Part 403 – Directives, Forms, and Reports

Subpart B – Forms

403.10 Purpose

This subpart establishes NRCS policy and procedures for managing forms. Forms are used to provide an orderly method of organizing, collecting, transmitting, and storing information. Forms provide the means to execute a large variety of NRCS actions.

403.11 References

The Standard and Optional Forms Management Program is a Governmentwide program that promotes economies and efficiencies through the development, maintenance, and use of common forms. The following loose leaf publications are available for your use:

(1) Federal Management Regulation (FMR) Subchapter G, Part 102-193: "Creation, Maintenance, and Use of Records"
(2) Government Paper Elimination Act (GPEA)
(3) E-Government Act of 2002
(4) Public Law 106-229, the Electronic Signatures in Global and National Commerce Act
(5) The President's Management Agenda
(6) Departmental Regulation (DR) 3020-001, Departmental Forms Regulation
(7) DR 3600-000, USDA Information and Technology Transformation
(8) DR 4070-735-001, Employee Responsibilities and Conduct
(9) Section 508 of the Rehabilitation Act, as amended (29 U.S.C. Section 794d)
(10) Privacy Act of 1974, as amended (5 U.S.C. Section 552a)

403.12 Definitions

A. Agency Form.—A form established by a USDA agency for use only within that agency or other agencies serviced by that agency.

B. Departmental Form (AD).—A form originating in or standardized for use throughout USDA and used by two or more USDA agencies.

C. National Form.—A form used in more than one State. It is identified by NRCS followed by an appropriate primary subject symbol and a sequence number.

D. National Supply Item.— Items that are stocked and distributed by LANDCARE are identified by a primary subject title number (110, 120, 190, etc.) and a sequence number.

E. Optional Form (OF).—A form used by two or more agencies and approved by the General Services Administration (GSA) for nonmandatory use. Typical Federal agency forms are those of the Office of Personnel Management, Office of Budget and Management, and the General Services Administration.

F. Public-Use Form.—A paper or electronic form used to collect information from the public or identical items from 10 or more persons.

G. Internal Form.—A paper or electronic form used by NRCS employees to collect and organize information.

H. Standard Form (SF).—A form prescribed by a Federal agency and approved by GSA for mandatory Governmentwide use.

I. Electronic Form (eForm).—An electronic form provided on the service center agencies' eForms Web site that customers, producers, and partners can complete and transact business online with Government offices. This fill able form will be created in an Adobe Acrobat Professional format.

J. Manual.—A permanent directive used for technical guidance or instructions.

K. Specialty Form.—Any form that is more complex in design or construction than a single sheet. For example, computerized, optical character recognition, labels, and tag forms.

L. Sponsor.—The agency or division responsible for issuing the forms.

403.13 Responsibilities

A. The Deputy Chief for Management has overall responsibility for providing written instructions on NRCS policies, procedures, and operation of the Forms Management Program. The responsibilities of the Deputy Chief for Management are as follows:

(1) Comply with the provisions of the E-Government Act.
(2) Collaborate and integrate of functions across NRCS leadership and management functions.
(3) Ensure all forms meet the standards of section 508 of the Rehabilitation Act of 1973.

B. The chief information officer (CIO) has overall responsibility for the technical operations of the electronic function of forms management. Web-based Internet applications and other information technologies relating to electronic forms must meet the standards of section 508 of the Rehabilitation Act of 1973, as amended, according to the accessibility standards located at http://www.access-board.gov/508.htm. Any equipment, software, or interconnected systems must comply with NRCS policy.

C. The Regional Chiefs, State Conservationists, and the Directors, Pacific Islands and Caribbean Areas, must appoint a forms management officer (FMO), a forms committee, or both for their office. The FMO and the forms committee will review and recommend action on new and revised local forms to ensure that they comply with National Headquarters (NHQ) forms policies and procedures. Each office must—

(1) Send one copy of approved new and revised State forms to the NHQ forms manager and records officer, including a copy of the approved Form NRCS-ADS-24, "Request for Form Approval."
(2) Maintain a file of current State forms, including a copy of Form NRCS-ADS-24 approving its use.
(3) Issue a list of current State forms at least once a year and instruct all offices to dispose of or exhaust supplies of obsolete or superseded forms.
(4) Review all locally developed paper and electronic forms at least once a year to ensure that they are necessary and current.
(5) Ensure that electronic forms meet the standards of section 508 of the Rehabilitation Act of 1973, as amended. Section 508 requires that when Federal agencies develop, procure, maintain, or use electronic and information technology, Federal employees with disabilities have access to and use of information and data that is comparable to the access and use by Federal employees who are not individuals with disabilities, unless an undue burden would be imposed on the agency. Section 508 also requires that individuals with disabilities, who are members of the public seeking information or services from a Federal agency, have access to and use of information and data that is comparable to that provided to the public

who are not individuals with disabilities, unless an undue burden would be imposed on the agency. For additional information on accessibility, go to http://www.access-board.gov.

