

BY THE COMPTROLLER GENERAL

# Report To The Congress

OF THE UNITED STATES

## Program To Follow Up Federal Paperwork Commission Recommendations Is In Trouble

An Office of Management and Budget program to follow up Federal Paperwork Commission recommendations needs to be redesigned and given stronger leadership.

Periodic program reports to the President and the Congress do not show actions taken on the recommendations or reasons for rejections, and overstate progress.

GAO recommends that the Congress extend the program and require many recommendations excluded from followup to be addressed.



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COMPTROLLER GENERAL OF THE UNITED STATES  
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To the President of the Senate and the  
Speaker of the House of Representatives

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This report provides the Congress with an independent assessment of the Office of Management and Budget's program to followup recommendations made by the Commission on Federal Paperwork.

We are sending copies to the Chairman of the House Committee on Government Operations and the Senate Committee on Governmental Affairs; the Director, Office of Management and Budget; the heads of the many agencies participating in the followup program; and each member who served on the Commission on Federal Paperwork.

  
Comptroller General  
of the United States



D I G E S T

An Office of Management and Budget (OMB) program to follow up recommendations of the Federal Paperwork Commission needs to be redesigned and given stronger leadership. #092

The basic Commission legislation charged OMB to work with the agencies in formulating views on the recommendations and to carry out those agreed upon. (See p. 2.)

GAO sampled a broad cross section of responses from three leading agencies responsible for over half of the Commission's recommendations--HEW, Labor, and OMB itself. Sample results are not projectable to all responses or agencies, but they do point to a number of fundamental problems.

The GAO report in no way seeks to diminish the achievements of the Commission during its own followup or of the executive branch through other paperwork initiatives.

FUNDAMENTAL PROGRAM PROBLEMS

Agency top managers not participating in the program. Although Commission recommendations were addressed to agency heads, OMB did not consult with top managers in developing the followup program or arrange for their participation. (See pp. 5 to 8.)

Multiagency recommendations mishandled. Instead of naming "lead" agencies to manage responses for cross-agency recommendations, OMB asked for separate responses from each individual agency.

With neither leadership nor coordination, agency evaluators lacked common objectives and action plans and were limited by their own perspective, self-interest, and jurisdiction. This condition caused confusion, superficial evaluation, delay, and incorrect status reporting. (See p. 9.)

Implementing actions not disclosed--or taken. Agencies are not required to show what actions they have taken when they mark a recommendation "Implemented." All but one labeled "Implemented" were not instituted, were incomplete, or were modified to require no action. (See pp. 12 and 13.)

Alternatives not examined. OMB guidelines call for agencies to consider alternative ways to achieve a recommendation's intent. However, agencies have rejected recommendations outright, and OMB has not enforced its guidelines.

Consequently, rejections were made on the basis of an agency's inability to accept recommendations exactly as written. Alternatives that could have met the same objectives were ignored. (See pp. 14 and 15.)

Rejections decided at low levels. Despite the policy nature of many recommendations, rejections were decided at relatively low levels in the agency. All rejections in the GAO sample resulted from misunderstandings, assignments to the wrong person or agency, premature decisions, limited reviews, and overlooked alternatives. (See p. 16.)

Many recommendations excluded from followup. OMB omitted recommendations from followup even though Commission legislation requires OMB to formulate views on all of them.

For example, OMB omitted the majority of recommendations calling for legislative change even though many have a major impact on executively administered programs and policies. (See pp. 18 and 20.)

Legislative program not established.

Despite statutory responsibilities to submit legislative proposals to the Congress, OMB has not done so or encouraged legislative proposals from the agencies.

Consequently, those legislative recommendations that were included in the followup program have not received serious consideration. (See p. 21.)

Limited accountability for results. OMB is also required to keep the Congress and the President informed on results, but OMB status reports do not tell what actions were taken on accepted recommendations or why others were rejected. (See p. 23.)

The followup program is eliciting such poor information that OMB reports overstate program success and provide inaccurate status claims. (See pp. 24 to 28.)

For OMB consideration, GAO illustrates a new reporting format for describing follow-up actions and overseeing long-term reforms. (See pp. 29 and 30.)

RECOMMENDATIONS TO DIRECTOR, OMB

The Congress created the Paperwork Commission to help solve a serious national problem and mandated a meaningful executive branch response. To provide this meaningful response, the OMB Director should take a number of actions to:

- Provide leadership, redesign and redirect OMB's followup program and include omitted recommendations.
- Revise the status reporting to the Congress and the President to clearly show actions taken or planned on recommendations, reasons for rejections and plans for long-term reforms. (See pp. 31 and 32.)

## RECOMMENDATIONS TO THE CONGRESS

The Congress should enact provisions to:

- Extend OMB's followup.
- Require OMB to establish a legislative program for previously unassigned and still unresolved Commission recommendations.

To accomplish the legislative recommendations, GAO has suggested language to House and Senate Committees in connection with pending legislation to establish, within OMB, an Office of Federal Information Policy. (See app. VI.)

## AGENCY COMMENTS

HEW believes that through a recent update it has corrected the problems and implemented most of the Commission recommendations, but GAO disagrees. (See p. 33.)

Labor says it was operating under OMB guidelines and is not aware of any OMB dissatisfaction with its actions. (See p. 33.)

OMB basically rationalizes its present approach, recognizing that improvements can be made. OMB's response to the GAO recommendations is qualified and without a commitment to action. (See p. 33.)

## AGENCY SUGGESTIONS TO STRENGTHEN FOLLOWUP PROGRAM

Agency operating officials suggested ways to improve the followup program which included getting their top managements involved, receiving regular feedback from OMB, reconsidering rejections, revising reporting categories, and shifting responsibility within OMB for followup. (See pp. 34 and 35.)

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ABBREVIATIONS

|     |  |
|-----|--|
| GAO | General Accounting Office                    |
| HEW | Department of Health, Education, and Welfare |
| OMB | Office of Management and Budget              |

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## CHAPTER 1

### CONGRESS CREATES COMMISSION ON FEDERAL PAPERWORK AND PROVIDES FOR FOLLOWUP

Federal paperwork, regulation, and redtape requirements have exploded over the past 30 years. Private citizens, business, and governments at all levels have had to divert ever increasing resources to meet these requirements.

As the number of Government programs grew and the need for information mushroomed, congressional leaders realized that existing controls were not containing the expansion of Federal paperwork. In 1973, for example, the Senate Small Business Committee warned that the Federal paperwork problem had reached crisis proportions.

