data file that are computed from responses to other variables on the file;
8. Unweighted frequency counts;
9. Description of sample weights, including adjustments for nonresponse and benchmarking and how to apply them;
10. Description of how to calculate variance estimates appropriate for the survey design;
11. Description of all editing and imputation methods applied to the data (including evaluations of the methods) and how to remove imputed values from the data;
12. Descriptions of known data anomalies and corrective actions;
13. Description of the magnitude of sampling error associated with the survey;
14. Description of the sources of nonsampling error associated with the survey (e.g., coverage, measurement) and evaluations of these errors;
15. Comparisons with independent sources, if available;

16. Overall unit response rates (weighted and unweighted) and nonresponse bias analyses (if applicable); and
17. Item response rates and nonresponse bias analyses, (if applicable).

**Guideline 7.3.2:** To ensure that a survey can be replicated and evaluated, the agency's internal archived portion of the survey system documentation, at a minimum, must include the following:

1. Survey planning and design decisions, including the OMB Information Collection Request package;
2. Field test design and results;
3. Selected sample;
4. Sampling frame;
5. Justifications for the items on the survey instrument, including why the final items were selected;
6. All instructions to respondents and/or interviewers either about how to properly respond to a survey item or how to properly present a survey item;
7. Description of the data collection methodology;
8. Sampling plan and justifications, including any deviations from the plan;
9. Data processing plan specifications and justifications;
10. Final weighting plan specifications, including calculations for how the final weights were derived, and justifications;
11. Final imputation plan specifications and justifications;
12. Data editing plan specifications and justifications;
13. Evaluation reports;
14. Descriptions of models used for indirect estimates and projections;
15. Analysis plans;
16. Time schedule for revised data; and
17. Documentation made publicly available in conjunction with the release of data.

**Guideline 7.3.3:** For recurring surveys, produce a periodic evaluation report, such as a methodology report, that itemizes all sources of identified error. Where possible, provide estimates or bounds on the magnitudes of these errors; discuss the total error model for the survey; and assess the survey in terms of this model.

**Guideline 7.3.4:** Retain all survey documentation according to appropriate Federal records disposition and archival policy.

For more information on measuring and reporting sources of errors in surveys, see *FCSM Statistical Policy Working Paper 31, Measuring and Reporting Sources of Error in Surveys*.

### Section 7.4 Documentation and Release of Public-Use Microdata

**Standard 7.4:** Agencies that release microdata to the public must include documentation clearly describing how the information is constructed and provide the metadata necessary for users to access and manipulate the data (See also Standard 1.2). Public-use microdata documentation and metadata must be readily accessible to users.

**Key Terms:** microdata, public-use microdata, record layout, stage of the data collection

The following guidelines represent best practices that may be useful in fulfilling the goals of the standard:

**Guideline 7.4.1**: Provide complete documentation for all data files. See Section 7.3 for additional information on file documentation.

**Guideline 7.4.2**: Provide a file description and record layout for each file. All variables must be clearly identified and described.

**Guideline 7.4.3**: Make all microdata products and documentation accessible by users with generally available software.

**Guideline 7.4.4**: Clearly identify all imputed values on the data file.

**Guideline 7.4.5**: Release public-use microdata as soon as practicable to ensure timely availability for data users.

**Guideline 7.4.6**: Retain all microdata products and documentation according to appropriate Federal records disposition and archival policy. Archive data with the National Archives and Records Administration and other data archives, as appropriate, so that data are available for historical research in future years.

## APPENDIX DEFINITIONS OF KEY TERMS

**-B-**

**Bias** is the systematic deviation of the survey estimated value from the true population value. Bias refers to systematic errors that can occur with any sample under a specific design.

**Bonferroni adjustment** is a procedure for guarding against an increase in the probability of a Type I error when performing multiple significance tests. To maintain the probability of a Type I error at some selected value alpha, each of the m tests to be performed is judged against a significance level, alpha/m.

A **bridge study** continues an existing methodology concurrent with a new methodology for the purpose of examining the relationship between the new and old estimates.

**-C-**

**Coding** involves converting information into numbers or other symbols that can be more easily counted and tabulated.

**Cognitive interviews** are used to develop and refine questionnaires. In a typical cognitive interview, respondents report aloud everything they are thinking as they attempt to answer a survey question.

