

**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. OSC is a permanent independent federal investigative and prosecutorial agency. OSC's basic authorities come from four federal statutes: The Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing.

The survey questionnaires included in this submission provide individuals who file complaints and disclosures with OSC, as well as persons who seek Hatch Act Advisory Opinions, the voluntary opportunity to indicate whether they were: (1) apprised of their rights; (2) successful at OSC or at the Merit Systems Protection Board; and (3) satisfied with the treatment they received at 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 it would take each individual respondent to this voluntary survey 5.3 minutes to complete. The only small entities that might be affected by this information collection 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 fail to fulfill the statutory requirement to conduct the survey and report the results.
7. **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 request 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 individuals contacting OSC for assistance in FY2020, OSC estimates that 500 respondents will complete the 2021 survey at an average time of 5.3 minutes per completed survey, for an estimated burden of 44 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, mainly by tailoring survey questions according to the type of assistance the recipient sought from OSC in FY2021.
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 (1994) 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."