(6) Establish a system for monitoring the status of eForms (see section 403.18 for an explanation of the eForms system) at least once a month to ensure that forms are processed in a timely manner and the appropriate follow up action is taken.
(7) Ensure that the staff is adequately trained to use eForms.
(8) Designate employees to check the eForms work queue monthly and notify field offices when there is a form submitted. This notification is necessary only for field offices that do not receive email notifications of eForms submissions.
(9) Ensure compliance with the Privacy Act of 1974 as it relates to personally identifiable information and the use and maintenance of forms.
(10) Safeguard the customer's eAuthentication user identification and password.

D. District conservationists must—

(1) Become familiar with the eForms online process in order to help customers use the service (see section 403.18 for an explanation of eForms).
(2) Access eForms at least once a month. Frequency may increase as appropriate to meet program needs, such as during the last few days of a program signup period.
(3) Provide access to eForms when an office may not be fully staffed during a business day.
(4) Review packages for completeness and determine the next appropriate action within eForms.
(5) Print the forms and all attachments included with an eForms package.
(6) Process accepted forms according to NRCS policy for that program.
(7) Fax or mail a printed copy of the form to the current USDA location when the correct office cannot be found in eForms and the package cannot be directed electronically.
(8) Safeguard the customer's eAuthentication user identification and password.

E. The Director, Business Services Division (BSD), is responsible for the administration of the NRCS Forms Management Program as described in Departmental Manual (DM) 3020-001, Departmental Forms Manual. The Director, BSD, must—

(1) Develop policies, procedures, standards, and guidelines to improve the effectiveness of the NRCS Forms Management Program.
(2) Establish and maintain a central historical file of forms that include, at a minimum, copies of clearance forms and supporting documentation, copies of previous editions of forms, and copies of directives or instructions (or at least pertinent portions) requiring that the forms be used.
(3) Analyze, standardize, control, and approve new and revised forms, controlling the assigned form numbers and edition.
(4) Cancel forms that the sponsors have determined are no longer needed.
(5) Ensure that the most effective and economical methods of reproducing and distributing forms are used, commensurate with the required quantity and quality.
(6) Develop and approve the process for using eForms within NRCS.
(7) Design and develop paper and electronic forms.
(8) Coordinate with the webmasters, programmers, and system analysts to ensure that electronic forms management policy is enforced.
(9) Ensure compliance with the Privacy Act of 1974 as it relates to personally identifiable information and the use and maintenance of forms.

F. The NHQ forms manager must—

(1) Issue directives establishing NRCS Forms Management Programs and send a copy of these directives to the departmental forms management officer (DFMO).

(2) Establish internal controls to assure conformity with departmental policies and standards, including adequate systems for reviewing, clearing, costing, and controlling forms.
(3) Notify the DFMO as soon as it is known that there is a pending change to be made on an AD form, and submit copy to the DFMO for review and approval.
(4) Notify the DFMO of any forms that are no longer needed to cancel the use of the form.
(5) Establish and maintain a central historical file of AD forms sponsored by NRCS and internal NRCS forms that includes, at a minimum—
(i) Camera copy.
(ii) Copies of clearance forms and supporting documentation.
(iii) Copies of previous editions of the form.
(iv) Copies of directives or instructions (or at least pertinent portions) requiring that the forms be used.
(6) Provide oversight to the Forms Management Programs within the States and their subordinate offices.
(7) Provide training and technical assistance to NRCS employees.
(8) Coordinate forms management with other areas of information management.
(9) Analyze proposed and existing NRCS forms.

G. The DFMO will analyze proposed or existing forms to ensure that—

(1) The requesting office has adequately justified the need for collecting the data and has made plans for how it will be used once collected and how it will be disposed of when it is no longer needed.
(2) The form serves its intended purpose.
(3) The cost of collecting and maintaining the data does not exceed its value.
(4) Duplication, overlap, and conflict among forms are eliminated.
(5) All opportunities for cost-effective application of information management technology (e.g., email, facsimile, word processing, etc.) are considered to enhance the collection, processing, use, dissemination, and storage of data collected on forms.
(6) The layout is logical and permits easy data entry, and the construction is cost effective.