**A collection of information** is defined in the Paperwork Reduction Act as 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.

**Confidentiality** involves the protection of individually-identifiable data from unauthorized disclosures.

A **consistent data series** maintains comparability over time by keeping an item fixed, or by incorporating appropriate adjustment methods in the event an item is changed.

**Covariance** is a characteristic that indicates the strength of relationship between two variables. It is the expected value of the product of the deviations of two random variables, $x$ and $y$ from their respective means.

**Coverage** refers to the extent to which all elements on a frame list are members of the population, and to which every element in a population appears on the frame list once and only once.

**Coverage error** refers to the discrepancy between statistics calculated on the frame population and the same statistics calculated on the target population. Undercoverage errors occur when target population units are missed during frame construction, and overcoverage errors occur when units are duplicated or enumerated in error.

A **crosswalk study** delineates how categories from one classification system are related to categories in a second classification system.

A **cross-sectional** sample survey is based on a representative sample of respondents drawn from a population at one point in time.

**Cross-sectional imputations** are based on data from a single time period.

**Cross-wave imputations** are imputations based on data from multiple time periods. For

example, a **cross-sectional imputation** for a time 2 salary could simply be a donor's time 2 salary. Alternatively, a cross-wave imputation could be the change in a donor's salary from time 1 to time 2 multiplied by the time 1 nonrespondent's salary.
A **cut-off sample** is a nonprobability sample that consists of the units in the population that have the largest values of a key variable (frequently the variable of interest from a previous time period). For example, a 90% cut-off sample consists of the largest units accounting for at least 90% of the population total of the key variable. Sample selection is usually done by sorting the population in decreasing order by size, and including units in the sample until the percent coverage exceeds the established cut-off.

**-D-**
**Data protection** involves techniques that are used to insure that confidential individually-identifiable data are not disclosed.
**Data series** are repeated collections of sequential cross-sectional or longitudinal data characteristics of the target population over time.
The **design effect (DEFF)** is the ratio of the true variance of a statistic (taking the complex sample design into account) to the variance of the statistic for a simple random sample with the same number of cases. Design effects differ for different subgroups and different statistics; no single design effect is universally applicable to any given survey or analysis.
**Direct survey-based estimates** are intended to achieve efficient and robust estimates of the true values of the target populations, based on the sample design and resulting survey data.
**Disclosure** means the public release of individually-identifiable data.
**Dissemination** is any agency initiated or sponsored distribution of information to the public.
**Domain** refers to a defined universe or a subset of the universe with specific attributes, e.g., knowledge, skills, abilities, attitudes, interests, lines of business, size of operations, etc.

**-E-**
**Editing** is the data-processing activity aimed at detecting and correcting errors.
**Effect size** refers to the standardized magnitude of the effect or the departure from the null hypothesis. For example, the effect size may be the amount of change over time, or the difference between two population means, divided by the appropriate population standard deviation. Multiple measures of effect size can be generated (e.g., standardized differences between means, correlations, and proportions).
The **effective sample size**, as used in the design phase, is the sample size under a simple random sample design that is equivalent to the actual sample under the complex sample design. In the case of complex sample designs, the actual sample size is determined by multiplying the effective sample size by the anticipated design effect.
An **eligible sample unit** is a unit selected for a sample that is confirmed to be a member of the target population.
**Estimates** result from the process of providing a numerical value for a population parameter on the basis of information collected from a survey and/or other sources.
**Estimation** is the process of using data from a survey and/or other sources to provide a value for an unknown population parameter (such as a mean, proportion, correlation, or effect size), or to provide a range of values in the form of a confidence interval.

**Estimation error** is the difference between a survey estimate and the true value of the parameter in the target population.

**-F-**

In a **field test,** all or some of the survey procedures are tested on a small scale that mirrors the planned full-scale implementation.

A **focus group** involves a semi structured group discussion of a topic.

**Forecasts** involve the specific projection that an investigator believes is most likely to provide an accurate prediction of a future value of some process.

A **frame** is a mapping of the universe elements (i.e., sampling units) onto a finite list (e.g., the population of schools on the day of the survey).

