

“Implementing Guidance for OMB Review of Agency Information Collection”

1999 Draft

Appendix C: Answers to Frequently Asked Statistical Questions.

FASQ #7 --GENERIC CLEARANCES

Background

A generic clearance is a master plan for conducting one or more data collections (which we call "tasks"). The review of such plans occur in two stages --a full review of the overall plan plus a quick review of the actual details of each task. Generic clearances originated under the paperwork review authority of the Federal Reports Act of 1942 (FRA) and were further explored under the Paperwork Reduction Act of 1980 (PRA). During the 1980s, OIRA supported several experiments to sharpen the concept and developed some general principles under which such data collection plans could be efficiently managed. Some of these principles have been significantly affected by the 1995 amendments to the PRA.

General Principles

NEED FOR A GENERIC STRATEGY --This approach should only be considered when the need for the data collection can be demonstrated, but the exact details of individual tasks cannot be determined until shortly before the data are to be collected.

Examples include: methodological tests to correct problems discovered in a pilot test before the full-scale data collection begins; or focus groups to explore customer service issues that may surface from time to time.

LIMITED TYPES --The data collection tasks must be of a type that can be reviewed by OIRA Desk Officers alone and preferably by a single Desk Officer.

Program evaluations and some other types of data collections are routinely provided to program analysts within OMB for review and comment, and thus cannot be approved on the accelerated schedule required by the generic strategy.

CONTROVERSY OR SPECIAL CIRCUMSTANCES--The general plan should concern subject matter and methods that are free of any controversy or any features that require particular justification and review under the paperwork rule.

Any special justification or controversy arising at the task stage can substantially extend the time required for the review, thus defeating the purpose of the generic strategy. Furthermore under the new law, controversies at the task stage effectively deny the public the opportunity to comment guaranteed by the 1995 PRA and thus can only be considered if the task is withdrawn from the generic package and resubmitted through the normal clearance process.

COMPLETE PLANNING --The plan must cover intended collections in enough detail that the consistency of each task with the plan is transparent.

Statistical methods and sample designs, for example, must be spelled out, reviewed, and approved in the main plan --these often require consultations and cannot be completed on

the quick schedule for individual tasks.

These general principles should be addressed in both the Federal Register Notices required by statute and in the justification submitted to OMB for review.

Some Examples

Generic clearances usually involve a well-defined class of low-burden data collections that are not fully documented until they are actually used. Typically such plans have included a set of agreements negotiated between the sponsoring agency and OMB, covering limitations on methods and usage, a burden cap, a periodic reporting requirement to update the OMB Docket, and a commitment by OMB to review any specific application quickly. The review process occurs in two stages: 1) review of the overall plan; and 2) review of individual tasks for conformance with the plan. The 1995 amendments to the PRA require more careful policies in the first stage of review than were pursued under the old PRA. However, some of the classical examples are entirely compatible with the 1995 PRA.

1) Generic Clearance for Qualitative Studies

This model has been used by the Census Bureau for questionnaire development and testing, by the Bureau of Labor Statistics for cognitive laboratory experiments, and by the Internal Revenue Service for a program of focus groups. The terms of the agreements worked out with these agencies have proven workable for both the agencies and OMB. The terms include—

- A burden cap. The agency proposes a total annual burden that will be imposed by studies conducted under the generic clearance. Individual applications are tracked against the burden cap. The wider the range of activities covered by the burden cap, the more information must be provided to the public and OMB to justify that cap (e.g., 50 identical surveys can justify substantial burden with a single detailed description, 10 groups of 5 identical surveys each, requires 10 detailed descriptions to justify the same overall level of burden.)
- Specified methods. The agency proposes the type(s) of data collection(s) to be performed and the method(s) to be used, with particular attention to those features and commitments that assure consistency with the guidelines of the Paperwork Rule (5 CFR 1320). All of this is spelled out in detail for both public and OMB scrutiny in the basic clearance package and/or the required Federal Register Notices.
- A periodic reporting requirement. This allows tracking of performance relative to the burden cap and updates the public docket by demonstrating actual results achieved. The frequency of such reports is negotiable. Such summaries must be available for public review when the master clearance is submitted for review (either as an extension or a revision).
- Quick-turnaround OMB review of specific applications. The agency submits information on each specific application to update the public docket prior to each actual data collection. OMB agrees to a quick-turnaround review of each submission for consistency with the master clearance and to assure that it does not raise any controversies that have not been presented for public comment.

2) Generic Clearance for Quantitative Surveys

Quantitative surveys (i.e., those that must support quantitative estimates) usually must meet more

stringent standards than qualitative studies and are more likely to be tailored to a specific task. For these reasons, the models for generic clearance are fewer and vary from agency to agency. Two examples that have been used successfully were developed with the National Park Service and the Internal Revenue Service. Both examples include a burden cap as described above, but they differ in most other details.

