

Comment from Government Member Stephanie Tatham on *Identifying and Reducing Burdens in Administrative Processes*
October 26, 2023

Thank you to ACUS' Committee on Administration and Management for your partnership in thinking about opportunities to reduce administrative burden. Staff at OMB had the opportunity to speak with ACUS' consultants as a part of their research and to provide some information that we hope was useful to the development of their excellent and thorough draft report. I appreciate the accurate and careful reflection of OMB's work and initiatives in the customer experience and administrative burden space.

I'm writing to provide additional information for your consideration. On page 51 et seq. of the report, the consultants discuss that OIRA has provided a clearer process for agencies to collect information quickly, while conforming with the PRA. The report (and the Conference's earlier project on the Paperwork Reduction Act) call attention to the OIRA "generic clearance" process, whereby an agency can conduct more than one information collection on a common topic or topics using very similar methods. Generic clearances still require the initial generic collection to go through the normal PRA process, but allows for quicker OMB review and approval of individual associated collections later on.

Consistent with ACUS' 2012-4 Recommendation, Paperwork Reduction Act, Recommendation 3 ("OMB is encouraged to continue using its generic clearance authority for this and other purposes, as appropriate and permitted by law.) OIRA has been working to increase agency awareness and use of generic clearances. For example in June 2021, OIRA and OMB's Office of Performance and Personnel Management jointly hosted an Equity Learning Community session for hundreds of government officials about stakeholder engagement. This outreach heavily focused on using Generic Clearances as a means of engaging with the public. Similarly, in October of 2021 desk officer Nick Fraser and I participated in an ACUS inter-agency roundtable on the PRA where we highlighted PRA clearance. OIRA desk officers also presented on this issue before the American Bar Association at the 2021 and 2022 fall Administrative Law Conference and will do so again this year. Others in OIRA have conducted individual outreach to agencies, particularly High Impact Service Providers (HISPs), and we've also presented at the Council of Agency Paperwork Reduction Act Officials (CAPRA) on Generic Clearances.

I would also like to call the Committee and consultants' attention to and share more information about our most recent initiative in this space, in partnership with OMB's management officials and Customer Experience Team. In 2018-2019, OMB developed a Generic Clearance for Improving Agency Customer Experience. This is also known as an *A-11, Section 280 Umbrella Clearance* because OMB in the [2018 publication of Circular A-11 required high-impact service provider \(HISP\) agencies to submit the feedback surveys described in Section 280.14 of that Circular for approval under the PRA](#). OMB provided HISP agencies with template draft PRA materials, including Supporting Statements, draft Federal Register notices, and information collection submission requests. These templates were very similar to those previously shared with agencies for generic clearances related to customer satisfaction, with a notable exception –

agencies can (with adequate data quality and appropriate caveats) publish their findings for performance reporting on Performance.gov.

I am pleased to report to you on the results of this outreach to agencies. Since 2020, all 17 HISP agencies ([there are 35 HISPs including components](#)) have received approval for this generic clearance (“*A-11, Section 280 Umbrella Clearances*”).¹ OMB has reviewed and approved 670 individual information collection requests, including 101 from the Department of Veterans Affairs, 87 from the Department of Labor, 81 from the Department of Education, 75 from the Department of Agriculture, and 51 from the Department of Health and Human Services. Agencies across the government have collected information to improve customer experience, including through customer engagement and satisfaction surveys, usability testing, informing training development, and soliciting general comments on agency service delivery.

PRA review has allowed OMB's Customer Experience team to provide centralized coordination and consultation on agency collections of information. OMB meets every other week with HISPs, including to discuss data collection initiatives. This has provided a higher quality, more consistent approach to customer experience measurement across the HISP agencies, and ([as of FY 2023](#)) [enables the use of this information for performance reporting](#). Performance data and more information about data quality and methods are available at: <https://www.performance.gov/cx/data/> and <https://www.performance.gov/cx/data/methods/>.

Use of the generic clearance flexibility for customer experience improvements is not limited to HISP agencies. The Department of Defense, the Council of Inspectors General, the Department of Justice, the Institute of Museum and Library Sciences, the National Aeronautics and Space Administration, the National Science Foundation, and OMB itself also have used this flexibility to collect information with a stated goal of improving customer service.

With thanks to ACUS and the consultants, it has come to our attention that we may need to publicize our customer experience generic clearance process within the government to agencies other than High-Impact Service Providers. We would be delighted to work with ACUS on its draft recommendation, if finalized, to offer the broader community of federal agencies additional guidance on the use of PRA flexibilities for customer service and experience research.

¹ Some agencies have both departmental-wide and individual component clearances (e.g., Treasury has a unique OMB Control Number for submissions by the Internal Revenue Service).

ACUS Draft Recommendations to OMB

Guidance on Conducting Customer Experience Research

22. The Office of Management and Budget (OMB) should develop, standardize, and disseminate to agencies methods for measuring burden. Among other potential methods, OMB should consider encouraging agencies to measure the estimated value of time saved by members of the public through burden-reduction efforts by converting time to financial costs by using the average value of wages as estimated by the Bureau of Labor Statistics.

23. OMB should identify and disseminate to agencies positive models that support the use of data-sharing under current statutory authority. Specifically, OMB should update its guidance on interpreting the Privacy Act to include additional positive initiatives and benefits obtained through burden reduction.

24. OMB should update and clarify specific elements that agencies can address in cost-benefit analyses when required for computer matching agreements under the Privacy Act.

25. OMB should issue updated guidance that further expands upon flexibilities agencies can use under the Paperwork Reduction Act (PRA) to conduct customer experience research.

Tatham Proposed Substitute

The Office of Management and Budget should provide agencies with additional guidance, potentially including positive models and training, to inform agency:

- measurement and consideration of administrative burden and foregone benefits and services, such as in regulatory impact analyses;
- examination of the potential advantages and disadvantages of administrative data sharing;
- use of flexibilities under the Paperwork Reduction Act to inform customer experience research and to improve agency service delivery.

Commented [A1]: This is a well-established PRA methodology. The Committee removed this language from the agency burden measurement recommendation.

Commented [A2]: Unclear reference

Commented [A3]: In the preamble, we'd appreciate if ACUS could note that this guidance could take many forms, including written guidance, agency-specific or government-wide training. For example, the preamble might suggest that OIRA offer agency training on the use of generic PRA clearances for agency customer experience and service delivery initiatives. We ask that the Conference please avoid being overly prescriptive about the nature and form of guidance to agencies and leave the how and where to OMB's discretion.

We would also welcome ACUS noting in the preamble the variety of guidance OMB has already provided on these issues, which are well described in the consultants' research report. Future OMB guidance would build upon existing guidance and efforts.

Commented [A4]: Consistent with first Committee meeting.