

§ 3512. Public protection

(a) Notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information that is subject to this subchapter if—

(1) the collection of information does not display a valid control number assigned by the Director in accordance with this subchapter; or

(2) the agency fails to inform the person who is to respond to the collection of information that such person is not required to respond to the collection of information unless it displays a valid control number.

(b) The protection provided by this section may be raised in the form of a complete defense, bar, or otherwise at any time during the agency administrative process or judicial action applicable thereto.

(Added Pub. L. 104-13, § 2, May 22, 1995, 109 Stat. 181; 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 3512, added Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2822, related to protection of persons failing to maintain or provide information if information collection request did not display current control number prior to the general amendment of this chapter by Pub. L. 104-13.

Another prior section 3512, added Pub. L. 93-153, title IV, § 409(b), Nov. 16, 1973, 87 Stat. 593, related to information for independent regulatory agencies, prior to the general amendment of this chapter by Pub. L. 96-511.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-398 substituted “subchapter” for “chapter” in introductory provisions and par. (1).

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, Oct. 30, 2000, 114 Stat. 1654, formerly set out as an Effective Date note under former section 3531 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1995, except as otherwise provided, see section 4(a) of Pub. L. 104-13, set out as a note under section 3501 of this title.

§ 3513. Director review of agency activities; reporting; agency response

(a) In consultation with the Administrator of General Services, the Archivist of the United States, the Director of the National Institute of Standards and Technology, and the Director of the Office of Personnel Management, the Director shall periodically review selected agency information resources management activities to ascertain the efficiency and effectiveness of such activities to improve agency performance and the accomplishment of agency missions.

(b) Each agency having an activity reviewed under subsection (a) shall, within 60 days after receipt of a report on the review, provide a written plan to the Director describing steps (including milestones) to—

(1) be taken to address information resources management problems identified in the report; and

(2) improve agency performance and the accomplishment of agency missions.

(c) **COMPARABLE TREATMENT.**—Notwithstanding any other provision of law, the Director shall treat or review a rule or order prescribed or proposed by the Director of the Bureau of Consumer Financial Protection on the same terms and conditions as apply to any rule or order prescribed or proposed by the Board of Governors of the Federal Reserve System.

(Added Pub. L. 104-13, § 2, May 22, 1995, 109 Stat. 181; amended Pub. L. 111-203, title X, § 1100D(b), July 21, 2010, 124 Stat. 2111.)

PRIOR PROVISIONS

A prior section 3513, added Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2822; amended Pub. L. 98-497, title I, § 107(b)(27), Oct. 19, 1984, 98 Stat. 2291, related to periodic review of agency activities by Director and report of review and agency response to it prior to the general amendment of this chapter by Pub. L. 104-13.

AMENDMENTS

2010—Subsec. (c). Pub. L. 111-203 added subsec. (c).

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-203 effective on the designated transfer date, see section 1100H of Pub. L. 111-203, set out as a note under section 552a of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section effective Oct. 1, 1995, except as otherwise provided, see section 4(a) of Pub. L. 104-13, set out as a note under section 3501 of this title.

§ 3514. Responsiveness to Congress

(a)(1) The Director shall—

(A) keep the Congress and congressional committees fully and currently informed of the major activities under this subchapter; and

(B) submit a report on such activities to the President of the Senate and the Speaker of the House of Representatives annually and at such other times as the Director determines necessary.

(2) The Director shall include in any such report a description of the extent to which agencies have—

(A) reduced information collection burdens on the public, including—

(i) a summary of accomplishments and planned initiatives to reduce collection of information burdens;

(ii) a list of all violations of this subchapter and of any rules, guidelines, policies, and procedures issued pursuant to this subchapter;

(iii) a list of any increase in the collection of information burden, including the authority for each such collection; and

(iv) a list of agencies that in the preceding year did not reduce information collection burdens in accordance with section 3505(a)(1), a list of the programs and statutory responsibilities of those agencies that precluded that reduction, and recommendations to assist those agencies to reduce information collection burdens in accordance with that section;