403.14 General Forms Management Principles

A. Before creating new forms, the sponsor should ask himself or herself the following questions:

(1) Is the form really necessary?
(2) Will an existing form meet this need?
(3) Will the proposed form fit the present or anticipated procedure?
(4) Will the form improve operations?
(5) Will the form be economical to use?

B. If the answers to these questions justify the creation of a new form, sponsors should discuss their requirements with their FMO, who will assist them in creating the form.

C. All NRCS forms must be approved before use with any program. NRCS public-use forms are centrally located online at http://www.sc.egov.usda.gov.

D. Submit any form cancellation to the NHQ forms manager. If a form is no longer needed, the sponsor must submit Form NRCS-ADS-024 to the NHQ forms manager to cancel the use of the form. Send the following form to the NHQ Forms Manager, 1400 Independence Avenue SW., Room 4238-SB, Washington, DC 20250. Or you may email the package to GeneralForms@wdc.usda.gov; include contact name, State office, and telephone number.

E. Some forms are subject to regulatory controls that require the inclusion of certain statements. For example—

(1) Forms used for claims or certification must include a declaration of the criminal penalties for deliberate falsification. Examples of acceptable language for these declarations are—

(i) Claim Forms: "A knowingly false claim is a criminal offense (18 U.S.C. Section 1001)."

(ii) Forms not involving claims:

- "Willful false statements on this form can be punishable by fine or imprisonment (18 U.S.C. Section 1001)."
- "A willful false statement is a criminal offense (18 U.S.C. Section 1001)."

(iii) Forms approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1980 must contain a statement listing the burden hours and minutes estimate and request for public comments. For information about the PRA, instructions, and forms for OMB information collection forms approval go to http://www.ocio.usda.gov/.

(2) The Privacy Act of 1974 requires that individuals from whom personal information is directly solicited must be advised of the following at the time the information is requested:

(i) The authority (whether granted by statute or by Executive order of the President) that authorizes the solicitation of the information

(ii) The principal purpose or purposes for which the information is intended to be used

(iii) Routine uses of the information

(iv) Whether the disclosures of the information are mandatory or voluntary and the effects on the individual of not providing all or any part of the requested information

(3) Until all forms that solicit personal information from individuals have been redesigned to include the required Privacy Act information on the form itself, temporary supplemental Privacy Act statement sheets must be provided to the individual completing the form.

F. Forms that collect data in a different format, strike out portions of an approved form, or modify an existing approved form are illegal. Illegal electronic forms posted without valid NRCS forms format violate forms management policy and subject the agency to legal consequences. If this occurs, notify the NHQ forms manager and FMO as soon as possible.

403.15 Forms Design

A. Standards.—The General Services Administration (GSA) requires that forms design be consistent throughout the Federal Government. GSA publishes handbooks that describe forms design standards, principles, and methods.

B. NRCS forms must display USDA logo only in the upper left hand corner and the form number and date in the upper right hand corner. Design your forms in accordance to National Instruction 260-309. Some forms may require the standard Nondiscrimination and Privacy Act statements. The most current statements can be found at the bottom of the NRCS home page at http://www.nrcs.usda.gov/ or the USDA home page at http://www.usda.gov/wps/portal/usdahome.

C. Sponsors of AD forms must work with their FMO to develop an initial draft for new AD forms or for revisions to existing AD forms. These drafts must be reviewed and approved by the NHQ forms manager and departmental forms management officer before camera copy is designed.

D. To ensure cost effectiveness, eliminate legal size and oversize forms by reducing them to 8½ by 11 inches whenever practical.

403.16 Personally Identifiable Information (PII)

A. PII is information that can be used to uniquely identify an individual or to distinguish or trace an individual's name. Listed below are some examples of information that constitutes PII. For a decision on other data elements not indicated on the partial list, contact the USDA chief privacy officer. When forms are developed, the sponsor must consider the necessity and use of the following:

(1) Social Security number
(2) Date and place of birth
(3) Mother's maiden name
(4) Biometric records (such as fingerprints, iris scan, DNA)
(5) Home address and telephone number

B. When a program requires the collection of PII, the sponsor must provide justification for its use and determine if the information can be obtained through other means. If the collection of this information is justified, the sponsor must document a plan to limit access to forms containing PII. Refer to http://www.ocio.usda.gov/ for information collection preparation.

C. NRCS must ensure the privacy, confidentiality, integrity, and availability of customer and employee information contained in paper and electronic forms.