In late 1974 the Congress created a national study group, the Commission on Federal Paperwork, to look for solutions (Public Law 93-556). In the act, the Congress maintained that Federal information requests were placing an unprecedented burden upon Federal assistance recipients, businesses, ordinary citizens, and State and local governments. The act said it was now necessary to reexamine the Federal Government's information gathering activities and decide what changes were necessary and desirable.

The Commission had a broad charter to look at laws, regulations, rules, policies, procedures, and practices across the Federal Government related to information collection, use, management, and control. The Commissioners included representatives of Federal, State and local governments, industry, and the public. Public Law 93-556 required the Office of Management and Budget (OMB) to report periodically for 2 years to the President and the Congress on actions taken in response to the Commission's recommendations.

#### FEDERAL PROGRAMS, MANAGEMENT, AND CONGRESSIONAL ROLE SUBJECT OF STUDY

The Commission investigated and reported separately on Federal programs, such as welfare, housing, education, energy, and occupational safety and health. Government management and control of paperwork activities and issues that cut across program and agency lines received Commission attention through a series of reports on information resources management, records management, and the reports clearance process. Study efforts were not restricted to the executive branch. The Commission addressed such functions as the rulemaking process, the role of the Congress, and Federal, State, and local cooperation.

The Commission published 37 individual reports containing 510 recommendations. (See app. I.) Commission recommendations were directed to the legislative and executive branches as well as to independent agencies. The recommendations were designed to eliminate unnecessary paperwork and develop new attitudes and mechanisms in the Federal Government to avoid future paperwork problems.

An "Advocacy unit" within the Commission dealt with specific paperwork problems voiced in public hearings and individual complaints. This unit offered an additional 180 specific paperwork-reducing recommendations.

The Commission summarized its work in a final report to the President and the Congress in late 1977. The Commission estimated the paperwork cost to the private and public sectors to be over \$100 billion annually and concluded that implementing its recommendations could reduce that cost significantly.

#### OMB CHARGED BY LAW TO FOLLOW UP

Public Law 93-556 required OMB to work with Executive agencies to

- "(1) formulate the views of the Executive agencies on the recommendations of the Commission;
- (2) to the extent practicable within the limits of their authority and resources, carry out recommendations of the Commission in which they concur; and
- (3) propose legislation needed to carry out or to provide authority to carry out other recommendations of the Commission in which they concur.

At least once every six months, the Office of Management and Budget shall report to the Congress and the President on the status of action taken or to be taken as provided herein. A final report shall be submitted within two years."

Following publication of the Commission's final report, OMB screened and assigned the recommendations to the various Executive agencies for action. A large number of the recommendations were applicable to OMB itself. (See table 1-1.)

OMB'S REPORTED STATUS OF RECOMMENDATIONS

OMB has published three status reports listing the Commission's recommendations as either "Active," "Implemented," or "Rejected." OMB's latest report (Sept. 1979) shows about 50 percent of the Commission's recommendations as "Implemented," 15 percent as "Rejected," and 35 percent as "Active." (See table 1-1.)

Table 1-1

OMB Status of Commission Recommendations

| <u>Agency</u>                                | <u>Number assigned</u> | <u>Number implemented</u> | <u>Number rejected</u> | <u>Number active</u> |
|--|------------------------|---------------------------|------------------------|----------------------|
| Office of Management and Budget              | 145                    | 56                        | 18                     | 71                   |
| Department of Labor                          | 73                     | 37                        | 27                     | 9                    |
| Department of Health, Education, and Welfare | 71                     | 35                        | 10                     | 26                   |
| Department of Housing and Urban Development  | 40                     | 20                        | 4                      | 16                   |
| Department of Agriculture                    | 31                     | 16                        | 5                      | 10                   |
| U.S. Treasury                                | 31                     | 26                        | 5                      | --                   |
| Veterans Administration                      | 27                     | 12                        | 4                      | 11                   |
| Department of Commerce                       | 14                     | 5                         | --                     | 9                    |
| Council on Environmental Quality             | 14                     | 14                        | --                     | --                   |
| Small Business Administration                | 12                     | 10                        | --                     | 2                    |
| Nuclear Regulatory Commission                | 11                     | 11                        | --                     | --                   |
| General Services Administration              | 10                     | 3                         | 1                      | 6                    |
| Others (10 agencies)                         | <u>41</u>              | <u>24</u>                 | <u>6</u>               | <u>11</u>            |
| Total  | a/ <u>520</u>          | <u>269</u>                | <u>80</u>              | <u>171</u>           |

a/Appendix I reconciles the difference between the number of published Commission recommendations and those listed in OMB's status report.

CHAPTER 2

OMB FOLLOWUP PROGRAM SHOULD BE REDIRECTED

AND MOST AGENCY RESPONSES REEXAMINED

The OMB followup program is not producing responsive agency actions. Underlying causes are part-time OMB leadership, a poorly designed program, absence of participation by agency top managers, and uninformative status reporting. In addition, OMB has omitted many recommendations from the followup program. Table 2-1 shows the typical problems found in sampled agency responses to the Commission recommendations and the frequency with which they occurred.

Table 2-1

PROBLEMS ASSOCIATED WITH RESPONSES TO COMMISSION RECOMMENDATIONS

| PROBLEM                                 | OMB NO | HEW |    |    |    |    |    |    |     |     | LABOR |     |     |     |     |     |     |     |     |     | OMB |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |   |  |
|---|--------|-----|----|----|----|----|----|----|-----|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|--|
|   |        | 68  | 82 | 84 | 86 | 88 | 95 | 95 | 103 | 118 | 174   | 179 | 183 | 187 | 212 | 215 | 217 | 220 | 233 | 380 | 393 | 394 | 397 | 407 | 440 | 442 | 452 | 453 | 467 | 470 | 477 | 497 | 499 | 500 | 504 | 507 | 518 |   |  |
| REVIEWED OUT OF CONTEXT                 |        |     |    |    |    |    | X  |    |     |     |       |     | X   |     |     | X   | X   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |   |  |
| INCOMPLETE OR LIMITED REVIEW            |        |     |    |    |    |    |    |    |     |     | N     | X   | X   | X   | X   | X   |     | X   | X   | X   |     |     |     |     |     |     |     |     | X   | X   | X   |     | X   |     |     |     |     |   |  |
| MISASSIGNED OR MISDIRECTED              |        | X   |    |    | X  | X  | X  |    |     |     |       |     |     |     |     | X   | X   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |   |  |
| NO INTERAGENCY COORDINATION/ LEADERSHIP |        |     |    |    |    |    | X  |    | X   |     | P     |     | X   | X   | X   |     |     | X   | X   | X   | X   |     |     | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   |     |   |  |
| ALTERNATIVE NOT CONSIDERED              |        | X   | X  | X  | X  | X  |    |    | X   |     | R     | X   | X   | X   | X   | X   |     |     |     |     |     |     |     |     |     |     |     |     | X   | X   | X   |     |     |     |     | X   |     |   |  |
| CONTINUING EVALUATION NEEDED            |        | X   |    |    |    |    |    |    |     |     | O     |     |     |     |     |     |     |     |     |     |     |     | X   | X   | X   | X   | X   |     |     |     |     |     | X   |     | X   | X   | X   |   |  |
| STATUS WRONG OR QUESTIONABLE            |        | X   | X  | X  | X  | X  |    | X  | X   |     | B     | X   | X   | X   | X   | X   | X   | X   | X   |     |     |     | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X   | X |  |
|   |        |     |    |    |    |    |    |    |     |     | L     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |   |  |
|   |        |     |    |    |    |    |    |    |     |     | E     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |   |  |
|   |        |     |    |    |    |    |    |    |     |     | M     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |   |  |

We believe that certain key elements are necessary if followup to the Commission's recommendations is to be successful. These elements were generally missing from OMB's followup program, as discussed in the following sections.

PROGRAM LEADERSHIP AND CAPABILITY  
SHOULD BE STRENGTHENED

Organizing a program to evaluate and act on numerous recommended changes in Government, such as those of the Paperwork Commission, is a major undertaking. But OMB did not assign full-time leadership or establish the capability necessary to design and administer such a program. Top Federal officials were not asked to help design the followup program although they, not OMB, had ultimate responsibility for many of the subjects covered by the Commission.

The Paperwork Commission's 36 separate studies resulted in more than 500 specific recommendations and addressed nearly all Federal programs and operations. Table 2-2 identifies programs and operations studied by the Commission and distinguishes between those which do and those which do not fall within OMB's normal responsibilities.

Table 2-2

Extent of Commission Addressed Programs/Operations  
Falling Within OMB's Responsibility

| <u>Outside OMB<br/>responsibility</u> | <u>Within OMB<br/>responsibility</u>  |
|---------------------------------------|---|
| Consumer Protection                   | Confidentiality/Pri-<br>vacy  |
| Education                             | Federal/State/Local<br>Cooperation  |
| Employment/Training                   | Information Resources<br>Management (responsi-<br>bility fragmented<br>throughout OMB/<br>Government) |
| Energy                                | Procurement Policy  |
| Equal Opportunity Employment          |   |
| Health                                |   |
| Housing                               |   |
| Occupational Health and Safety        | <u>Within OMB followup<br/>unit's responsibility</u>  |
| Pension Reform                        | Reports Clearance<br>Process  |
| Social Services                       | Rulemaking  |
| Statistics                            |   |
| Taxation                              |   |
| Welfare Administration                |   |

Note: See appendix I for listing of Commission reports and numbers of recommendations.

The fact that many subjects addressed by the Commission were outside OMB's immediate responsibility becomes even more significant under Cabinet-Type Government leadership which is strongly supported by the current Administration. Under Cabinet Government, the agency head takes direction only from the President and is in total charge of his agency's programs. Therefore, OMB needed to design a followup program that would address recommendations falling within its normal responsibility as well as those falling outside its normal responsibility. (See table 2-2.)

Insight into the design and administration of such programs can be gained from an earlier OMB followup. During the 1970s, OMB followed up on another Commission whose subject--Government procurement--fell outside OMB's direct responsibility 1/ and had far fewer recommendations (149). Even though not required by law to follow up, OMB set up a special capability comprised of several people led by a high level official. To strengthen this capability, OMB designated procurement policy officials from the leading agencies to act as advisors to OMB. These agency advisors participated in:

- Designing and operating the followup program.
- Assigning "lead" agency responsibility for acting on particular recommendations.
- Deciding ultimate Executive policy on Commission recommendations.

The above process led to constant interchange between OMB and agency policy officials during the first few years of the followup program. (For further details, see app. II.)

OMB did not set up a special capability to handle the Paperwork Commission recommendations, although many more of these recommendations fell outside OMB's normal lead responsibility. Instead, OMB placed the responsibility in a unit whose primary duty was to approve or deny Executive agency requests for public information--referred to as "reports clearance." In late 1977, this unit was combined with another unit handling regulatory oversight and was renamed Regulatory Policy and Reports Management.2/

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1/For the Procurement Commission followup, OMB lacked in-house capability and authority. The Office of Procurement Policy was created later.

