

**SUPPORTING SUPPLEMENTAL STATEMENT A
FOR
PAPERWORK REDUCTION ACT SUBMISSION
OF THE
U.S. OFFICE OF SPECIAL COUNSEL**

Justification

1. **Necessity for the Collection.** By statute, the U.S. Office of Special Counsel (OSC) must conduct this annual survey of individuals who contacted OSC for assistance within the relevant year. The mission of OSC is to protect current and former federal government employees, and applicants for federal employment, especially whistleblowers, (“filers”) from prohibited personnel practices; facilitate disclosures of wrongdoing in the federal government; and promote compliance by government employees with legal restrictions on political activity. OSC carries out this mission by: (1) investigating complaints of prohibited personnel practices, especially reprisal for whistleblowing, and pursuing remedies for violations; (2) operating an independent and secure channel for whistleblower disclosures of wrongdoing in federal agencies, with referral for investigation in appropriate cases; (3) providing advisory opinions on, and enforcing, the Hatch Act; (4) protecting the reemployment rights of veterans under the Uniformed Services Employment and Reemployment Rights Act; and (5) promoting greater understanding of the rights and remedies of federal employees under the statutes enforced by OSC.

The survey questionnaires included in this submission provide individuals who file complaints and disclosures with OSC, as well as persons seeking Hatch Act Advisory Opinions, the voluntary opportunity to indicate whether they were: (1) apprised of their rights; (2) successful at the OSC or at the Merit Systems Protection Board; and (3) satisfied with the treatment they received at the OSC. This annual survey is required by Section 13 of Public Law 103-424 (1994), codified at 5 U.S.C. 1212 note (copy attached).

2. **Uses of the Information.** Congress requires OSC to publish the survey results in the agency’s annual report to Congress. OSC also uses the information to measure the satisfaction of those OSC serves and to review areas for potential program refinement.
3. **Collection Techniques.** OSC will email an electronic link to the survey to individuals who have contacted OSC for assistance in the relevant year. OSC will receive and host this survey in its own IT systems. Recipients of the survey may open a weblink to the survey and submit their answers to OSC electronically.

Because the submissions are electronic and anonymous, we do not compare the list of survey recipients with survey respondents. We therefore do not resend survey forms to attempt to increase our response rate

4. **No duplication of effort.** The information to be collected is not otherwise available to OSC. OSC is required by statute to conduct this annual survey.

5. **Minimizing burden.** We estimate that each individual respondent will spend 5.5 minutes completing the survey. The only small entities that might be affected by this collection of information would be the listed legal or other representatives of complainants or whistleblowers who would receive and respond to the surveys on behalf of their clients. OSC cannot reduce the burden on either individuals or the small entities who respond in their behalf.
6. **If collection were not conducted.** By statute, OSC must conduct this annual survey and include the results in the agency's annual report to Congress. If OSC could not conduct the collection, OSC would have failed the statutory requirement to conduct the survey and report the results.
7. **Special circumstances.** OSC is requesting emergency approval of this modified collection of information, because by statute OSC must complete and review the annual survey by the end of FY2020, less than 45 days from the date of this Notice, well before the normal expiration periods; because obtaining the survey responses is essential to OSC's mission and must also be provided to Congress in OSC's annual report; and because OSC faced an unanticipated event with office disruptions due to the Coronavirus pandemic preventing earlier publication. Pursuant to 5 C.F.R. § 1320.13, we request that OMB approve this ICR within 5 days of OMB's receipt of this submission.
8. **Federal Register publication.** Attached is the notice submitted to the Federal Register. OSC's proposed information collection is submitted pursuant to 5 C.F.R. § 1320.13.
9. **Payment of gift to respondents.** Not applicable.
10. **Confidentiality.** Respondents will click on an electronic link embedded within an email to access the survey, but the survey does not request any personally identifying information (PII). If a respondent provides PII (despite the survey not requesting it), confidentiality is protected consistent with 5 U.S.C. § 552a; 5 U.S.C. § 1212(g); 5 U.S.C. § 1213; and OSC policy.
11. **Justification for a question of a sensitive nature.** The survey does not ask for personally identifying information. The email addresses are pre-sorted by the type of assistance the individual sought from OSC, so respondents need not provide personal information in order to respond to the survey. Questions gauging respondent satisfaction with OSC's process are necessary to the survey. Those questions are anonymized and do not contain PII.
12. **Hour burden of the collection of information.** Based a review of recent surveys and the fewer number of complaints received in FY2020, OSC estimates that 600 respondents will complete the survey at an average time of 5.5 minutes per completed survey, for an estimated burden of 55 hours.

13. **Total Annual Cost Burden.** Any cost incurred by a recipient's reproduction of a personal copy of the emailed survey is nominal.
14. **Total Annual Cost to the Federal Government.** Because the survey was created and will be distributed by OSC, the total annual cost to the Federal Government is *de minimus*.
15. **Changes or adjustments.** This collection is slightly changed from the previously approved 2019 Pilot Project Survey and prior annual surveys, mainly by tailoring survey questions according to the type of assistance the recipient sought from OSC in FY2020.
16. **Publication of results.** OSC will publish the survey results in the agency's annual report to Congress.
17. **Reason for not displaying expiration date.** Not applicable.
18. **Exceptions to Certification.** Not applicable.

5 USC Sec. 1212 note

ANNUAL SURVEY OF INDIVIDUALS SEEKING ASSISTANCE

Section 13 of Pub. L. 103-424 provided that:

The Office of Special Counsel shall, after consulting with the Office of Policy and Evaluation of the Merit Systems Protection Board, conduct an annual survey of all individuals who contact the Office of Special Counsel for assistance. The survey shall -

"(1) determine if the individual seeking assistance was fully apprised of their rights;

"(2) determine whether the individual was successful either at the Office of Special Counsel or the Merit Systems Protection Board; and

"(3) determine if the individual, whether successful or not, was satisfied with the treatment received from the Office of Special Counsel."(b) Report. -

The results of the survey conducted under subsection (a) shall be published in the annual report of the Office of Special Counsel."