D. NRCS will only collect, maintain, use, and disseminate personal identifiable information and data on forms only as authorized by law and as necessary to carry out agency responsibilities and programs.

E. NRCS offices must secure hardcopy forms with sensitive and private information in locked file cabinets. Files may only be removed for processing and are then returned to the locked file cabinets. Only authorized personnel may be permitted access to keys to these cabinets.

F. When developing a new form, the sponsor must consider the necessity and use of PII. (See section 403.14.)

G. Existing NRCS paper and electronic forms containing PII must be reviewed at least once a year to determine if continued use is necessary. When a form is still required for NRCS use, the end user must secure the information by limiting access to the form. If it is determined that a form is no longer needed, the sponsor must submit Form NRCS-ADS-024 to the forms manager to cancel the use of the form.

H. When using an electronic form, do not attempt to save any information typed in that form online unless it is in a secured environment. Print a copy for your records and clear the information before exiting the document. An electronic form may be downloaded to your computer from the Internet and saved after closing your Internet browser.

403.17 Instructions for Printing, Stocking, and Distribution of Forms

A. Forward requests to print administrative forms to the NHQ forms manager. The forms manager will review the package and, after approval, will forward Standard Form (SF)-1, "Printing and Binding Requisition to the Public Printer" through the Department to the Government Printing Office (GPO).

B. State offices may print local forms and supply items through a local vendor. The State office may also contact the nearest GPO to request permission to procure the printing.

C. If a sponsoring unit determines that it is necessary to reprint a form more than once a year, that unit will appropriate funds to print additional copies using SF-1.

D. NRCS paper forms and supply items are stocked and distributed through LANDCARE, NRCS Distribution Center, which is located at 4407 121st Street, Urbandale, IA 50323. NHQ, State, and field offices may order NRCS paper forms and supply items from LANDCARE online at http://landcare.sc.egov.usda.gov, by telephone at (515) 270-4864, or by email at nrcsdistributioncenter@ia.usda.gov.

E. The USDA Beltsville Service Center stocks and distributes paper forms and supplies items (e.g., standard forms, optional forms, and Agriculture Department forms). The requesting officer must send an email message to GeneralForms@wdc.usda.gov, or fax to (202) 720-6040; include contact name, mailing address (no post office box addresses), telephone number, quantity being requested, and form number and title.

403.18 eForms

A. The eForms online process was specifically developed to meet the requirements of the Freedom to E-File Act and the Government Paperwork Elimination Act (GPEA). According to the requirements, "public use" forms must be available to customers in paper and electronic formats.

B. All electronic forms must be approved before they may be used as part of a database. In order to be approved, they must meet GPEA, section 508 of the Rehabilitation Act, and PRA requirements. The impact on the end users must be determined before the form is approved. For example, can the user access the form through the database without assistance?

C. The eForms process is commonly used by the USDA's three county-based agencies, NRCS, Farm Service Agency, and Rural Development. The eForms Web site requires NRCS employees to login using their eAuthentication user identification and password to search for NRCS internal forms. The Web site address is http://www.sc.egov.usda.gov/.

D. Customers, producers, partners, and others have online access to forms related to USDA programs through the service center agencies' eForms Web site. The Web site allows users to search, view, process form, print, and submit some documents electronically. Employees and customers must be familiar with the use of eAuthentication to operate eForms successfully. Before the customer can submit a completed electronic transaction, they must obtain the appropriate credentials at https://www.eauth.usda.gov/MainPages/index.aspx.

E. Helpful Web site to access approved generated forms located at http://www.ocio.usda.gov/.

403.19 Section 508 Accessibility Standards

In 1998, Congress amended the Rehabilitation Act of 1973 under section 508 (29 U.S.C. Section 794d), to require Federal agencies to make their electronic and information technology accessible to people with disabilities. Inaccessible technology interferes with an individual's ability to obtain and use information quickly and easily. Section 508 was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities, and to encourage the development of technologies that will help achieve these goals. The law applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology. Agencies must give disabled employees and members of the public access to information that is comparable to the access available to others. Some examples are as follows:

(1) When electronic forms are designed, the form must allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

(2) Textual information must be provided through operating system functions for displaying text. The minimum information that must be made available is text content, text input caret location, and text attributes.
(3) Applications may not override user-selected contrast and color selections and other individual display attributes.
(4) When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images must be consistent throughout an application's performance.
(5) Row and column headers must be identified for data tables.
(6) When a timed response is required, the user must be alerted and given sufficient time to indicate if more time is required.