

How Academics Can Bust Administrative Burdens through Public Comments

This guide is based on an October 30th webinar that included current and former federal government staff and experts on administrative burdens and the public comment process. You can watch the webinar [here](#).

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Every year, millions of individuals, families, and small businesses eligible for public benefits or services fail to receive the support to which they're entitled as a result of [administrative burdens](#)—the time, stress, and resources it takes to complete required applications and processes. Others may succeed in accessing benefits but pay a heavy toll as a result of those burdens.

The federal government, through the White House Office of Management and Budget (OMB), [recently announced](#) a new initiative to tackle administrative burdens by reviewing individual government forms and processes. Academics have an important role to play in this initiative.

Federal agencies must regularly solicit public comments on government paperwork. As part of this review process, any member of the public can submit comments on the form, including how the form can be improved or streamlined. The agency must then review those comments, and OMB approves the form or requires the agencies to revise the form.

I can attest from my own experience working at OMB that well-crafted comments are taken seriously by policy staff in OMB and across federal agencies, giving agencies ideas for burden reduction strategies they can implement on the specific form as well as in broader processes, such as through separate revisions of relevant regulations.

Public comments can thus be a powerful tool for agencies and OMB to improve government forms and processes—and reduce administrative burdens. However, in practice the federal government rarely receives comments on proposed paperwork. This is a big missed opportunity.

Consider an example from earlier this summer. In May, the U.S. Department of Agriculture (USDA) [announced](#) that it would be revising the paperwork required to run the National School Lunch Program. Those are forms that USDA estimates will be completed by over 3.5 million households to access free or reduced meals at their children's schools, a program that [plays](#) a critical role in improving students' health, well-being, and academic performance. Yet USDA received [no](#) responsive comments from the public on the form.

Imagine instead if the USDA form had received comments from academics who study school nutrition programs who examined the form and pointed out potential sources of burden, how that burden might impact potential beneficiaries (including outsized effects on specific

communities), as well how the form and the broader eligibility verification process could be simplified or streamlined.

This guide outlines ways for academics to submit well-crafted comments like these to help federal agencies and OMB improve forms and reduce burdens in access to public programs and services and take advantage of the opportunities created by the public comment process.

The bottom line is that your comments can make a big difference for government staff—and do not need to be a heavy lift on your part.

When are forms available for public comment?

Federal paperwork is governed by the [Paperwork Reduction Act](#), which includes a requirement for two public comment periods on most federal forms, as well as corresponding OMB review.

Federal agencies must go through this process of public comment and OMB review when...

- They are developing a new form
- They are revising an existing form
- When OMB approval expires on an existing form, which is no more than every three years

As a result of the Paperwork Reduction Act, most forms are available for public comment on a fairly regular basis. During this process, agencies must publish the proposed form along with an explanation of the form's purposes and discussion of likely burdens on the public in the *Federal Register* for public comment for 60 days. After that, the agency considers the comments they have received and may revise the form and accompanying materials. When finished, the agency must submit their revised material, including the revised form, for a second 30-day public comment period, as well as corresponding OMB review. OMB reviews the public comments and the whole package and can either approve the form or ask the agency to revise it. OMB approves forms for up to three years at a time.

Academics can submit comments both during the first and second comment periods—and you should take advantage of both periods. (Note that during the 30-day comment period your comment will also be reviewed by OMB staff as they consider whether to approve the form.)

How can I find forms available for public comment?

You can search the [Federal Register](#), the daily journal of the federal government, for notices about both the first and second comment periods.

For more detailed information about the underlying form, including the agency's justification of the form, its discussion of likely impacts on the public, and copies of the form itself, you should visit OMB's [RegInfo](#) website and navigate to their "Information Collection Review" [section](#).

On RegInfo, you can either browse active forms by agency, or search for a specific form using its OMB Control Number, which will be available on published government forms, as well as in the *Federal Register* notice.

You can typically submit your comment using the link provided on a *Federal Register* notice page, which will direct you to [regulations.gov](https://www.regulations.gov), the website that most federal agencies use to collect public comments.

As an example, you can see the past [60](#) and [30](#) day notices for the revisions to the forms used to determine eligibility for free and reduced price school meals, administered by the USDA.

What are the relevant documents that I should review about a form?

In addition to reviewing the form itself for feedback, you should also review a form's *Supporting Statement*. This document details an agency's justification for why it is using this form, the information it plans to collect, who the respondents are, and an estimate of the anticipated burden faced by the public in collecting the information. You can find the Supporting Statement on a form's RegInfo page. Supporting Statements need to [contain](#) answers to at least 18 standard questions posed by OMB.

As an example, you can [see](#) the Supporting Statement for the USDA form used to determine eligibility for free and reduced price school meals.

On page 7, USDA notes that both legislation and regulation requires the agency to collect this information to manage the school meal and milk program. On pages 7 and 8, USDA explains how these applications are delivered to households ("Household applications can be made available on a school's webpage with instructions for submission or sent directly to households by mail or email") and describes the information requested from households ("Solicited information from households include income and household size, names of all household members; income received by each household member, identified by source of the income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation, and social security and other cash income); the signature of an adult household member; and the last four digits of the social security number of the adult household member who signs the application or an indication that the adult does not possess a social security number").