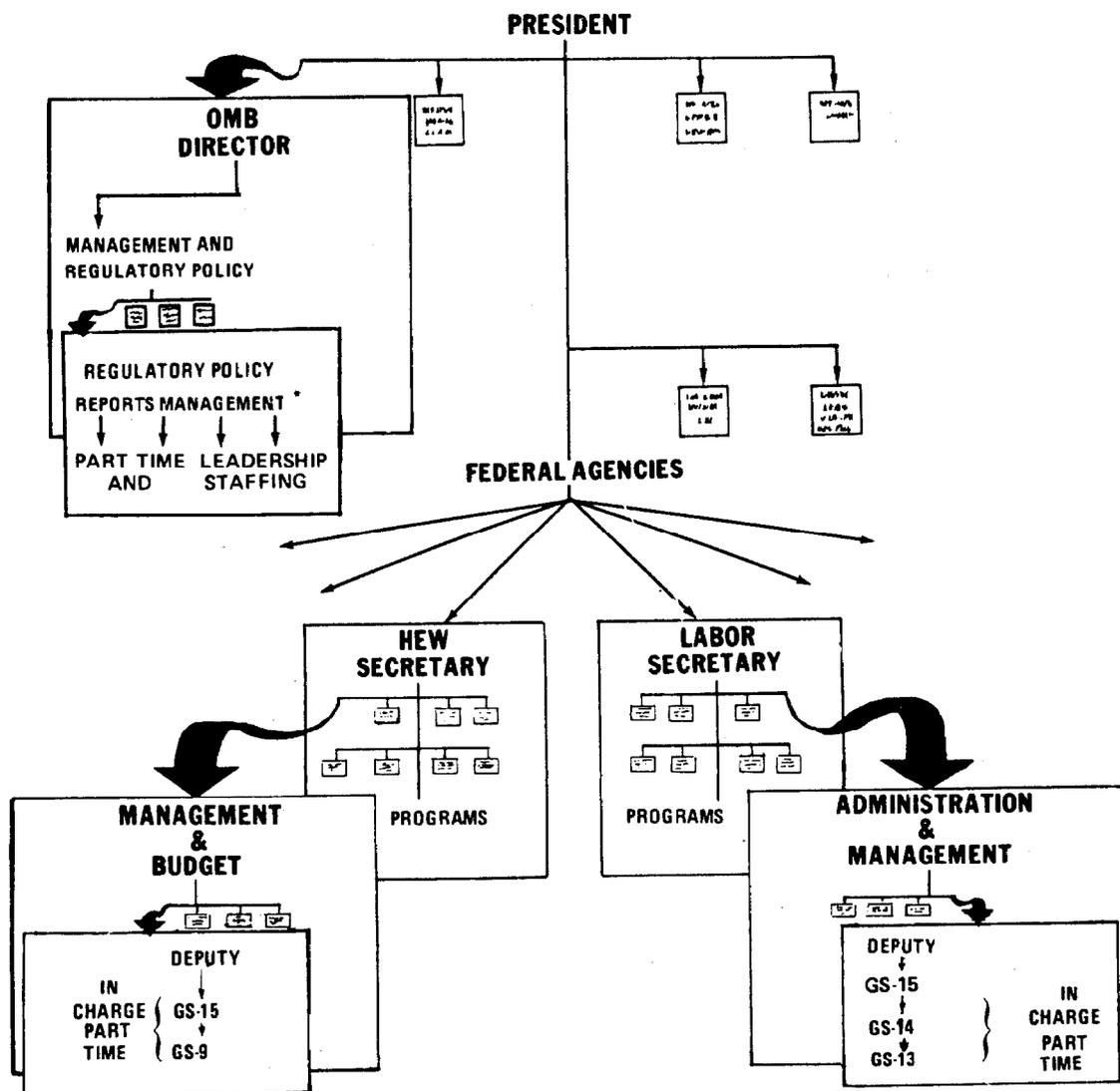
2/In January 1980, OMB reorganized and renamed this unit to Regulatory and Information Policy.

In addition to not establishing a special capability, OMB did not assign anyone in the regulatory and reports unit full-time leadership responsibility for managing the Commission followup. The involved staff, which had other competing responsibilities, advised us that they spent only 1 to 2 percent of their time on Commission followup activities.

In developing the followup program, OMB did not consult with top Federal agency officials concerning followup objectives, desired procedures, agency roles in the followup, or on which recommendations a particular agency should take the lead. Instead, the OMB unit merely sent the recommendations out to each agency for response. The resultant organizational relationships developed between OMB and the Federal agencies we sampled are depicted in figure 2-1.

Figure 2-1

**ORGANIZATIONAL PLACEMENT OF OMB FOLLOWUP OFFICE AND AGENCY COUNTERPARTS**



\*In January 1980 OMB reorganized this unit--it is now called Regulatory and Information Policy.

As shown in figure 2-1, agency counterparts to the OMB followup unit are basically midlevel, administrative officials. They likewise are part-time and do not have responsibility over the many programs and operations addressed by the Commission.

AGENCY TOP MANAGERMENTS  
SHOULD BE INVOLVED

Although Commission recommendations were addressed to agency heads, neither they nor their top managers have been involved in the followup program. Top managements have not demonstrated interest, supported comprehensive evaluations, or appointed a high level person to represent them on agencywide matters.

For example, the Departments of Health, Education, and Welfare and Labor appointed administrative type operations as focal points in their agencies to handle the Commission's recommendations. The focal points could not articulate the official agency position, assign proper staff to study the recommendations, require written evaluations, or initiate implementing actions. Instead, the focal points functioned mainly as clearinghouses to distribute, collect, and forward reports to OMB.

The low priority assigned by these agencies to the recommendations is illustrated by the following conditions.

- Agency heads did not issue guidelines for developing responses.
- Focal points received no additional staff to evaluate and respond to the recommendations.
- Responders at lower organizational levels were not provided with the relevant Commission report material.
- Formal written evaluations are not required or made.
- Focal points use routine administrative channels to respond to the recommendations and do not clear responses with the Secretary's office.
- Focal points have no authority to override decisions by agency responders.

--Focal points do not track agency actions to implement recommendations.

--Top managements do not evaluate or monitor progress.

The effects of not involving top managements in agency responses will be seen in succeeding sections.

LEADERSHIP RESPONSIBILITY TO  
MANAGE MULTIAGENCY RECOM-  
MENDATIONS SHOULD BE ASSIGNED

Instead of forming interagency groups with one agency taking the lead, recommendations affecting two or more agencies were dispersed to each one for unilateral action. With neither leadership nor coordination, individual agency evaluators lacked common objectives and action plans and were limited by their own understanding, self-interest, and jurisdictions. The results were confusion, superficial evaluation, delay, and incorrect status reporting.

Our sample of agency responses included 23 recommendations with multiagency or Government-wide impact. OMB did not assign any one agency to lead the evaluation process or develop Executive action plans. Table 2-3 highlights problems with several of the multiagency recommendations.

Table 2-3

Lack of Leadership/Coordination  
on Multiagency Recommendations

| <u>OMB no.</u> | <u>Agencies assigned</u>    | <u>Problem</u>  |
|----------------|-----------------------------|---|
| 96<br>103      | HEW<br>Agriculture<br>Labor | Two agencies disagree whether these two recommendations are implemented or not, a third awaits outcome; OMB reports recommendations as "Active."  |
| 183            | Labor                       | Two agencies involved but only one assigned and participating; the participating agency misunderstood recommendation objective; now agrees rejection is wrong and that another agency should be assigned responsibility in a lead capacity. |
| 212            | Labor<br>HEW                | Three agencies involved, two assigned, but none in charge; one agency now agrees its rejection was wrong and suggests responsibility be reassigned to another agency in a lead capacity.  |
| 220            | Labor<br>Commerce<br>HEW    | One agency "gave up" a year ago for lack of jurisdiction over other involved agencies (a defacto rejection); no coordination between agencies on response. OMB reports this recommendation as "Active."                                     |

Note: For further details on the above cases, see appendix III.

