

(Added Pub. L. 104-13, §2, May 22, 1995, 109 Stat. 176; amended Pub. L. 104-106, div. E, title LVI, §5605(d), Feb. 10, 1996, 110 Stat. 700; Pub. L. 106-398, §1 [[div. A], title X, §1064(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-275.)

#### PRIOR PROVISIONS

A prior section 3507, added Pub. L. 96-511, §2(a), Dec. 11, 1980, 94 Stat. 2819; amended Pub. L. 99-500, §101(m) [title VIII, §817], Oct. 18, 1986, 100 Stat. 1783-308, 1783-338, and Pub. L. 99-591, §101(m) [title VIII, §817], Oct. 30, 1986, 100 Stat. 3341-308, 3341-338, related to submission to Director of public information collection request for an approval or delegation to a senior official of an agency prior to the general amendment of this chapter by Pub. L. 104-13.

Another prior section 3507, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1304, provided for cooperation of agencies in making information available, prior to the general amendment of this chapter by Pub. L. 96-511. See section 3510(a) of this title.

#### AMENDMENTS

2000—Subsecs. (e)(3)(B), (h), (j). Pub. L. 106-398 substituted “subchapter” for “chapter” wherever appearing.

1996—Subsec. (j)(2). Pub. L. 104-106 substituted “180 days” for “90 days”.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-398 effective 30 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1065] of Pub. L. 106-398, set out as an Effective Date note under section 3531 of this title.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 702.

### § 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.

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

#### PRIOR PROVISIONS

A prior section 3508, added Pub. L. 96-511, §2(a), Dec. 11, 1980, 94 Stat. 2821, related to determination of whether collection of information is necessary for proper performance of functions of agency prior to the general amendment of this chapter by Pub. L. 104-13.

Another prior section 3508, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1304, related to unlawful disclosure of information, penalties, and release of information to other agencies, prior to the general amendment of this chapter by Pub. L. 96-511. See section 3510(b) of this title.

### § 3509. Designation of central collection agency

The Director may designate a central collection agency to obtain information for two or

more agencies if the Director determines that the needs of such agencies for information will be adequately served by a single collection agency, and such sharing of data is not inconsistent with applicable law. In such cases the Director shall prescribe (with reference to the collection of information) the duties and functions of the collection agency so designated and of the agencies for which it is to act as agent (including reimbursement for costs). While the designation is in effect, an agency covered by the designation may not obtain for itself information for the agency which is the duty of the collection agency to obtain. The Director may modify the designation from time to time as circumstances require. The authority to designate under this section is subject to the provisions of section 3507(f) of this subchapter.

(Added Pub. L. 104-13, §2, May 22, 1995, 109 Stat. 180; amended Pub. L. 106-398, §1 [[div. A], title X, §1064(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-275.)

#### PRIOR PROVISIONS

A prior section 3509, added Pub. L. 96-511, §2(a), Dec. 11, 1980, 94 Stat. 2821, related to designation of central collection agency prior to the general amendment of this chapter by Pub. L. 104-13.

Another prior section 3509, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1304, related to plans or forms for collecting information, submission to Director, and his approval, prior to the general amendment of this chapter by Pub. L. 96-511.

#### AMENDMENTS

2000—Pub. L. 106-398 substituted “subchapter” for “chapter”.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-398 effective 30 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1065] of Pub. L. 106-398, set out as an Effective Date note under section 3531 of this title.

### § 3510. Cooperation of agencies in making information available

(a) The Director may direct an agency to make available to another agency, or an agency may make available to another agency, information obtained by a collection of information if the disclosure is not inconsistent with applicable law.

(b)(1) If information obtained by an agency is released by that agency to another agency, all the provisions of law (including penalties) that relate to the unlawful disclosure of information apply to the officers and employees of the agency to which information is released to the same extent and in the same manner as the provisions apply to the officers and employees of the agency which originally obtained the information.

(2) The officers and employees of the agency to which the information is released, in addition, shall be subject to the same provisions of law, including penalties, relating to the unlawful disclosure of information as if the information had been collected directly by that agency.

(Added Pub. L. 104-13, §2, May 22, 1995, 109 Stat. 180.)

#### PRIOR PROVISIONS

A prior section 3510, added Pub. L. 96-511, §2(a), Dec. 11, 1980, 94 Stat. 2822, related to cooperation of agencies