On page 28, USDA estimates that over 3.5 million households are anticipated to submit one application for school meals each year. USDA estimates that the form will take seven minutes to complete, on average, per household. Based on this number, USDA estimates that the form is associated with nearly 415,000 burden hours—the typical indicator used by agencies to quantitatively summarize the impact of a form on the public (burden time per form multiplied by the number of anticipated respondents multiplied by the number of times a respondent will complete the form in a year) .

You can also see the example [forms](#) provided by USDA to be completed by households, including forms in multiple languages.

What should I include in my comment?

There are many ways that academics can lend their expertise to public comments on federal forms, including the following:

- *Noting potentially burdensome elements of a form and how you might recommend changing those elements*, for instance, through the use of plain language, changes to the structure of questions, or changes to the instructions given to respondents. To use the USDA school meals eligibility form as an example, researchers might comment on the form's questions about income sources and whether all respondents are likely to be able to understand what these questions are asking for. Researchers might further suggest changes to the form's instructions to make these questions easier to complete.
- *Better describing the potential impacts on the affected population from engaging with the form*, for instance, describing the potential psychological burden, stigma, or stress that individuals might experience when completing the form, or the social or economic costs that households might face if they fail to gain access to the benefit or service.

As the above example from USDA indicates, agencies often describe the burden a form poses on the public purely in terms of the time taken to complete the form. But OMB [has instructed agencies](#) to go beyond these basic indicators to consider the broader impacts of forms on the public. OMB has called on agencies to describe the “beginning-to-end experience” with a form, including the time and resources required for learning about a program, gathering necessary records and documentation, traveling to relevant offices, and time spent waiting to talk with agency personnel to ask questions and get help.

This “beginning-to-end experience” can include both quantitative and qualitative data, and the latter is especially helpful in capturing subjective measures of psychological stress or stigma that individuals might experience as part of a form or related process. To continue with the example of the USDA forms for school meal eligibility, researchers could submit a comment that rigorously detailed how households learn about the program and assess their eligibility, and recommend to USDA that the agency include a description of that additional time and effort in their estimate of the burden associated with the form in addition to the estimated 415,000 burden hours.

- *Note how different communities or populations might experience the form or process differently*, especially when an application might exacerbate social, economic, or civic inequities between groups. This research can be especially helpful when paired with suggestions for simplifying or changing the form to mitigate or eliminate inequities. With the USDA school meal forms as an example, researchers might point out which items on

the form are likely to be especially burdensome for multigenerational households—and how that might exacerbate racial or ethnic disparities in take-up.

- *Proposing ways that the agency could further simplify or streamline processes associated with the form*, and if researchers have a background in the relevant law and regulations, assessing whether there are elements of the form that could be simplified or even eliminated if they are not wholly required by relevant legislation. OMB [has called on agencies](#) to consider if every requirement or data element on a form is “strictly necessary” under relevant statutes and regulations. Academics can help agencies to identify elements that could be removed or replaced with less-burdensome measures, for instance, by moving from paper to online forms or removing requirements for wet signatures. Using the USDA form for school meals as an example, researchers could summarize opportunities for data matching or linking that USDA might deploy to reduce the need for applications among certain populations.

Some overarching considerations that researchers should keep in mind as they’re crafting their comments:

- *Be specific*, noting the individual aspects of a form that you think might be burdensome, or the individual burdens that individuals might face in trying to access the program through the form.
- *Draw on empirical research*, making sure you’re citing relevant work, providing specific quantitative or qualitative data, and linking to the underlying publications. (Note: because many government staff lack journal subscriptions, it can be helpful to either attach copies of relevant studies or link to non-paywalled versions.)
- *Be clear and concise*, and remember that your comment is being read by busy policy staff, and so the more concise and clearer you can make your comment, the better chance it has of landing with your audience and making a difference.

Can I write a comment together with another researcher, or with a civil society organization?

Yes! Comments that combine multiple pieces of evidence from different researchers into a single document can make your comment more impactful and efficient from the perspective of government staff.

In addition, you might consider opportunities for partnering with relevant civil society organizations to submit comments together—especially organizations that represent populations who interact with relevant public programs, benefits or services.

These partnerships can help yield stronger comments—with the civil society organization lending deep expertise with a specific program’s rules as well as the lived experiences of their

members, and the researcher adding evidence and analysis that can identify more general patterns and relationships. While the federal government considers all comments from the public, comments that have the backing of a key constituency group are likely to carry extra weight among political officials.

I saw this firsthand when I was supporting efforts at the Department of Labor to address inequities in access to unemployment insurance during the COVID-19 pandemic. Groups representing unemployed workers had partnered with researchers who studied unemployment benefits to make suggestions about steps to streamline the application process.

It was a powerful combination to hear directly from individuals with lived experiences navigating the unemployment benefit system, identifying specific pain points and burdens they faced combined with researchers who were able to document more general patterns about burdens in the system and their disproportionate weight on Black and brown workers. That feedback ultimately helped the Department to work with state governments to take steps to streamline access to unemployment benefits.

Do these comments actually make a difference?

Yes! Government staffers read public comments and take them seriously. Your work can have an impact on public programs. And, even if you don't see a form or process change immediately after you submit a comment, know that the ideas that you communicate to the federal government through public comments can help fuel later initiatives—giving tools and intellectual ammunition to staff in agencies to use in the coming months and years. An agency might not be able to implement a specific change on a form now, but can, for instance, use your comment to inform revisions to regulations that can unlock further burden reduction possibilities in the future.