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[Improvements Still Needed in Fulfilling Federal Reports Act Responsibilities]. GGD-77-38; B-158552. May 25, 1977. 12 pp. + 2 enclosures (8 pp.).

Report to Sen. James R. Sasser, Chairman, Senate Committee on Governmental Affairs: General Services Subcommittee; by Elmer B. Staats, Comptroller General.

Issue Area: Statistical and Paperwork Implications of Non-Federal Data (3100); Federal Records Management (1400).

Contact: Office of the General Counsel: General Government Matters.

Budget Function: General Government: Executive Direction and Management (802).

Organization Concerned: Department of Labor; Office of Management and Budget.

Congressional Relevance: Senate Committee on Governmental Affairs: General Services Subcommittee.

Authority: Federal Reports Act (44 U.S.C. 3501 et seq.).

Problems have been encountered by the Office of Management and Budget (OMB) and by the Department of Labor (DOL) in fulfilling their responsibilities under the Federal Reports Act. Findings/Conclusions: A lack of information and staff limitations preclude the Office from adequately assessing the need for data proposed for collection and data collected by Federal agencies. The Office is developing a "key word" vocabulary to assist in identifying unnecessary duplication in information gathering. The report reduction program of the Department of Labor was reviewed, and its reduction results were less than it claimed. Statistics relating to the paperwork burden and the report reduction program are subject to error and different interpretations, and users should be aware of their limitations. Recommendations: The Director of the OMB should: (1) determine and provide the additional resources needed by the Clearance Office to investigate the practical utility of agency reports; and (2) obtain updated justification from agencies on the need, including practical utility, of proposed revisions or extensions of existing reports. (DJM)



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MAY 25 1977

B-158552

The Honorable James k. Sasser, Chairman
Subcommittee on General Services
Committee on Governmental Affairs
United States Senate

Dear Mr. Chairman:

The former Subcommittee Chairman, Senator Sam Nunn, requested in May 1976 that we monitor how the Office of Management and Budget carried out its responsibilities under the Federal Reports Act (44 U.S.C. 3501 et. seq.). In later discussions we were asked to also monitor the President's reporting reduction program.

In July 1975 we reported to the Senate Committee on Government Operations 1/ on problems the Office of Management and Budget and the Department of Labor had in fulfilling their responsibilities under the Federal Reports Act. This letter summarizes information we have gathered since that time from reviewing documents and interviewing officials at the Office of Management and Budget and the Department of Labor.

Our principal observations are:

- A lack of information and staff limitations preclude the Office from adequately assessing the need for data proposed for collection and data collected by Federal agencies.
- The Office is developing a "key word" vocabulary to assist in identifying unnecessary duplication in information gathering.

1/"Case Study of Department of Labor and Office of Management and Budget Activities under the Federal Reports Act" (GGD-75-85, July 24, 1975).

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--Statistics relating to the paperwork burden and the President's reporting reduction program are subject to error, and users of these statistics should be aware of their limitations.

These are discussed in greater detail below.

BACKGROUND

The Federal Reports Act provides that information needed by Federal agencies shall be obtained with a minimum of burden to respondents and at a minimum cost to the Government. It also provides for eliminating duplication of efforts in obtaining information and for tabulating information, when expedient, to maximize its usefulness to other Federal agencies and the public.

The act assigns to the Director, Office of Management and Budget, responsibility for reviewing forms used by most executive branch agencies to collect information from the public and to the Comptroller General of the United States a similar responsibility with respect to the independent Federal regulatory agencies. Enclosure I identifies the agencies whose forms are subject to Office review, those subject to GAO review, and those not subject to review by either.

With a view toward carrying out the above policy, the act provides that the Director shall periodically

- investigate the need of various executive branch agencies for the information they collect from the public and other Federal agencies;
- investigate methods used to obtain the information; and
- coordinate, as rapidly as possible, the information collecting services of all agencies together with reducing cost and minimizing burden.

The act further provides that an executive branch agency may not conduct or sponsor the collection of identical information from 10 or more persons (other than Federal employees) unless the agency submits the plans or forms for such collection to the Director and he does not disapprove of the proposed collection.