The National Park Service model was built around a catalog of tested questions covering a broad spectrum of issues involved in operating a national park. The clearance also includes several approved methods (sample designs) for administering the questions to respondents. The components of this scheme were developed with considerable effort and extensive consultation with OMB to provide flexibility to the local managers of national parks. Using this tool, managers can quickly assemble surveys in "kit" form to address current problems and charge the reporting burden against the burden cap of the generic clearance.¹

The IRS model was developed to support the agency's program of customer satisfaction measurement and is generally compatible with the 1995 PRA (except possibly in the area of specific description of sampling plans). It stipulates specific methods, including professional design, adequate follow-up, and a commitment to high response, that assure high quality statistics. The model covers opinion questions only and includes steps to ensure that response is perceived as purely voluntary. The other features are identical to the qualitative clearance model described above.

3) Simplified Generic Clearance -Customer Surveys

Not all generic clearance strategies have fared so well under the 1995 PRA. One case where the results are mixed is in the area of customer surveys. In 1993, OMB developed a simplified generic clearance process for simple² customer satisfaction surveys. This quickly became the largest class of generic clearances and has produced somewhat mixed results. The strategy involved a quick review for both the overall master plan and individual tasks. The combination of pressure for quick results and lack of experience in the agencies, coupled with a cursory review of the main clearance ("the plan") by OMB produced some situations where the agency turned out products that lacked utility. In contrast, the quick turn-around OMB review of individual tasks worked well in cases where the basic plan (the master clearance) was sound.

The 1995 PRA

Most generic clearance models were developed under the 1980 PRA which gave OMB considerable discretion concerning public input to data collection plans. The 1995 provisions for public comment require a more careful approach to generic packages. A generic request by its nature, does not permit potential commenters to examine many of the details of the tasks it covers. For this reason it is important that the generic plan describe these tasks as carefully and

¹ It should be noted that this approach, while conceptually elegant, initially had little input from the persons it was designed to serve. In the course of several years of actual use, park managers proposed a substantial number of questions that were not considered or tested for the original catalog.

² "Simple" customer satisfaction surveys² are defined by criteria developed jointly by the National Performance Review and OMB. The criteria are outlined in OMB's Resource Manual for Customer Surveys (Section 5) and in NPR publications.

completely as possible. For the same reason, generic plans should not include any tasks that might raise controversies on which the public is entitled to comment. At a minimum this means that generic plans should not include any element that requires an exception or a special justification under the Paperwork Rule.

How to satisfy 1995 PRA:

- 1) The overall plan must be subjected to the full PRA process.
- 2) The plan and/or Federal Register Notice³ must provide enough detail (complete descriptions of sampling plans, examples of nearly identical surveys performed in the past) to provide the public with a basis for comment on a par with a normal single-task clearance.
- 3) The plan must be managed so that there are no surprises or controversies that bypass the public comment process.

The first requirement is transparent and is a direct consequence of the 1995 PRA amendments. The other requirements address the problem of meeting the openness (public input) standards of the 1995 amendments.

When to use Generic Clearances

Generic clearance should be considered whenever an agency has both a need for fast response data collections and can develop plans for such contingencies that are consistent with the PRA. Examples include: 1) methodological tasks to correct problems between pilot testing and full-scale survey operations; 2) preliminary tests to sharpen the options for survey planning; 3) "go/no-go" tests to determine if any further data collection might be useful; and 4) small, targeted experiments to refine program operations (e.g., a continuous program of customer satisfaction research).

How to use Generic Clearances

Both the OMB reviewer and agency IRM staff have a large stake in the adequacy of the generic clearance master plan. Time and attention devoted to the review of the plan will make the task review simpler and avoid questions at that stage concerning issues that should properly be subjected to public scrutiny and comment. OMB approval of the plan should be as explicit as possible. Any apparent abuses of the generic clearance should be brought to the attention of agency IRM staff. Controversies arising at the task stage are not only inconsistent with the theory of generic clearances, they are inconsistent with the 1995 PRA which limits the discretion previously exercised by OMB to negotiate with an agency without public input.

³ For normal (single task) clearance requests, agencies sometimes use a relatively brief Federal Register Notice summarizing the proposed activity and offer to provide the complete package prepared for OMB review to potential commenters on request. OMB generally accepts this approach as satisfying the requirements of 44 U.S.C. 3506. For generic plans, many details may not be available in the OMB review package, and this may dictate that the Federal Register Notice address the statutory requirements more explicitly.