

44 USCS § 3508

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§ 3508. Determination of necessity for information; hearing

Before approving a proposed collection of information, the Director shall determine whether the collection of information by the agency is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility. Before making a determination the Director may give the agency and other interested persons an opportunity to be heard or to submit statements in writing. To the extent, if any, that the Director determines that the collection of information by an agency is unnecessary for any reason, the agency may not engage in the collection of information.

HISTORY:

(Added May 22, 1995, P.L. 104-13, § 2, 109 Stat. 179.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

A prior § 3508 (Act Dec. 11, 1980, P.L. 96-511, § 2(a), 94 Stat. 2821) was omitted in the general revision of this chapter by Act May 22, 1995, P.L. 104-13, § 2, 109 Stat. 163, effective as provided by § 4 of such Act, which appears as *44 USCS § 3501* note. The prior section provided for determination of the necessity for information and for a hearing.

Another prior § 3508 (Act Oct. 22, 1968, P.L. 90-620, § 1, 82 Stat. 1304), which related to unlawful disclosure of information, penalties therefor, and the release of information to other agencies, was omitted in the general revision of this chapter by Act Dec. 11, 1980, P.L. 96-511, § 2(a), 94 Stat. 2812, effective April 1, 1981, as provided by § 5 of such Act.

Effective date of section:

This section became effective on Oct. 1, 1995, with certain exceptions, as provided by Act May 22, 1995, P.L. 104-13, § 4, 109 Stat. 185, which appears as *44 USCS § 3501* note.

NOTES:

Related Statutes & Rules:

This section is referred to in *44 USCS § 3504*.

Research Guide:

Federal Procedure:

2 Fed Proc L Ed, Administrative Procedure § 2:66.

Am Jur:

45B Am Jur 2d, Job Discrimination § 1641.

Law Review Articles:

Lubbers, Paperwork redux: the (stronger) Paperwork Reduction Act of 1995, *49 Admin L Rev 111*, Winter 1997.

Gellhorn, Adverse Publicity by Administrative Agencies. *86 Harv L Rev 1380*, June, 1973.