Each year Federal agencies submit 2,500 to 3,000 requests to the Office for approval. These include new reports, revised reports, reports for which an agency wants an extension, and previously approved reports which an agency wishes to reinstate.

INSUFFICIENT INFORMATION AND LIMITED STAFF
HINDER EVALUATIONS OF NEED FOR REPORTS

The Federal Reports Act provides that the Office Director is to determine whether the collection of information by a Federal agency is necessary for the proper performance of the agency's functions. The Office requires that each Federal agency determine (1) whether proposed plans or reports exceed the limits of reasonable need or practical utility with respect to the number of respondents, frequency of collection, or number and difficulty of the items requested and (2) whether all of the information items are essential to the central purpose of the plan or report.

When submitting new plans and reports to the Office, agencies are to fully explain the need for the information requested and are to indicate how, by whom, and for what purpose the information will be used. When requesting approval of revisions or extensions of existing reports, agencies are to provide current information by updating, if necessary, the information provided with earlier requests.

In our July 1975 report, we identified several cases in which we believed the Office had not adequately evaluated the Department of Labor's need for information. The Office disagreed, stating that it believed its procedures and performance were adequate. However, the Office noted that it also believed that improvements might be attainable in reviewing proposed continuations (revisions and extensions) of existing reports. The Office said it would have to develop new approaches for evaluating the agencies' justifications of continued need for information.

In February 1976, the Office further defined "practical utility." The Office placed responsibility on the agencies for insuring that the data they collect can be used. The new instructions provide that practical utility--the agency's ability to use information--is a primary indicator of need. They state that, if there are

constraints, such as staffing or processing limitations, on the likely use of the information, then the information should not be collected.

The Clearance Officer 1/ said agencies do not state how information or a report had been used when submitting requests for approval of report renewals. Also, the Office does not require agencies to submit new justifications for each request for renewal. Copies of earlier supporting statements may be provided in lieu of a new statement, even though initial justifications discuss intended uses rather than actual uses of information.

The Clearance Officer said that improvements in reviewing proposed continuations of existing reports would be achieved by reviewing practical utility at agency sites. Through these reviews, the Office plans to analyze the agencies' use of information collected from the public and to recommend appropriate changes in the amount or kind of information collected. The Office plans to visit the agencies and determine the actual uses of information through observations and discussions with agency personnel.

The Office advised us that criteria to be used in selecting reports for practical utility reviews included whether there had been considerable concern over the report at the time it was originally cleared or there had been considerable criticism of the report while in use.

As of August 4, 1976, the Office had one person in the Statistical Policy Division working on practical utility reviews and planned to assign an additional person. At this staffing level, only a small number of practical utility reviews will be performed.

Conclusions

The Office of Management and Budget is not provided the necessary information to evaluate the continued need

1/The Clearance Officer, assigned to the Statistical Policy Division of the Office of Management and Budget, is delegated the authority to carry out the Director's designated responsibilities under the Federal Reports Act.

for existing reports. Also, the Office only has limited resources to conduct the indepth reviews needed to assess practical utility. Agencies should be required to demonstrate practical utility in justifying the need for revisions and extensions of reports by documenting how previously obtained information was actually used and the resulting benefits. This requirement would give the Office better information for evaluating proposed revisions and extensions and for selecting proposals that should be reviewed for practical utility. Instructions to the agencies should be revised to reflect this requirement.

Recommendations

We recommend that the Director of the Office of Management and Budget:

- Determine and provide the additional resources needed by the Clearance Office to investigate the practical utility of agency reports.
- Obtain updated justifications from agencies on the need, including practical utility, of proposed revisions or extensions of existing reports.

NEW TOOL BEING DEVELOPED TO IDENTIFY DUPLICATION

The Federal Reports Act states that unnecessary duplication of effort in obtaining information shall be eliminated as rapidly as practicable. In our 1975 report we noted that the Office of Management and Budget lacked the basic tools to identify and eliminate unnecessary duplication. At that time the Office's main technique for eliminating unnecessary duplication was reliance on reviewers' memories.