Besides the multiagency recommendations, OMB assigned to itself 14 recommendations involving Government-wide reforms. OMB did not create interagency groups to formulate views on the recommendations and develop acceptable action plans. Little progress has been made on these 14 recommendations. The lack of active agency participation will, in our opinion, delay their resolution. Table 2-4 illustrates the slow progress being made on some of the Government-wide reforms.

Table 2-4

Lack of Leadership/Coordination on Government-wide Reforms

| <u>OMB no.</u> | <u>Reform</u>  | <u>Results</u>  |
|----------------|--|---|
| 393            | Assign agencies to lead Government-wide data collection/coordination         | No OMB assignments  |
| 394            | Have agencies consolidate fragmented information management responsibilities | No OMB action   |
| 397            | License agencies to clear data requests                                      | None licensed (recommendation is marked "Implemented")  |
| 499            | Adopt information resource management concept as Government-wide policy      | Limited coverage in Executive Order 12174; ways to implement yet to be developed with operating agencies        |
| 500            | Consolidate various policy oversight functions in OMB                        | Rejected based on limited review; H.R. 6410 would implement   |
| 504            | Develop guidelines for agencies to install information planning systems      | Executive Order 12174 requires this planning but "guidelines" have yet to be worked out with operating agencies |

Note: For further details on these cases, see appendix III.

IMPLEMENTING ACTIONS SHOULD  
BE DISCLOSED AND TRACKED

In the absence of specific OMB requirements for disclosing and tracking implementing actions, the agencies and OMB have misclassified the status of many recommendations. Recommendations labeled "Implemented" were never fully instituted or were modified to require no action. As a result, the Congress, the President, and the public have not been accurately informed of actions taken on the recommendations.

OMB guidelines call for agency disclosure of action taken in only two limited situations--if implementation requires a period of time and if additional information would improve public understanding. The agencies were left on their own to interpret these guidelines. They were not followed by the agency or enforced by OMB in the cases sampled.

Sampled agency responses include 12 recommendations marked "Implemented." Eleven of these, however, were found to have either questionable, wrong, or misleading status. Only one recommendation marked "Implemented" accurately describes results.<sup>1/</sup> Completed agency action reports, filed with OMB (closed cases), do not explain the specific implementing actions taken. Table 2-5 compares the recommendations marked "Implemented" with the actual conditions found.

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<sup>1/</sup>The implementation occurred during the Commission's life, not during OMB's followup.

Table 2-5

Recommendations Marked "Implemented" That Are Not

| <u>OMB no.</u> | <u>Agency</u> | <u>Conditions found</u>  |
|----------------|---------------|--|
| 99             | HEW           | Modified action not disclosed; action not instituted as recommendation intended.           |
| 179            | Labor         | Action begun but far from complete.  |
| 217            | Labor         | No specific action taken.  |
| 233            | Labor         | Modified action not disclosed; actions in process do not accomplish recommendation intent. |
| 397            | OMB           | No action taken.   |
| 407            | OMB           | Dispute between agencies over how to implement; no action taken.                           |
| 442            | OMB           | Implementing actions still being developed.  |
| 452            | OMB           | Modified action not disclosed and still pending.   |
| 467            | OMB           | Recommendation modified to require no change in "status quo."                              |
| 497            | OMB           | Recommendation modified; does not address broader issues of recommendation.                |
| 518            | OMB           | Action still in developmental stage.   |

Note: For further details on these cases, see appendix III.

As table 2-5 shows, the agencies and OMB have labeled recommendations as "Implemented" where there were no specific actions. It also shows that the agencies and OMB have modified others to require no action. These modifications are not disclosed in OMB status reports. The absence of any explanation or disclosure of action taken infers mistakenly that the original Commission recommendation was implemented.

ALTERNATIVE ACTIONS RATHER  
THAN REJECTIONS SHOULD BE  
ACTIVELY ENCOURAGED

The agencies do not consider alternatives prior to rejecting recommendations, nor does OMB enforce its own guidelines calling for these alternatives. Failure to actively encourage alternative actions has caused unnecessary rejections based on technicalities or taking the recommendations too literally. As a result, alternative ways of meeting recommendation objectives are not adopted, and opportunities to improve beyond the scope of the recommendations are lost.

Where rejection of a recommendation occurs, OMB guidelines asked agencies to document efforts to find alternatives. However, in the sampled 14 rejected recommendations no examination of alternative actions is mentioned. Table 2-6 identifies three such recommendations where agency officials now agree that alternative actions are feasible and better than outright rejection.

Table 2-6

Some Alternatives To Rejections

| OMB<br>no. | Responding<br>agency | Acceptable<br>alternative to agency   |
|------------|----------------------|---|
| 119        | HEW                  | Agency differs only with recommendation's time limit to establish a new system. Alternative is to adopt an acceptable time for implementing.                      |
| 212        | Labor                | Agency objects to substituting its form for data collected by another agency. Acceptable alternative is to redesign a consolidated form for use by both agencies. |
| 500        | OMB                  | Agency agrees with some parts of recommendation. Alternative is to implement acceptable parts.  |

Note: For further details on these cases, see appendix III.

Table 2-6 illustrates several kinds of avoidable rejections where an agency is (1) not able to implement within the proposed time frame, but agrees with the recommendation, (2) not able to implement the exact words, but agrees with the recommendation's intent, and (3) not able to accept the total recommendation, but agrees with some parts.

MANAGEMENT REVIEW OF REJECTIONS  
SHOULD BE REQUIRED

Although the Commission's recommendations were addressed to the agency heads, there has been a noticeable lack of participation by such officials in the determination of the official positions, which have been left to mid-or-low-level agency officials. The result of insufficient participation by management is seen by the fact that all rejection decisions in the sample stem from misunderstandings, misassignments

of recommendations, premature decisions, limited reviews, or, as discussed earlier, overlooked alternatives.

Of 14 rejected recommendations sampled, the substance and merits of 11 are not addressed in the rejection decisions. Table 2-7 identifies these recommendations and the reasons why the agency responses need reexamining.

Table 2-7

| <u>Rejections Needing Reexamination</u> |               |   |
|---|---------------|---|
| <u>OMB no.</u>                          | <u>Agency</u> | <u>Reason for reexamination</u>   |
| 82                                      | HEW           | Assigned to wrong official; limited review; substance not addressed.                                  |
| 89                                      | HEW           |   |
| 215                                     | Labor         |   |
| 84                                      | HEW           | Premature decision, major study underway; may implement partially or fully.                           |
| 86                                      | HEW           |   |
| 119                                     | HEW           |   |
| 477                                     | OMB           |   |
| 183                                     | Labor         | Assigned to wrong agency; intent misunderstood; reviewed out of context from related recommendations. |
| 453                                     | OMB           | Limited review; alternative implementing actions not considered or pursued.                           |
| 470                                     | OMB           |   |
| 500                                     | OMB           |   |

Note: For further details on these cases, see appendix III.

