

Comment from Senior Fellow Russell Wheeler on *Online Processes in Agency Adjudication*
May 3, 2023

I offer these few comments on the draft for the May 4 meeting. By and large, I think it is a very strong and well-presented preamble/recommendation.

Line	Comments/proposed revisions
4	Insert “can” or “often” before “expend,” unless every participating individual spends a lot of time and money, every time.
9-10	Do “other interested persons” routinely have access to all the items in the incomplete [“such as”] list on line 10, including “evidence”? If not, insert “as appropriate,” between “and” and “other” on line 9.
17	Are the words “if improperly deployed” necessary? In particular, what is the link between deployment and design? Perhaps insert “can” before “also” on line 16 and delete “if improperly deployed”.
20	Insert “try to” before “ensure”. Ensuring easy navigation by “all users” i.e., every user, is an impossible goal.
21	The antecedent of “This” (next-to-last word) is ensuring “all users” can easily navigate the online processes, but the “peoples with disabilities” phrase obscures that. Suggest revising as: “all users, including people with disabilities , can easily navigate them. This may include making user resources available in languages other than English <u>and creating special assistance for people with disabilities.</u> ”
22	Noting Jack Beerman’s comments, perhaps I read the phrase incorrectly. I read disabilities to refer to vision problems and similar conditions. He read it to mean those who can’t read English. Either way, there’s an ambiguity. Line 22 says “[m]any agencies have already been implementing these processes,” referring I assume to everything from “simple email-based systems” (line 11) to more sophisticated technologies. Yet the second sentence starting on line 22 launches directly into description of robust service portals. Starting the second sentence with some transitional phrase such as “In fact,” could make clear that all agencies aren’t implementing more advanced technologies. Alternatively: “Some agencies, such as the Social Security . . . Services, have launched . . .”
24-25	Consider revising to: “website that <u>let</u> parties can use to perform . . .”
35	Consider “Agencies’ should ensure that online processes <u>should</u> work effectively . . .”
38	As to the several “, as applicable and feasible” inserts here and elsewhere: Do both adjectives modify “users”? Would “as applicable and <u>when</u> feasible” be clearer?
71	“established” suggests to me some kind of fact-finding procedure. Would “shown” or “demonstrated” work better?