In response to our 1975 report, the Office said it was trying to develop a key word vocabulary of several hundred items to assist reviewers in identifying duplication. The Office said that this vocabulary would be difficult to develop but that it could be implemented with existing resources, maintained, and used by the reviewers. During this review, we determined that the Office had abandoned its efforts to develop the vocabulary in favor of activities it considered to be of higher priority. However, when commenting on this report, the Office Director said that a senior professional staff member was being assigned full-time for 90 days to work on developing the key word vocabulary.

The key word system should provide a method for identifying potential cases of duplication and provide a basis for further consideration by the Office and the agencies of possible consolidation or elimination of reporting requirements to minimize the burden on respondents.

An Office representative said that reviews of practical utility may also be used to identify duplication. But, as previously stated, the number of these reviews will be small because of staff limitations.

PRESIDENT'S REPORTING REDUCTION PROGRAM

On March 1, 1976, the President formally announced a program instructing each department and agency head to (1) reduce the number of reports used to collect information from the public by at least 10 percent by June 30, 1976, and (2) undertake a continuing effort to reduce the public burden of Government reporting. The President directed department and agency heads to assume personal responsibility for achieving the goals of the Federal Reports Act. October 31, 1975, through June 30, 1976, was designated as the period for measuring the reduction. The Office of Management and Budget issued guidelines and conducted a briefing and workshops for departmental and agency personnel on the reports reduction effort.

On July 23, 1976, the Office announced the results of the reporting reduction program. The announcement indicated that the number of repetitively used reports 1/ had been reduced by 644 or 12.5 percent. The Office also announced that the burden on the American public had actually increased by 3.6 million hours. The increase in burden was attributed to (1) increased Department of Housing and Urban Development information requirements and (2) reporting requirements for the Department of Labor and Internal Revenue Service 2/ under the Employee Retirement Income Security

1/Repetitively used reports, as used by the Office, includes application, program evaluation, statistical survey, or other management reports to be submitted by respondents to Federal agencies and requirements to maintain records imposed by Federal agencies.

2/One report was jointly used by the Department of Labor and the Internal Revenue Service.

Act of 1974. Without the increased burden of these reporting requirements, there would have been a 2.4 percent reduction (3.3 million hours) in respondent burden imposed by all departments and agencies participating in the program.

Reduction program results
not as good as claimed

We selected for detailed analysis the reductions achieved by the Department of Labor. The Office of Management and Budget's records showed that Labor's inventory of approved, repetitive reports had been reduced by 27 (10 percent). This represents the net reduction that occurred during the period; 40 reports were eliminated and 13 were added. While the statistics reported by the Office suggest that the reduction program objective was achieved, we concluded that 28 of the 40 claimed report reductions were misleading:

- Labor had discontinued using three reports in May 1975, about 6 months before the reduction program began. Through oversight, these reports remained on the Office's inventory of approved reports and were counted as reductions under the reduction program.
- One report was erroneously listed twice on the Office's October 31, 1975, list of active, repetitive reports--once as a Labor report and once as a Pension Benefit Guaranty Corporation report. It was dropped from the list of Labor's reports as of June 30, 1976, and counted as a reduction.
- For 10 reports that were reported discontinued, other Labor reports were being used to obtain the same or similar information from respondents. Therefore, although the number of reports actually decreased, the burden associated with the discontinued reports was not eliminated.
- Three reports listed by the Office as being eliminated were still active according to Labor personnel. Two of the reports had been approved by the Office through November 1976 and the third through June 1978.
- Two reports approved by the Office subsequently were determined to be not subject to Office review

under the Federal Reports Act. These reports were dropped from the list and counted as reductions. However, one report was still being used. In place of the other, Labor issued a general requirement for the respondents to maintain records from which information may have to be reported in the future. When the specific records to be maintained or information to be reported is prescribed by Labor, these requirements would be subject to Office review.

--Three reports were eliminated because the functions requiring them were transferred totally or in part to another agency within Labor. Reports clearance personnel at the Department of Labor said that new reports had been or were being developed to replace the discontinued ones.

