

Comments from David Rostker, Small Business Administration Office of Advocacy
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These comments do not reflect the views of the Office of Advocacy and are not specific to the interests of small businesses.

I think the report is missing an important aspect of the inefficiencies of the PRA: public interactions. It would be useful to know the character and diversity of public comment in order to evaluate the trade-offs of procedural streamlining. How many comments do agencies receive? How many result in changes prior to OMB review? How many comments does OMB receive? Are the comments clustered in particular collections or types of collections? A focus on the burden of clearance leaves out the value of the process to the public.

For example, while recognizing the significant burden of the 60-day advance comment period, that comment period was inserted into the 1995 Act in the context was greater agency responsibility for information resources management, including information collections. A review of public interactions and significant changes to information collections might reveal whether agencies are in fact taking a greater role. If so, then the streamlining of public input might be better focused on the OMB 30 days rather than the agency 60 days.

Recommendation 4, and the pursuit of more common forms, needs to have a public component. Those filling out the paperwork are more likely to see opportunities for streamlining than the agencies themselves.

Recommendation 5 creates a perverse incentive for agencies (recognized in the report) that discourages changes to information collections in response to public comments. It also creates a problem for OIRA in that the short timeframe would require prioritizing reviews of unchanged collections as they come in over more substantive reviews.

Recommendation 6 is already within the agency authority, with no restrictions on which expiring paperworks can be included in a single FR notice, changes or no changes. The recommendation may advise OIRA to recommend to agencies that they do this or simply that agencies do it, although I agree it would be a best practice to limit joint notices to those with no changes. Alternatively, agencies could group collections by affected industry or CFR Part and submit related ICRs all at once rather than waiting for the 3-year expiration. (Come to think of it, wouldn't that be better? All of an agency's paperwork requirements for a particular industry considered all at once?)

Recommendation 7 should be expressed as a recommendation to CAPRA, in consultation with OIRA. OIRA can change the supporting statement on its own authority, without public process, so it shouldn't be making recommendations to itself.

Recommendation 8 misses the mark, because it relies on the operator rather than the users to evaluate a problem with the interface. I think there are two options to improve this recommendation. One would be for GSA to consult with CAPRA on improvements to the user interface and develop a plan for implementing them. The other would be to recommend CAPRA

make recommendations for improvements to the ROCIS user interface, in consultation with GSA, as the operator of the system, and OIRA, as owner of the data. “User-friendly” is also relatively imprecise given the specific nature of the concerns raised in the report. If the intent is for improvements to the user interface, it should be specific to user interface. If the recommendation is for significant expansions of the ROCIS system into internal agency clearance processes, then that should be clearly expressed. (Note that the ROCIS team did consider this capability at the time, but consultations with agency stakeholders, conducted during the transition to [regulations.gov](https://www.regulations.gov), strongly opposed creation of a new governmentwide system that would attempt to replicate their internal clearance processes.)

Recommendation 9 is no small task, as I’m sure Stuart appreciates now given his presentation at the recent annual meeting of the Society for Benefit-Cost Analysis. OIRA lacks the expertise and resources to develop or conduct such a survey, nor, I believe, does it have the contracting capacity to engage or manage outside parties in such an ambitious exercise.

Thanks for the opportunity to comment.