Management review of rejections was not required by OMB. If agency management had carefully reviewed the 11 rejections shown in table 2-7, it is unlikely that such responses would have been made. For example:

- One recommendation involving a major departmentwide policy change was rejected by a midlevel official. He had not read the Commission's report, had only one day to study the recommendation, and lacked the authority to decide one way or the other. (See app. III, recommendation 215.)

--Several recommendations were rejected although major studies bearing directly on the recommendations were still underway. (See app. III, recommendations 84, 86, 119, and 477.)

--A recommendation was assigned to the wrong agency, where its objectives were misunderstood and reviewed out of context. In contrast, a companion recommendation was assigned to the right agency and is still "Active." (See app. III, recommendation 183.)

For three other rejections the agencies now recognize a potential for implementation. In one case the agency admits the recommendation was initially misunderstood; in another the recommendation's objective can be accomplished by an alternative action; and in a third the recommendation has already been substantially implemented. (See app. III, recommendations 197, 212, and 68.)

OMITTED RECOMMENDATIONS SHOULD  
BE INCLUDED IN FOLLOWUP

Although Commission legislation requires OMB, with appropriate Executive agencies, to formulate views on all Paperwork Commission recommendations, OMB has not considered many of the recommendations. Deferring consideration on some and inadvertently omitting others, OMB excluded still others on the basis that recommendations, addressed to the Congress, were not in the purview of its executive branch oversight responsibility. In actual fact, these recommendations contained major implications for many Executive agency programs and policies. Consequently, OMB's omission of the recommendations from its followup program precluded Executive agency participation in matters directly affecting their programs and policies.

There are four types of omissions from OMB's followup system. (See table 2-8.)

Table 2-8

Commission Recommendations Omitted From Followup System

| <u>Type</u>           | <u>Number</u> |
|-----------------------|---------------|
| Unpublished: Advocacy | 180           |
| Published: Ombudsmen  | 4             |
| Final Report          | 3             |
| Congressional         | <u>46</u>     |
| Total                 | <u>233</u>    |

## Advocacy, Ombudsmen, and Final Report recommendations

When setting up its followup program OMB deferred action on 180 "Advocacy" recommendations. These recommendations originated in the Commission's Office of Advocacy, which worked directly with the public and Federal agencies to handle paperwork complaints and suggestions on a case by case basis. The Advocacy Office sent its recommendations directly to the responsible agency. They generally involved immediate changes for reducing Government-imposed paperwork and were approved by the Commission Chairman. We explored actions on some of these advocacy recommendations with HEW and Labor. Results showed that most of the selected recommendations had been implemented.

The Office of Advocacy wrote a final report containing four other recommendations, which were approved by the full Commission in September 1977. These four are referred to as "Ombudsmen" recommendations as they suggest paperwork ombudsman roles in the Federal government. They were inadvertently omitted from the OMB followup.

In concluding its business, the Commission also published a Final Summary Report containing three additional recommendations. These are initiatives for the future and bring together the essence of the individual recommendations. These recommendations, however, are not in the followup system.

### "Congressional" recommendations

Many of the 95 recommendations listed by OMB as "Congressional" have policy/program implications for the Executive agencies. Only 20 apply solely to the Congress. These 20 deal with changes to House or Senate rules, revision in Committee operations, or other inherently congressional activities. (See app. IV.)

Of the remaining 75 "Congressional" recommendations, 28 have been referred by OMB to Executive agencies for response and 47 have not. Forty-six of these directly affect executive branch programs or policies, with one affecting GAO operations. (The status of GAO recommendations is in app. V.)

Congress frequently calls on Executive agencies to help resolve difficulties encountered in implementing laws or administering existing programs. If the 46 omitted "Congressional" recommendations are to receive thorough consideration,

the Congress will need the appropriate Executive agency's evaluation. Although these 46 recommendations are sometimes addressed to the Congress in Commission reports, this does not preclude Executive agency initiatives--and there is precedent for such action.<sup>1/</sup>

For example, one recommendation suggests repealing a disclosure exemption under the Freedom of Information Act. The Department of Justice already has the lead responsibility among Federal agencies for issuing guidelines concerning such exemptions. Although the recommendation is addressed to the Congress, Justice should evaluate the recommendation and, if appropriate, offer legislative language.

Another recommendation asks the Congress to pass legislation requiring health programs to coordinate data requests, share data, and avoid duplicate collection. This recommendation is also addressed to the Congress, but HEW (the primary collector for health data) should also evaluate its merits. Since OMB is actively involved in reducing report duplication, its participation is also needed.

One recommendation, not addressed to the Congress but listed by OMB as "Congressional," suggests a uniform claims form for the Medicare and Medicaid programs. These large national programs are administered by HEW, and any change would directly affect HEW operations. Therefore, HEW should express its views on the recommendation.

Several omitted "Congressional" recommendations call for legislative changes affecting reports clearance, privacy and confidentiality, procurement, regulatory oversight, and Federal, State, and local cooperation. OMB has the Executive lead in these areas and should respond to any of the omitted 46 "Congressional" recommendations addressing these matters. (For examples, see app. IV, recommendations no. 526 to 532, 545, 549 to 550, 555 to 556, 564 to 567, 580 to 582, 596 to 601.)

Table 2-9 lists some typical "Congressional" recommendations omitted from followup and the Executive agency which is directly affected. Similar information is contained in appendix IV for the balance of the Commission's recommendations.

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<sup>1/</sup>As precedent, OMB assumed responsibility for all Federal Procurement Commission recommendations calling for legislative review or change. OMB had each recommendation evaluated and subjected to acceptance, rejection, or modification action and status reporting.