--Six reports counted as discontinued represented temporary reductions because the reports were being replaced or were to be reinstated as needed. Revised versions were being developed for two of the reports and another was still being used by Labor while a revision was being prepared. The remaining three reports had been used by Labor periodically. Two were reinstated after the reduction program ended and the third report was expected to be reinstated as soon as it was needed.

(The individual reports are discussed in more detail in enc. II.)

Although we did not analyze the claimed report reductions for departments and agencies other than the Department of Labor, we did note, in our review of program correspondence, that claimed reductions for two other agencies were also misleading:

--The Selective Service System claimed a 75-percent reduction of repetitive reports by eliminating 18 of 24 reports approved as of October 31, 1975. However, some of the eliminated reports had been used primarily for the Armed Forces induction program which ended July 1, 1973, and the remainder had been used until April 1, 1975, to register 18-year olds for the draft. These reports should have been eliminated from the Office's approved inventory before the start of the reduction program.

--The Civil Service Commission reported a 17-percent reduction of its repetitive reports. Twenty-seven reports counted as reductions were reduced because the Office ruled that they were not subject to its approval under the Federal Reports Act. However, the public was not relieved of the reporting burden (about 410,000 hours) associated with these reports and the Commission will continue to use them to obtain information from job applicants.

Caution needed in interpreting
program statistics

The statistics on the number of reports and amount of burden reported by the Office were widely used to inform the Congress, the President, and the general public of the Federal Government's efforts to reduce Government "red tape." However, measuring the effectiveness of efforts to reduce the number and burden of reports is difficult because problems exist in inventorying reports and estimating the burden they impose.

Number of reports

The Office maintains a list of repetitively-used and single-time reports which is intended to account for all Office-approved reports. The number of reports stated in the Office's press release, however, really represents the total of approval numbers assigned by the Office. Since the Office sometimes approves a series of related reports under a single approval number, the number of reports in use is understated. In addition, the number of reports can be reduced simply by approving groups of reports under a single approval number. For example, two new reports, approved under a single number, replaced two reports and part of a third which had been approved under three separate numbers (see enc. II, pp. 6 and 7).

Also the list sometimes contains errors affecting the count of the number of reports. The Office requests that the agencies review the list of approved reports monthly and certify the list's accuracy or submit corrections. However, the errors do not always get reported or corrected.

Another problem affecting the Office's list is that it does not include reports which the Office has determined, under its discretionary authority, not to be subject to review under the act. In addition, the list is not intended

to account for reports used by exempt agencies or the independent Federal regulatory agencies whose reports are subject to our review.

Consequently, the Office figures do not represent the total number of reports used by Federal agencies to collect information from the public.

Respondent burden

Annual respondent burden reported by the Office represents the total of the agencies' estimates of aggregate time spent by respondents in completing agency reports in a given year. This annual burden is the product of estimates of three factors for each approved report. These factors are

- the number of respondents,
- the number of times the report is completed each year, and
- the average number of hours required to complete the report.

The most uncertain of these factors is the average number of hours it takes a respondent to complete the report. This is an estimate of the agency that developed the report and there have been serious disagreements between agencies and respondents on the validity of these estimates.

Again the respondent burden reported by the Office covers only those reports included on the Office's list. It, therefore, is not a complete tabulation of burden.

Conclusion

Statistics relating to the paperwork burden and the President's reporting reduction program are subject to error, and users of these statistics should be aware of their limitations. At best they provide only an indication of the extent of the paperwork burden. At worst they could mislead Government officials and the public about trends relating to the paperwork burden.

Continuation of reduction program

The President's March 1, 1976, directive instructed each department and agency head to undertake a continuing effort to reduce the burden of Government reporting. However, the reported burden increased by 3.6 million hours during the period of the reduction program.

On July 23, 1976, the Office announced the President's initiation of a second phase, Government-wide effort. The goals of this effort are to reduce the burden of Federal reporting by 7 million hours (5 percent) by September 30, 1977, and further reduce the burden by approximately 20 million hours (15 percent) by September 30, 1978. The timetable for accomplishing these goals was set to allow departments and agencies time to obtain legislative changes which will permit burden reductions.