The **frame population** is the set of elements that can be enumerated prior to the selection of a survey sample.

**-H-**

**Hypothesis testing** draws a conclusion about the tenability of a stated value for a parameter. For example, sample data may be used to test whether an estimated value of a parameter (such as the difference between two population means) is sufficiently different from zero that the null hypothesis, designated $H_0$ (no difference in the population means), can be rejected in favor of the alternative hypothesis, $H_1$ (a difference between the two population means).

**-I-**

**Imputation** is the procedure for entering a value for a specific data item where the response is missing or unusable.

**Individually-identifiable data** refers specifically to data from any list, record, response form, completed survey, or aggregation from which information about particular individuals or their organizations may be revealed by either direct or indirect means.

**Instrument** refers to an evaluative device that includes tests, scales, and inventories to measure a domain using standardized procedures. It is commonly used when conducting surveys to refer to the device used to collect data, such as a questionnaire or data entry software.

**Item nonresponse** occurs when a respondent fails to respond to one or more relevant item(s) on a survey.

**-K-**

**Key variables** include survey-specific items for which aggregate estimates are commonly published from a study. They include, but are not restricted to, variables most commonly used in table row stubs. Key variables also include important analytic composites and other policy-relevant variables that are essential elements of the data collection. They are first defined in the initial planning stage of a survey, but may be added to as the survey and resulting analyses develop. For example, a study of student achievement might use gender, race-ethnicity, urbanicity, region, and school type (public/private) as key reporting variables.

**-L-**

A **longitudinal** sample survey follows the experiences and outcomes over time of a representative sample of respondents (i.e., a cohort).

**Longitudinal analysis** involves the analysis of data from a study in which subjects are measured repeatedly over time.

**-M-**

Response to a **mandatory survey** is required by law.

**Measurement error** is the difference between observed values of a variable recorded under similar conditions and some fixed true value (e.g., errors in reporting, reading, calculating, or recording a numerical value). Response bias is the deviation of the survey estimate from the true population value that is due to measurement error from the data collection. Potential sources of response bias include the respondent, the instrument, and the interviewer.

A **microdata** file includes the detailed responses for individual respondents.

The **minimum substantively significant effect (MSSE)** is the smallest effect, that is, the smallest departure from the null hypothesis, considered to be important for the analysis of key variables. The minimum substantively significant effect is determined during the design phase. For example, the planning document should provide the minimum change in key variables or perhaps, the minimum correlation, r, between two variables that the survey should be able to detect for a specified population domain or subdomain of analytic interest. The MSSE should be based on a broad knowledge of the field, related theories, and supporting literature.

**Missing at random,** for a given survey variable, refers to a situation in which the probability that a unit is missing that variable is independent of its value, but may not be independent of another variable being measured.

**Missing completely at random** occurs when values are missing because individuals drop out of a study in a process that is independent of both the observed measurements and those that would have been available had they not been missing.

A **model** is a formalized set of mathematical expressions quantifying the process assumed to have generated a set of observations.

A **model-based estimate** is produced by a model.

**Model-based samples** are selected to achieve efficient and robust estimates of the true values of the target populations under a chosen working model.

**Model validation** involves testing a model's predictive capabilities by comparing the model results to "known" sources of empirical data.

**Multiple comparisons** involve a detailed examination of the differences among a set of means.

**Multivariate analysis** is a generic term for many methods of analysis that are used to investigate multivariate data.

**Multivariate data** include data for which each observation consists of values for more than one random variable.

**Multivariate modeling** provides a formalized mathematical expression of the process assumed to have generated the observed multivariate data.

**-N-**

**Nonprobabilistic methods—**see ""probabilistic methods."

**Nonresponse bias** occurs when the observed value deviates from the population parameter due to differences between respondents and nonrespondents. Nonresponse bias may occur as a result of not obtaining 100 percent response from the selected cases.

**Nonresponse error** is the overall error observed in estimates caused by differences between respondents and nonrespondents. It consists of a variance component and nonresponse bias.

**Nonsampling error** includes measurement errors due to interviewers, respondents, instruments, and mode; nonresponse error; coverage error; and processing error.

**-O-**

**Overall unit nonresponse** reflects a combination of unit nonresponse across two or more levels of data collection, where participation at the second stage of data collection is conditional upon participation in the first stage of data collection.

**-P-**

The ***p* value** is the probability of the observed data's showing a more extreme value than the result, when there is no effect in the population.

In a **pilot test,** a laboratory or a very small-scale test of a questionnaire or procedure is conducted.

**Population**—see "target population."

**Post-stratification** is applied to survey data, in which sample units are stratified after data collection using information collected in the survey and auxiliary information to adjust weights to population control totals.

The **power** $(1 - b)$ of a test is defined as the probability of rejecting the null hypothesis when a specific alternative hypothesis is assumed. For example, with $b = 0.20$ for a particular alternative hypothesis, the power is 0.80, which means that 80 percent of the time the test statistic will fall in the rejection region if the parameter has the value specified by the alternative hypothesis.

**Precision** of survey results refers to how closely the results from a sample can reproduce the results that would be obtained from a complete count (i.e., census) conducted using the same techniques. The difference between a sample result and the result from a complete census taken under the same conditions is an indication of the precision of the sample result.

A survey **pretest** involves experimenting with different components of the questionnaire or survey design or operationalization prior to full-scale implementation. This may involve **pilot testing**, that is a laboratory or a very small-scale test of a questionnaire or procedure, or a **field test** in which all or some of the survey procedures are tested on a small scale that mirrors the planned full-scale implementation.

**Probabilistic methods** for survey sampling are any of a variety of methods for sampling that give a known, non-zero, probability of selection to each member of the target population. The advantage of probabilistic sampling methods is that sampling error can be calculated. Such methods include: random sampling, systematic sampling, and stratified sampling. They do not include: convenience sampling, judgment sampling, quota sampling, and snowball sampling.

**Probability of selection** in a survey is the probability that a given sampling unit will be selected, based on the probabilistic methods used in sampling.

A **projection** is an estimate of a future value of a characteristic based on current trends.
A **public-use data file or public-use microdata file** includes a subset of data that have been coded, aggregated, or otherwise altered to mask individually-identifiable information, and thus is available to all external users. Unique identifiers, geographic detail, and other variables that cannot be suitably altered are not included in public-use data files.

**-Q-**
**Quality assurance processing** includes any procedure or method that is aimed at maintaining or improving the reliability or validity of the data.

**-R-**
**Raking** is a multiplicative weighting technique that uses iterative proportional fitting. That is, weights are obtained as the product of a number of factors contributed by auxiliary variables.
In **ratio estimation**, an auxiliary variate $x_i$, correlated with $y_i$, is obtained for each unit in the sample. The population total X of the $x_i$ must be known. In practice, $x_i$ is often the value of $y_i$ at some previous time when a complete census was taken. The goal is to obtain increased precision by taking advantage of the correlation between $y_i$ and $x_i$. The ratio estimate of Y, the population total of $y_i$, is YR = (y/x), where y and x are the sample totals of $y_i$ and $x_i$, respectively.
A **record layout** is a description of the data elements on the file (variable names, data types, and length of space on the file) and their physical locations.
**Required response items** include the minimum set of items required for a case to be considered a respondent.
**Respondent burden** is the estimated total time and financial resources expended by the survey respondent to generate, maintain, retain, and provide survey information.
A **response analysis survey** is a study of the capability of respondents to accurately provide the data requested for a survey.
**Response bias** is the deviation of the survey estimate from the true population value that is due to measurement error from the data collection. Potential sources of response bias include the respondent, the instrument, and the interviewer.
**Response rates** calculated using base weights measure the proportion of the sample frame that is represented by the responding units in each study.

**-S-**
**Sampling error** is the error associated with nonobservation, that is, the error that occurs because all members of the frame population are not measured. It is the error associated with the variation in samples drawn from the same frame population. The sampling error equals the square root of.the variance.

**Sampling units** are the basic components of a sample frame. Everything covered by a sample frame must belong to one definite sampling unit, or have a measurable probability of belonging to a specific unit. The sampling unit may contain, for example, defined areas, houses, people, or businesses.