Table 2-9

Some "Congressional" Recommendations Omitted From OMB Followup

| <u>OMB no.</u> | <u>Short form recommendation</u>   | <u>Executive agency affected</u> |
|----------------|--|----------------------------------|
| 526            | Review exemptions for Federal disclosure of information about individuals.                                     | Justice                          |
| 537            | Allow sufficient time for States and educational institutions to collect annual data for acquisition plans.    | HEW                              |
| 541            | Allow Nuclear Regulatory Commission to certify and use State environmental reviews instead of doing their own. | NRC                              |
| 549            | Increase use of standardized Federal audit procedures and coordination on Federal/State audits.                | OMB                              |
| 556            | Integrate collateral review/comment process into OMB Circular A-95 and Treasury Circular-1082.                 | OMB/Treasury                     |
| 572            | Use uniform claims form for Medicaid and Medicare programs.  | HEW                              |
| 573            | Exclude closing costs when calculating amount of insurable mortgage.   | HUD/VA                           |
| 579            | Publish <u>Commerce Business Daily</u> weekly when publication/distribution techniques improve.                | Commerce                         |
| 584            | Allow National Archives and Records Service to monitor/advise Federal agencies on record retention schedules.  | GSA                              |

## A LEGISLATIVE PROGRAM SHOULD BE CREATED

Although the statutory followup provisions make it clear that OMB is to submit legislative proposals to the Congress, OMB does not have a legislative program and did not encourage agencies to develop their own. Lacking OMB support and leadership, the agencies rejected recommendations rather than devising legislative proposals. As a result, Commission recommendations which call for legislative change are not being properly evaluated and are not likely to be resolved.

OMB guidelines asked the agencies to submit legislative proposals if a related recommendation is accepted. But, according to OMB officials, no legislative proposals have been received. Although there is agency agreement on the merits of some rejected legislative recommendations, (see table 2-10), the agencies are reluctant to offer legislative proposals. They contend that OMB wishes to implement only those recommendations which can be accomplished quickly using existing authority.

Sampled agency responses included five legislative recommendations. Four of these were "Rejected," and one is still reported as "Active" (a legislative solution, however, is not being considered). Table 2-10 identifies the four rejected legislative recommendations and indicates agency agreement with their objectives.

Table 2-10

Indications of Agreement With Legislative  
Recommendations That Were Rejected

| <u>OMB.<br/>no.</u> | <u>Agency</u> | <u>Indications</u>  |
|---------------------|---------------|---|
| 68                  | HEW           | Recommendation mostly accomplished in recent legislation; agency not opposed to implementing the remainder.                           |
| 82                  | HEW           | Rejection based not on merits but on statutory prohibition. Recommendation was to study the need for a change in the law.             |
| 197                 | Labor         | Rejection based on misunderstanding of recommendation; agency now agrees with recommendation but does not wish to submit legislation. |
| 477                 | OMB           | Agency now agrees with recommendation objective if modified to allow administrative solution instead of legislative change.           |

Note: For further details on these cases, see appendix III.

VISIBILITY ON RESULTS SHOULD BE ADDED

Legislation creating the Commission requires OMB to keep the Congress and the President informed on the followup actions taken, but OMB reports offer only a one-word description of status. These terse descriptions do not say what specific action was taken on particular recommendations or why other recommendations were rejected. Furthermore, reported status of the Commission recommendations is frequently incorrect and progress is overstated.

OMB is required by Public Law 93-556 to report every 6 months to the President and the Congress on actions taken or planned on the Commission recommendations for 2 years after the Commission's final report. OMB's reports, the latest published in September 1979, highlight agency actions taken since the previous report, and describe the status of each recommendation as "Active", "Implemented", or "Rejected". Figure 2-2 depicts OMB's format and an example of reported status.

Figure 2-2

OMB's Status Report Format

| <u>OMB<br/>no.</u> | <u>Recommendation<br/>summary</u>                                     | <u>Commission<br/>source</u>     | <u>Status</u> |
|--------------------|---|----------------------------------|---------------|
| 104                | Labor permit HEW to use EEO-6 data for HEW's affirmative action plan. | Equal Employment Opportunity #21 | Rejected      |

On nearly all of the 36 sampled responses, the status reported by OMB in its September 1979 report is questionable or wrong and misleading. Table 2-11 identifies all 36 responses, compares the reported versus actual status found, and explains the difference.

Table 2-11

Reported vs. Actual Status  
of Sampled Recommendations

| <u>OMB<br/>no.</u> | <u>OMB's reported<br/>status</u> | <u>GAO suggested<br/>status</u>    | <u>Explanation<br/>for difference</u>   |
|--------------------|----------------------------------|------------------------------------|---|
| 68                 | Rejected                         | Open                               | Mostly implemented;<br>remaining issue<br>unresolved.   |
| 82                 | Rejected                         | Open                               | Misassigned at agency;<br>intent misunderstood<br>and not addressed.  |
| 84                 | Rejected                         | Open                               | Unresolved issue; pro-<br>gram study affecting<br>response now underway.  |
| 86                 | Rejected                         | Open                               | Misassigned at agency;<br>intent misunderstood<br>and not addressed; pro-<br>gram study affecting<br>response now underway.   |
| 89                 | Rejected                         | Open                               | Misassigned at agency;<br>intent misunderstood<br>and not addressed.  |
| 96                 | Active                           | Open                               | Misassigned at agency;<br>need to resolve inter-<br>agency dispute.   |
| 99                 | Implemented                      | Open                               | No action taken or<br>planned.  |
| 103                | Active                           | Open                               | Misassigned at agency;<br>need to resolve inter-<br>agency dispute.   |
| 119                | Rejected                         | Open                               | Unresolved issue; pro-<br>gram study affecting<br>response now underway.  |
| 174                | Implemented                      | Implemented                        | None; appropriate action<br>taken.  |
| 179                | Implemented                      | Accepted,<br>action<br>in progress | Action far from com-<br>pleted; information sent<br>to OMB lacks plan/target<br>dates for completion<br>and way to evaluate re-<br>sults; completion sev-<br>eral years away. |

| <u>OMB. no.</u> | <u>OMB's reported status</u> | <u>GAO suggested status</u> | <u>Explanation for difference</u>   |
|-----------------|------------------------------|-----------------------------|---|
| 183             | Rejected                     | Open                        | Intent misunderstood and not addressed; reviewed out of context with related recommendations.   |
| 197             | Rejected                     | Open                        | Intent misunderstood and not addressed; another agency with direct program involvement not participating.   |
| 212             | Rejected                     | Open                        | Intent not addressed; alternative action now considered acceptable; agency with direct program involvement not assigned response, and did not participate in evaluation.                    |
| 215             | Rejected                     | Open                        | Misassigned at agency; intent not fully addressed; reviewed out of context with related recommendations.  |
| 217             | Implemented                  | Open                        | No action taken or planned; misassigned at agency; intent misunderstood and not addressed; reviewed out of context with related recommendations.  |
| 220             | Active                       | Open                        | Agency gave up over a year ago, with no action taken or planned; misassigned at agency; reviewed out of context with related recommendations; no action to coordinate interagency response. |

