responding to public questions about Federal programs and services (1-800-FED-INFO) to add expertise with Government programs and services for small businesses and exporters.

§ 3502. Definitions

As used in this subchapter—

(1) the term “agency” means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include—

(A) the Government Accountability Office; 
(B) Federal Election Commission; 
(C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or 
(D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities;

(2) the term “burden” means time, effort, or financial resources expended by persons to generate, maintain, or provide information for or for a Federal agency, including the resources expended for—

(A) reviewing instructions; 
(B) acquiring, installing, and utilizing technology and systems; 
(C) adjusting the existing ways to comply with any previously applicable instructions and requirements;
(D) searching data sources; 
(E) completing and reviewing the collection of information; and 
(F) transmitting, or otherwise disclosing the information;

(3) the term “collection of information”—

(A) means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either—

(i) answers to identical questions posed to, or identical reporting or recordkeeping

requirements imposed on, ten or more persons, other than agencies, instrumentalities, or employees of the United States; or

(ii) answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes; and

(B) shall not include a collection of information described under section 3518(c)(1); 

(4) the term “Director” means the Director of the Office of Management and Budget; 

(5) the term “independent regulatory agency” means the Board of Governors of the Federal Reserve System, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Energy Regulatory Commission, the Federal Housing Finance Agency, the Federal Maritime Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Mine Enforcement Safety and Health Review Commission, the National Labor Relations Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Postal Regulatory Commission, the Securities and Exchange Commission, the Bureau of Consumer Financial Protection, the Office of Financial Research, Office of the Comptroller of the Currency, and any other similar agency designated by statute as a Federal independent regulatory agency or commission; 

(6) the term “information resources” means information and related resources, such as personnel, equipment, funds, and information technology; 

(7) the term “information resources management” means the process of managing information resources to accomplish agency missions and to improve agency performance, including through the reduction of information collection burdens on the public; 

(8) the term “information system” means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information; 

(9) the term “information technology” has the meaning given that term in section 1101 of title 40 but does not include national security systems as defined in section 11103 of title 40; 

(10) the term “person” means an individual, partnership, association, corporation, business trust, or legal representative, an organized group of 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; 

(11) the term “practical utility” means the ability of an agency to use information, particularly the capability to process such information in a timely and useful fashion; 

(12) the term “public information” means any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public;
(13) the term “recordkeeping requirement” means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to—
(A) retain such records;
(B) notify third parties, the Federal Government, or the public of the existence of such records;
(C) disclose such records to third parties, the Federal Government, or the public; or
(D) report to third parties, the Federal Government, or the public regarding such records;
(14) the term “penalty” includes the imposition by an agency or court of a fine or other punishment; a judgment for monetary damages or equitable relief; or the revocation, suspension, reduction, or denial of a license, privilege, right, grant, or benefit;
(15) the term “comprehensive data inventory” means the inventory created under section 351(a), but does not include any underlying data asset listed on the inventory;
(16) the term “data” means recorded information, regardless of form or the media on which the data is recorded;
(17) the term “data asset” means a collection of data elements or data sets that may be grouped together;
(18) the term “machine-readable”, when used with respect to data, means data in a format that can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;
(19) the term “metadata” means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;
(20) the term “open Government data asset” means a public data asset that is—
(A) machine-readable;
(B) available (or could be made available) in an open format;
(C) not encumbered by restrictions, other than intellectual property rights, including under titles 17 and 33, that would impede the use or reuse of such asset; and
(D) based on an underlying open standard that is maintained by a standards organization;
(21) the term “open license” means a legal guarantee that a data asset is made available—
(A) at no cost to the public; and
(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting such asset;
(22) the term “public data asset” means a data asset, or part thereof, maintained by the Federal Government that has been, or may be, released to the public, including any data asset, or part thereof, subject to disclosure under section 552 of title 5; and
(23) the term “statistical laws” means subchapter III of this chapter and other laws pertaining to the protection of information collected for statistical purposes as designated by the Director.


Editorial Notes

Prior Provisions


Amendments


2010—Par. (5). Pub. L. 111–203, § 1100D(a), which directed amendment of section 2(5) of the Paperwork Reduction Act (44 U.S.C. 3502(5)) by inserting “the Bureau of Consumer Financial Protection, the Office of Financial Research, after the Securities and Exchange Commission,”, was executed to this section to reflect the probable intent of Congress.


1996—Par. (9). Pub. L. 104–106 added par. (9) and struck out former par. (9) which read as follows: “the term ‘information technology’ has the same meaning as the term ‘automatic data processing equipment’ as defined by section 111(a)(2) and (3)(C)(i) through (v) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 750a(2) and (3)(C) through (v)).”

Statutory Notes and Related Subsidiaries

Effective Date of 2019 Amendment

Amendment by Pub. L. 115–435 effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115–435, set out
§ 3503. Office of Information and Regulatory Affairs

(a) There is established in the Office of Management and Budget an office to be known as the Office of Information and Regulatory Affairs.

(b) There shall be at the head of the Office an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall delegate to the Administrator the authority to administer all functions under this subchapter, except that any such delegation shall not relieve the Director of responsibility for the administration of such functions. The Administrator shall serve as principal adviser to the Director on Federal information resources management policy.


Editorial Notes

Prior Provisions


Statutory Notes and Related Subsidiaries

Effective Date of 2000 Amendment


Effective Date of 1996 Amendment


Effective Date

Section effective Oct. 1, 1995, except as otherwise provided, see section 4(a) of Pub. L. 104–13, set out as a note under section 3501 of this title.

Abolition of Interstate Commerce Commission and Transfer of Functions

Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise provided in Pub. L. 104–88, title I, to Surface Transportation Board effective Jan. 1, 1996, by section 1302 of Title 49, Transportation, and section 101 of Pub. L. 104–88, set out as a note under section 1301 of Title 49. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 235 of Pub. L. 104–88, set out as a note under section 1301 of Title 49.

§ 3504. Authority and functions of Director

(a)(1) The Director shall oversee the use of information resources to improve the efficiency and effectiveness of governmental operations to serve agency missions, including burden reduction and service delivery to the public. In performing such oversight, the Director shall—

(A) develop, coordinate and oversee the implementation of Federal information resources...