On September 1, 1976, the Office imposed ceilings on the number of repetitive and single-time reports that a department or agency could have in an attempt to control the number of reports used by the agencies. The Office also outlined steps to be taken by agencies to reduce burden.

On February 16, 1977, the President, in a memorandum issued to the heads of executive departments and agencies, stated that he placed "a high priority on reducing the burden which reporting to the Federal Government places upon the American public." He said he was dismayed to learn that the executive agencies had made "virtually no progress" toward achieving the 5-percent reduction in burden by September 30, 1977. He directed that the agencies review their data collection activities to find ways of carrying out their program responsibilities in a manner which will reduce the paperwork burden on the public. The Office was given responsibility for overseeing the burden reduction program.

The Office, on February 17, 1977, issued essentially the same guidelines for reducing public reporting to the agencies as it issued September 1, 1976. The target of a 5-percent reduction in burden by September 30, 1977, and the ceilings on the number of reports were retained. However, the specific target for reducing the burden by an additional 15 percent by September 30, 1978, was eliminated.

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A draft of this report was provided to the Office of Management and Budget and the Department of Labor. Their comments have been considered in finalizing the report. The Office Director neither agreed nor disagreed with our conclusions and recommendations but indicated a willingness to comment on these aspects of the report if we so desired. We are pursuing this matter and any comments received, together with our evaluation of them, will be forwarded to you.

As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the Senate Committee on Governmental Affairs and House Committee on Government Operations not later than 60 days after the release date of the report and to the Senate and House Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

We will contact your office soon to arrange for the release of this report so that the requirements of section 236 can be set in motion. A copy of this report is being provided to Senator Nunn.

Sincerely yours,



Comptroller General
of the United States

Enclosures - 2

COORDINATION OF FEDERAL REPORTING REQUIREMENTS

The Federal Reports Act (44 U.S.C. 3501 et. seq.), provides for the coordination of Federal reporting requirements. This responsibility is assigned to the Director of the Office of Management and Budget and the Comptroller General of the United States. Generally, the act requires them to review reports used to collect information on identical items from 10 or more persons.

The Office of Management and Budget is required to review reports proposed by most executive branch departments and agencies. Under the act the Office does not review the collection of information by the Internal Revenue Service; the Comptroller of the Currency; the Bureau of the Public Debt; the Bureau of Government Financial Operations; and the Bureau of Alcohol, Tobacco and Firearms of the Treasury Department; or the Federal bank supervisory agencies in performing their supervisory functions. The Office, however, has determined that reports used by the Federal Reserve Board, Farm Credit Administration, and Federal Home Loan Bank Board to collect information for general financial and economic statistics are subject to the act.

The General Accounting Office (GAO) has the responsibility to review reports used by independent Federal regulatory agencies. For purposes of the act, these agencies are the Civil Aeronautics Board, Commodity Futures Trading Commission, Consumer Product Safety Commission, Equal Employment Opportunity Commission, Federal Communications Commission, Federal Elections Commission, Federal Energy Administration, Federal Maritime Commission, Federal Power Commission, Federal Trade Commission, Interstate Commerce Commission, National Labor Relations Board, Nuclear Regulatory Commission, and Securities and Exchange Commission.

GAO's authority is much more limited than the Office's authority under the Federal Reports Act. The Office may withhold approval of a proposed report if it determines that the agency does not need the information to properly perform its functions. GAO cannot withhold its approval under the same circumstances because the independent Federal regulatory agency makes the final determination concerning whether it needs the information to carry out its statutory responsibilities. In addition, the Office may designate a single collecting agency if it believes the information needs of two or more agencies can be adequately served by a single collecting agency. GAO has

ENCLOSURE I

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no such authority. The Office also has no time limit for its reviews; GAO has 45 days in which to complete its reviews.

The Federal Reports Act does not apply to the legislative and judicial branches of Government or to the governments of the District of Columbia and of the territories and possessions of the United States and their various subdivisions.

MISLEADING CLAIMED REDUCTIONS
OF DEPARTMENT OF LABOR REPORTS DURING THE
PRESIDENT'S REPORTING REDUCTION PROGRAM

Reports discontinued in May 1975 but counted as part of the reduction by the Department of Labor and the Office of Management and Budget

044-R1352--Employee Welfare or Pension Benefit Plan Description Amendment Form (Form D-1A)

044-R1466--Employee Pension Benefit Plan Description Form Supplement (Form D-1S)

044-R1507--WPPDA Filer Reporting Status (Form D-1T)

These reports were discontinued about May 1975 because the Welfare and Pension Plans Disclosure Act, under which they were required, was being replaced by the Employee Retirement Income Security Act of 1974. These reports continued to be carried on the Office of Management and Budget's list of active reports until after October 31 and were included as reductions by both the Office and Labor under the reduction program. The Office's Clearance Officer agreed that these reports were erroneously counted as reductions under the program.

Report erroneously listed twice on the October 31, 1975, Office list

044-R1583--Premium Payment Declaration and Annual Report for Plan Years Beginning on or Before Sept. 1, 1975 (forms PBGC-1 and PBGC-1R)

This report was listed under both Labor and the Pension Benefit Guaranty Corporation on the Office's October 31, 1975, list of approved reports. It was eliminated from Labor's list of reports as of June 30, 1976, and was counted as a reduction under the reporting reduction program.

Reports discontinued; however, other Labor reports are used to obtain the same information from respondents

044-R1425--Federal Labor Organization Annual Report (Form G-2)

ENCLOSURE II

ENCLOSURE II

- 044-R1426--Federal Labor Organization Trusteeship Report
(Form G-15)
- 044-R1427--Information and Signature Sheet for Federal
Labor Organization Under Trusteeship (Form G-6)
- 044-R1428--Federal Labor Organization Abbreviated Annual
Report (Form G-4)
- 044-R1429--Federal Labor Organization Schedule on Selection
of Delegates and Officers (Form G-15A)
- 044-R1430--Federal Labor Organization Terminal Trusteeship
Report (Form G-16)
- 044-R1431--Federal Labor Organization Simplified Annual
Report (Form G-3)
- 044-R1448--Federal Labor Organization Registration Report
(Form G-1)

According to a Labor reports clearance official, these "G" series reports were developed to implement section 18 of Executive Order 11491 pertaining to labor-management relations in the Federal service. This order provided that the regulations to implement section 18 should conform generally to the principles applied to unions in the private sector. Accordingly, these reports were very similar to the "LM" series of reports used by non-Federal labor organizations for reporting under the Labor Management Reporting and Disclosure Act. In fact, reports R1426, R1427, R1429, and R1430 were identical to the LM reports.

The reports clearance official said they were planning to combine the reports before the report reduction guidelines were issued, and it was only a coincidence that the actual combining of the two series occurred during the reduction program. He said this reduction was only in the number of reports and did not affect responses or burden. The information that was being collected by the G series reports is now being obtained by using the LM reports.

- 044-R1484--Attending Physician's Supplementary Report (Form
LS-204A)

This report was consolidated with Employment Standards Administration report LS-204, "Attending Physician's

Supplementary Report," approved under 044-R0889. Labor estimated that the burden increased from 50,653 hours for the two reports to 70,000 hours for the consolidated report.

044-R1549--Accident Investigation Form (Form OSHA-4)

This report was consolidated with Occupational Safety and Health Administration report OSHA-1, "Fatality/Catastrophe Event Investigation Report," approved under 044-R1548. Labor estimated that the total burden of 7,500 hours for the two reports increased to 12,000 hours for the consolidated report.

Reports listed as eliminated at June 30, 1976, but in fact were still active

044-R0338--Occupational Wage Survey Program (Form BLS-2751A)

044-R1051--Wage Rate Information by Occupation (Form BLS-2752A)

These reports were discontinued by the Office; however, they are active Bureau of Labor Statistics reports. The Office Clearance Officer stated that both of these reports should have been listed as active.

044-R1521--Hospital Claim Form (Form CM-959)

The Office listed this report as discontinued, but the Employment Standards Administration is using it.

Reports determined by the Office to be not subject to the Federal Reports Act

044-R1266--Doctor's Certificate (Form WH-415)

This report is still being used but is no longer listed in the report inventory. The Office considers it to be a certificate and, according to paragraph 9 of attachment A, Office Circular No. A-40, determined that the report was not subject to review under the act. The Office eliminated this report from the inventory listing in December 1975.

044-R1576--Affirmative Action Obligations of Contractors
and Subcontractors for Handicapped Workers
(Form CC-4)

Under regulations published by Labor on June 11, 1974, certain contractors were required to submit to Labor an annual report concerning employment of handicapped persons. The report was to provide information on employment and complaint experience and on steps taken to carry out the commitments set forth in the contractors' affirmative action programs. The Office had approved this reporting requirement under 044-R1576.

Labor revised its regulations on April 16, 1976, to eliminate the requirement for contractors to submit an annual report. Instead, the contractors are required to maintain records regarding complaints and actions taken as well as such employment or other records required by the Director of the Office of Federal Contract Compliance or contracting agency. The contractors are further required to furnish such information, in the form required by the Director or contracting agency, as the Director deems necessary for administering the act. The Office determined that the new regulations were:

"Not subject to the Federal Reports Act because agency agreed modifications remove any specific recordkeeping or reporting requirement."

Office guidelines state that a general recordkeeping requirement is not subject to review under the Federal Reports Act. However, when the specific recordkeeping and reporting requirements are prescribed, these requirements would be subject to Office review under the act.

Reports eliminated because the functions requiring the reports were transferred to other agencies within Labor

044-R1565--Labor Market Information for Title II of Comprehensive Manpower Act of 1973 (Form MA-4)

044-R1589--Special Monthly Labor Market Information Report
(Form MA-10)

These reports were allowed to expire because the functions performed by the Employment and Training Administration which required these reports were transferred

to the Bureau of Labor Statistics. The Bureau developed Forms LAUS-1 and LAUS-2 to replace these reports and the transferred portion of 044-R1388 (discussed below). The new reports were approved by the Office on August 30, 1976, under 044-R1621.

044-R1388--Area Manpower Reports

This report was allowed to expire because a portion of the Employment and Training Administration's function which required this report was transferred to the Bureau of Labor Statistics. However, the Administration was developing a new report to collect information for the function not transferred.

Reports discontinued but were to be replaced in the future or reinstated as needed

044-R1271--Guidelines for Validating the Unemployment Insurance Statistical Reports (Form ES-200)

A Labor reports clearance official said this report was discontinued because most of the information was out of date and not usable. A private contractor is working on a new report.

044-R1510--Quarterly Report of Mandatory Listing Activities (Form MA5-80)

Approval for this report expired on June 30, 1976, and it was counted as a reduction. However, according to a Labor reports clearance official, Labor is continuing to use the report while a revision is being processed for approval. New regulations pertaining to this report were in the Federal Register on June 25, 1976.

044-R1584--Employment of the Handicapped Information Form (Form RA-2)

This report, used by handicapped persons to report alleged violations of the Rehabilitation Act of 1973, was discontinued June 3, 1976. Complaints are now being made on blank sheets of paper. A new report is being developed to replace this report.

ENCLOSURE II

ENCLOSURE II

044-R1300--Expenditures for Employee Compensation, including a followup letter and collection instructions (Form BLS-2868)

This report is used for an annual survey. Bureau of Labor Statistics reports clearance personnel said that, before the President's reporting reduction program, this report was reinstated as soon as it expired. However, under the reduction program it was allowed to expire. It was subsequently reinstated for use in the 1976 survey.

044-R1512--A Survey of Occupational Employment in Nuclear or Nuclear-Related Energy Activities (Form BLS-2870)

This report is used every 2 years and is expected to be reinstated according to Bureau of Labor Statistics personnel.

044-R1587--Digest of Selected Health and Insurance Plans (Form BLS-2866)

This report, developed under a contract with the Social Security Administration, expired in March 1976. However, it has been reinstated because the Administration needs the information.