information conducted by or for an agency to determine, if a person is obligated to maintain, provide, or disclose the information to or for an agency. Unless the request is frivolous, OMB is, in coordination with the responsible agency, to respond to the request within 60 days (unless notice is given of an extension to a specified date) and to take appropriate remedial action, as necessary.

# P. Proposed Section 1320.15— Independent Regulatory Agency Override Authority

Proposed § 1320.15 is equivalent to existing § 1320.20, except that it is amended to reflect the legislative changes in 44 U.S.C. 3507(f) and 44 U.S.C. 3512(a).

# Q. Proposed Section 1320.16— Delegation of Approval Authority

Proposed § 1320.16 is equivalent to existing § 1320.9, except that it is amended to reflect the legislative changes in 44 U.S.C. 3506(a)(3).

# R. Proposed Section 1320.17— Information Collection Budget

Proposed § 1320.17 is equivalent to the first and last sentences in existing § 1320.10.

# S. Proposed Section 1320.18—Other Authority

Proposed § 1320.18 is equivalent to existing § 1320.22.

# T. Appendix A—Agencies with Delegated Review and Approval Authority

Proposed new Appendix A is substantively identical to existing Appendix A. Appendix A contains the delegations to the Federal Reserve Board and to the Federal Communications Commission. OMB is proposing to make only conforming changes, e.g., to revise the section cross-references in the delegations to the proposed sections in the regulation. No substantive changes are proposed.

## Q. Other Amendments

Other proposed amendments to 5 CFR Part 1320 include the deletion of terms that are no longer used in this Part, e.g., "Educational agency or institution" and "A Federal education program," and of sections that are no longer pertinent, e.g., existing § 1320.16, entitled "Collections of information prescribed by another agency," and existing § 1320.17, entitled "Interagency reporting."

Assessment of Potential Costs and Benefits and Regulatory Flexibility Act Analysis

OMB has analyzed the effects of this rule under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). Copies of this analysis are available upon request. In summary, OMB has concluded that these amendments will have a salutary impact on small entities through the reduction of unnecessary paperwork.

For purposes of the Unfunded Mandates Reform Act of 1995 (P.L. 104–4), as well as Executive Order No. 12875, this rule does not include any Federal mandate that may result in increased expenditures by State, local, and tribal governments, or by the private sector.

Issued in Washington, D.C., May 31, 1995. Sally Katzen,

Administrator, Office of Information and Regulatory Affairs.

#### List of Subjects in 5 CFR Part 1320

Reporting and recordkeeping requirements, Paperwork, Collections of information.

For the reasons set forth in the preamble, OMB proposes to revise 5 CFR Part 1320 as follows:

## PART 1320: CONTROLLING PAPERWORK BURDENS ON THE PUBLIC

Sec.

1320.1 Purpose.

1320.2 Effect.

1320.3 Definitions.

1320.4 Coverage.

1320.5 General requirements.

1320.6 Public protection.

1320.7 Agency head and Senior Official responsibilities.

1320.8 Agency collection of information responsibilities.

1320.9 Agency certifications for proposed collections of information.

1320.10 Clearance of collections of information, other than those contained in proposed rules or in current rules.

1320.11 Clearance of collections of information in proposed rules.

1320.12 Clearance of collections of information in current rules.

1320.13 Emergency processing.

1320.14 Public access.

1320.15 Independent regulatory agency override authority.

1320.16 Delegation of approval authority. 1320.17 Information collection budget.

1320.18 Other authority.

# Appendix A: Agencies With Delegated Review and Approval Authority

**Authority:** 31 U.S.C. Sec. 1111 and 44 U.S.C. Chs. 21, 25, 27, 29, 31, 35.

#### §1320.1 Purpose.

The purpose of this part is to implement the provisions of the

Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) (the Act) concerning collections of information. It is issued under the authority of section 3516 of the Act, which provides that "The Director shall promulgate rules, regulations, or procedures necessary to exercise the authority provided by this chapter." It is designed to minimize and control burdens and maximize the practical utility and public benefit of the collection of information by or for Federal agencies from individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons.

#### §1320.2 Effect.

- (a) Except as provided in paragraph (b) of this section, this part takes effect on October 1, 1995.
- (b)(1) In the case of a collection of information for which there is in effect on September 30, 1995, a control number issued by the Office of Management and Budget under 44 U.S.C. Chapter 35, the provisions of this part shall take effect beginning on the earlier of:
- (i) The date of the first extension of approval for or modification of that collection of information after September 30, 1995; or
- (ii) The date of the expiration of the OMB control number after September 30, 1995.
- (2) Prior to such extension of approval, modification, or expiration, the collection of information shall be subject to 5 CFR part 1320, as in effect on September 30, 1995.

#### §1320.3 Definitions.

For purposes of implementing the Act and this part, the following terms are defined as follows:

- (a) Agency means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the government, or any independent regulatory agency, but does not include:
  - (1) The General Accounting Office;
  - (2) Federal Election Commission;
- (3) The governments of the District of Columbia and the territories and possessions of the United States, and their various subdivisions; or
- (4) Government-owned contractoroperated facilities, including laboratories engaged in national defense research and production activities.
- (b)(1) Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency, including: