

FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554 FCC DIRECTIVE	TITLE	
	Forms Management Program	
	Directive Number: FCCINST 1116.2	Effective Date: July 2023

1. **PURPOSE:** This directive sets forth the Federal Communication Commission’s (FCC or Commission) policies, procedures, and responsibilities relating to the development and use of forms for official and authorized purposes in compliance with the statutory and regulatory requirements (the “Forms Management Program”).

2. **CANCELLATION:** This instruction supersedes FCCINST 1116.1, FCC Forms Management Program, dated August 2015.

3. **SCOPE AND APPLICABILITY:** The Forms Management Program covers the Commission's public-use forms, including those used in the administration of any FCC program, and the Commission’s internal-use forms used by more than one Bureau or Office. The policies, procedures, and responsibilities set forth in this directive shall be followed by all staff with forms management responsibilities, including the authority to develop, edit, and administer new and revised forms.

4. **AUTHORITIES:**

- A. The E-Government Act of 2002 (44 U.S.C. §3601) and the applicable Office of Management and Budget (OMB) guidance and requirements.
- B. Government Paperwork Elimination Act (44 U.S.C. §3504)
- C. The Privacy Act of 1974 (5 U.S.C. §552a(e)(3)) and applicable OMB guidance and requirements, including specifically Circular A-108
- D. The Paperwork Reduction Act (44 U.S.C. §§3501, *et seq.*) and the applicable OMB implementing regulations (5 C.F.R. Part 1320)
- E. Section 508 of the Rehabilitation Act (29 U.S.C. §794d) *as amended by* the Workforce Investment Act of 1998 (P.L. 105-220)
- F. 44 U.S.C. Chapters 31 and 33 and the implementing regulations regarding Records Management by Federal agencies found at 36 C.F.R. Parts 1220 through 1238.

5. **POLICY.** It is FCC policy to:

- A. Establish and maintain an Agency-wide forms management program to increase the usefulness and effectiveness of forms in supporting the Commission's mission;
- B. Ensure all forms are directly linked to advancing a specific mission or goal of the Commission and are necessary for the efficient and economical operation of the Commission;
- C. Eliminate unnecessary forms and where feasible, consolidate existing related forms;
- D. Increase the usefulness of forms through effective design and clear instructions to make it as easy as possible for respondents to provide the information requested;
- E. Ensure that forms, to the maximum extent possible, make effective and efficient use of electronic technologies for the creation, collection, distribution, and use of these forms and to record, store, and disseminate information entered on those forms; and
- F. Ensure that FCC forms are accessible, secure, transparent, and clear, and collect the minimum amount of personally identifiable information (PII) necessary, consistent with statutory and regulatory requirements, including the Privacy Act.

6. ROLES AND RESPONSIBILITIES:

- A. The Office of the Managing Director (OMD). OMD is responsible for ensuring that procedures are developed and implemented to carry out the agency's Forms Management Program in an efficient, effective, accessible and secure manner as prescribed by Federal statute, regulation, and policy. OMD is responsible for the administration of the Commission's Forms Management Program, including establishing overall policies, procedures, and responsibilities. This includes:
 - 1) Providing guidance to the Bureaus and Offices to ensure compliance with all applicable legislation, regulations, standards, and guidelines for form design, development, management, and analysis;
 - 2) Ensuring that the Commission's public-use forms meet the statutory and regulatory requirements associated with the Paperwork Reduction Act (as amended by the Government Paperwork Elimination Act), the E-Government Act, and the Privacy Act, which includes acting as the Commission's liaison to the Office of Management and Budget in regard to forms associated with Paperwork Reduction Act information collections;

- 3) With input and support from the Bureaus and Offices, maintaining an inventory of all Commission forms and ensuring the Commission's inventory of public-use forms is kept current on the Internet;
- 4) With input from and coordination with the Senior Agency Official for Privacy (SAOP), reviewing new and revised forms created by the Bureaus and Offices to ensure PII is collected only when and only so much PII as necessary to advance the mission of the Commission or to follow statutory or regulatory mandates;
- 5) Coordinating the clearance of forms with OMB, GSA, or other government agencies when necessary and as required;

B. Bureau and Office Chiefs are responsible for:

- 1) Designating a representative to act as liaison to OMD on all matters concerning public and internal-use forms for which the Bureau or Office is responsible;
- 2) Ensuring all public- and internal-use forms are linked to a strategic goal or objective of the Commission and can be shown to be necessary for the efficient and effective operation of the Commission;
- 3) When proposing any new form, providing a justification to the Managing Director demonstrating why no existing form or data from existing forms could be used to accomplish the objective;
- 4) Conducting periodic reviews to assess whether public- and internal-use forms the Bureau or Office originated are still required;
- 5) Coordinating with OMD to ensure forms are accessible and designed to make it as easy as possible for respondents to provide the information requested in the least amount of time;
- 6) Coordinating with the FCC's SAOP to ensure that any form requesting PII that will be maintained in an FCC system of records contains the required Privacy Act Statement;
- 7) Coordinating with OMD and OGC to ensure that all Commission public-use forms associated with information collections have the information displayed as required by 5 C.F.R. §§ 1320.3(f) and 1320.5(b)(1) either on the form or in materials associated with the form;
- 8) Ensuring that current versions of the Commission's public use forms are available on FCC.gov;
- 9) Ensuring that forms are created, maintained, and disposed of in conformance with the FCC's Records Management Program; and

- 10) Ensuring that OMD is promptly provided with a copy of every new or revised internal-use form, as well as notification when such forms are no longer used to that a current inventory of such forms may be maintained.

C. Bureau and Office Forms Designers are responsible for:

- 1) Coordinating with the Office of the Chief Information Officer (OCIO) to ensure the use of appropriate technology for the design and use of secure and accessible Forms;
- 2) Incorporating plain language to the greatest extent possible in accordance with the OMB Final Guidance for the Plain Writing Act of 2010;
- 3) Coordinating with the SAOP to ensure that any form that must contain PII shall also include the required Privacy Act Statement; and
- 4) Coordinating with OMD and the OCIO to ensure that all internal and external forms are designed in an electronic format that conforms to Section 508 requirements to ensure accessibility of all internal and external FCC forms.

D. The Senior Agency Official for Privacy (SAOP) is responsible for:

- 1) Ensuring that FCC forms contain Privacy Act Statements, if required, and are otherwise clear;
- 2) Reviewing new and revised forms created by the Bureaus and Offices to ensure that any PII requested is collected only when, and only as much as necessary to advance the mission of the Commission or to follow statutory or regulatory mandates. The SAOP shall conduct this review in coordination with OMD.

7. EFFECTIVE DATE AND IMPLEMENTATION. This Directive is effective immediately and shall be implemented promptly upon distribution.

Mark Stephens
Managing Director