**Sensitivity analysis** is designed to determine how the variation in the output of a model (numerical or otherwise) can be apportioned, qualitatively or quantitatively, to changes in input parameter values and assumptions. This type of analysis is useful in ascertaining the capability of a given model, as well its robustness and reliability.
**Stage of data collection** includes any stage or step in the sample identification and data collection process in which data are collected from the identified sample unit. This includes information obtained that is required to proceed to the next stage of sample selection or data collection (e.g., school district permission for schools to participate or schools providing lists of teachers for sample selection of teachers).
**Standard error** is the standard deviation of the sampling distribution of a statistic. Although the standard error is used to estimate sampling error, it includes some nonsampling error.
**Strata** are created by partitioning the frame and are generally defined to include relatively homogeneous units within strata.
**Statistical significance** is attained when a statistical procedure applied to a set of observations yields a *p* value that exceeds the level of probability at which it is agreed that the null hypothesis will be rejected.
A **statistical survey** is a data collection whose purposes include the description, estimation, or analysis of the characteristics of groups, organizations, segments, activities, or geographic areas. A statistical survey may be a census or may collect information from a sample of the target population.
**Substitution** is the process of supplementing the sample in an unbiased manner in order to ensure it continues to be representative of the population.
A **survey system** is a set of individual surveys that are interrelated components of a data collection.

**-T-**
The **target population** is any group of potential sample units or persons, businesses, or other entities of interest.
The **total mean square error** is a measure of the combined overall effect of sampling and nonsampling error on the estimate.
**Type I error** is made when the tested hypothesis, $H_0$, is falsely rejected when in fact it is true. The probability of making a Type I error is denoted by alpha ($\alpha$). For example, with an alpha level of 0.05, the analyst will conclude that a difference is present in 5 percent of tests where the null hypothesis is true.

**-U-**
**Unit nonresponse** occurs when a respondent fails to respond to all required response items (i.e., fails to fill out or return a data collection instrument).
A **universe** survey involves the collection of data covering all known units in a population (i.e., a census).
**Usability testing** in surveys is the process whereby a group of representative users are asked to interact and perform tasks with survey materials, e.g., computer-assisted forms, to determine if the intended users can carry out planned tasks efficiently, effectively, and satisfactorily.

**-V-**

**Validation studies** are conducted to independently verify that the data collection methodology employed will obtain accurate data for the concept studied.

**Validity** is the degree to which an estimate is likely to be true and free of bias (systematic errors).

**Variance or variance estimates**— The variance is a measure based on the deviations of individual scores from the mean. However, simply summing the deviations will result in a value of 0. To get around this problem the variance is based on squared deviations of scores about the mean. When the deviations are squared, the rank order and relative distance of scores in the distribution is preserved while negative values are eliminated. Then to control for the number of subjects in the distribution, the sum of the squared deviations, $S(X - \bar{X})$, is divided by $N$ (population) or by $N - 1$ (sample). The result is the average of the sum of the squared deviations.

Response to a **voluntary** survey is not required by law.

**-W-**

A **wave** is a round of data collection in a longitudinal survey (e.g., the base year and each successive followup are each waves of data collection).

**Weights** are the inverse of the probability of selection in most probabilistic surveys. However, in the case of establishment surveys, the weights most frequently represent the estimated proportion that the responding establishments represent of the total industry. Weights may be adjusted for nonresponse.

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**Fast Track Standard Operating Procedure**

About the Fast Track Process

What distinguishes a Fast Track version of the PRA-ICR process is the time sensitivity of the content of the information collected. Fast Tracks are often used for information that is collected during a short timeframe and generally contain low burdens. Additionally, a Fast Track usually takes the form of a survey or questionnaire. The three-year authorization period does not apply to Fast Tracks. Each particular request has its own authorization period associated with an event or action. Agency Fast Tracks are contained within particular USPTO generic clearances (0651-0080 and 0083), which follow the three-year renewal cycle.

The Fast Track process typically takes between five and eight days from the initial request from the business unit to approval from the Office of Management and Budget (OMB).

Submission Request Form

This document acts a supporting statement in miniature and provides OMB with the most detailed information about the Fast Track collection. It is attached as part of the ROCIS submission. The first half contains a short description of the collection, respondents, and the method(s) of collection. The second half contains a small table calculating burden hours, as well as a short statement calculating federal cost.

Items worth mentioning:

- **Title**: The G-number (G###) should always be placed 'Agency Tracking Number'.
- **Burden Hours Table**: Numbers are rounded to the nearest hundredth.
- **Selection of Targeted Responses**: This section should contain anywhere from one sentence to a short paragraph detailing how the proposed respondents will be selected. An example:
    - *There will be an announcement on various USPTO websites and information about the interview opportunities presented at events involving discussion of the Global Dossier program. The interviews and focus sessions will take place at regional USPTO offices. Participants will be invited to register for events.*

Submission Request Process

1. **Business unit requests support for survey or event** (1 day)

    Often these requests come from the Website Management Branch who are providing SurveyMonkey accounts to BUs for outreach efforts. A part of that account provision process includes a PRA check (external/internal use). Website Management Branch usually cc PRA team members regarding requests and any request that indicate external use are referred to us for support.

Business units who had previous experience with surveys contact PRA staff directly. Other requesters are referred to us via an OGL contact or other source.

Preferred method of contact is via email. Requesters usually provide basic outline of project and timeline. Some repeat requests will send updated previous submission forms.

2. **Follow up information and Submission Form** (1 day)

   Email or phone contact with BU to confirm that they are sponsoring a survey which triggers the PRA.

3. **Submission Form and BU approval** (5 days)

   BU provides information back regarding submission form. Reviewed by PRA team. Usually some follow up information is required or tweaks to the survey form are needed. Additional documents (letters, scripts) may need to be provided.

4. **Wait time** (10 days)

   Fast Track requests for usually processed by OMB in about 5 business days once submitted. Generally Fast Track requests are submitted one at a time to OMB. There is not always a queue for the process, but there is often is. It is estimated that the average queue, when one exists, is two items.

5. **Internal Approval** (5 days)

   Internal review and approval by RIDG and OAS can occur once BU has submitted all documents and information. It is expected that this review can occur within the average wait time in the queue and might not ordinarily add overall time to the process. If additional edits to the survey or submission form are needed it may take a day or two for the business unit to create/update items.

6. **ROCIS entry and submission** (2 days)

   Once approved and any previous submitted items are cleared from the pipeline by OMB a new entry can be submitted. It the item was previously approved during the 'wait time' than the submission process (review in ROCIS and actual submission) will usually be streamlined. (1 day for entry, 1 day for submission)

7. **OMB approval** (5 days)

   OMB approval under the Fast Track ordinarily happen 5 full business days after submission.

8. **Approval Aftermath** (1 day)

Once the item is approved by OMB the requesters are notified and reminded to make sure that all required survey elements are include on any final format or system.

ROCIS Entry

Every Fast Track is submitted via ROCIS, a web-based program that sends information collections to OMB for review and approval. Each Fast Track is created under a generic clearance (0651-0080 or 0083). Most information that is stated in the submission request must be entered into ROCIS, including attachments of the collection instruments.

Items worth mentioning:

- **Title**: Always list the G-number at the beginning of the title, instrument names and supplementary attachments.
- **Information Collection Instruments**: This section contains drop-down lists of options for document type and electronic capability.
    - Document Type
        - Form and Instruction
        - Form
        - Instruction
        - Other (This is used for surveys and other methods of collection not listed above)
    - Electronic Capability
        - Fillable Fileable: This applies to instruments that are completed exclusively online or via other electronic means.
        - Fillable Printable: Instruments that are filled out electronically and then printed.
        - Fillable Fileable Signable: Similar to the first bullet, but has signing capability.
        - Paper Only: Completed and submitted only through paper format.
        - Printer Only: Completed only after printing.
- **Generic IC Burden Worksheet**: The Annual IC Cost Burden will always be $0. This cost was estimated and incorporated as part of the larger Generic Clearance, so it need not be tallied again.
    - Numbers are rounded to the nearest whole number, but the "Time per Response" and "Cost per Response" can be changed to reflect the precise hourly burden reflected in the Submission Request.
    - Frequency of Reporting: "On Occasion" or "Annually" are most frequently used.
- **Documents for IC**: The submission request is attached here as a supplementary document, as it contains detailed descriptions of the purpose, scope and respondents.