| <u>OMB no.</u> | <u>OMB's reported status</u> | <u>GAO suggested status</u>  | <u>Explanation for difference</u>  |
|----------------|------------------------------|------------------------------|--|
| 233            | Implemented                  | Accepted, action in progress | Intent modified and not fully addressed; modified action still being developed.  |
| 380            | Active                       | Open                         | Intent not evaluated or addressed, and no plan to do so; only recently assigned.   |
| 393            | Active                       | Accepted, action in progress | Executive Order 12174 implementing regulations in process; implementing methods and agency acceptance unknown, requires continuing evaluation. |
| 394            | Active                       | Open                         | Intent not evaluated or addressed; no consultation with affected agencies; no plan for implementation; not covered by Executive Order 12174.   |
| 397            | Implemented                  | Accepted, action in progress | No action taken; still in planning stage; not addressed by Executive Order 12174; requires continuing evaluation.                              |
| 407            | Implemented                  | Open                         | No action taken or planned; intent misunderstood and not addressed.  |
| 440            | Active                       | Accepted, action in progress | Executive Order 12174 implementing regulations in process; implementing methods and agency acceptance unknown, requires continuing evaluation. |

| <u>OMB no.</u> | <u>OMB's reported status</u> | <u>GAO suggested status</u>  | <u>Explanation for difference</u>  |
|----------------|------------------------------|------------------------------|--|
| 442            | Implemented                  | Accepted, action in progress | Intent modified and not fully addressed; covered by yet to be implemented Executive Order 12174. (See 393.)  |
| 452            | Implemented                  | Accepted, action in progress | Completed action not expected until sometime in 1980.  |
| 453            | Rejected                     | Open                         | Intent not fully addressed; affected agencies did not participate in evaluation or response; alternatives not considered.                          |
| 467            | Implemented                  | Open                         | No action taken or planned; intent modified to "status quo"; agency with direct program involvement did not participate in evaluation or response. |
| 470            | Rejected                     | Open                         | OMB agrees with intent, objects only to implied new legislation.   |
| 477            | Rejected                     | Open                         | Intent misunderstood and not addressed; study affecting response now underway.   |
| 497            | Implemented                  | Accepted, action in progress | Implementing only part of intent; completion not expected for several years; broader issues still unresolved.                                      |
| 499            | Active                       | Accepted, action in progress | Intent not fully evaluated, no plan for implementation; limited coverage in Executive Order 12174.   |

| <u>OMB no.</u> | <u>OMB's reported status</u> | <u>GAO suggested status</u>  | <u>Explanation for difference</u>  |
|----------------|------------------------------|------------------------------|--|
| 500            | Rejected                     | Open                         | Intent not fully evaluated; affected agencies not participating in evaluation or response; alternatives not considered.                        |
| 504            | Active                       | Accepted, action in progress | Executive Order 12174 implementing regulations in process; implementing methods not yet developed; requires continuing evaluation.             |
| 507            | Active                       | Accepted, action in progress | Executive Order 12174 implementing regulations in process; implementing methods and agency acceptance unknown; requires continuing evaluation. |
| 518            | Implemented                  | Accepted, action in progress | Action in early planning stage; continuing evaluation needed.  |

Note: For further details on these cases, see appendix III.

If OMB's reporting showed actions taken and reasons for rejections, many problems shown in table 2-11 would be avoided. The following examples illustrate this point.

- OMB, Labor, and HEW marked recommendations "Implemented" without taking the implied action. Having to report specific actions taken to implement a recommendation would make any such inaction obvious. (For examples, see app. III, recommendations 99, 217, and 407.)
- All three agencies reported recommendations as "Rejected" on the basis of unsupported decisions, misunderstandings, and cursory evaluation of the recommendations' merits. If required to explain rejections,

these problems would be self-evident and promptly corrected by the Administration or challenged by the Congress or the public. (For examples, see app. III, recommendations 82, 183, and 470.)

--All three agencies reported recommendations as "Active," although no activity existed and no evaluation had been made of the recommendation or how to implement it. Having to show the actual "in process" stage of accepted recommendations would preclude using the "Active" category when it is not justified. (For examples, see app. III, recommendations 96, 220, and 380.)

Illustrative formats to give greater visibility to results in status reporting are offered in figures 2-3 and 2-4. The first format would show overall status on each recommendation.

Figure 2-3

Suggested Format for Reporting Overall Status

| OMB NO. | RECOMMENDATION<br>(SHORT FORM) | STATUS |          |          |             | EXPLANATION<br>(WHY OPEN OR REJECTED: HOW MODIFIED OR IMPLEMENTED) |
|---------|--------------------------------|--------|----------|----------|-------------|--|
|         |                                | OPEN   | REJECTED | ACCEPTED | IMPLEMENTED |  |
|         |                                |        |          |          |             |  |

The second format (fig. 2-4) would be used to show the status of "Accepted" recommendations awaiting implementation. This format shows the actions planned, and in the case of long-term reforms the several key stages leading up to implementation.

Figure 2-4

Suggested Format for Reporting Status  
of Accepted Recommendations

| OMB NO. | RECOMMENDATION (SHORT FORM) | CHANGE IF RECOMMENDATION MODIFIED | MAJOR STEPS TO COMPLETE | TARGET DATES | STEP STAGE* | PROGRESS AS PLANNED (YES/NO) | IF NO, EXPLAIN DELAYS; NEEDED RESOLUTION |
|---------|-----------------------------|-----------------------------------|-------------------------|--------------|-------------|------------------------------|--|
|         |                             |                                   |                         |              |             |                              |  |

\*COMPLETED  
UNDERWAY  
PLANNED

Further illustrations of both formats are shown in appendix V, which reports the status of Commission recommendations addressed to the GAO. Redesigning status reporting along these lines would illuminate actual progress and identify obstacles delaying progress.

## CONCLUSIONS

Congress created the Commission on Federal Paperwork to help solve a national problem. People at all levels of government, business, and private life contributed time and effort to assist the Commission in meeting its congressional mandate. The followup response should recognize the Commission's work and strive to meet those recommended actions which limit the growth of Federal paperwork.

OMB's present program, however, is incapable of following up on the Commission's recommendations. No major improvements can reasonably be expected without a serious commitment to the program, full-time leadership, a redesigned and redirected followup program, and high visibility on results.

The time needed to set up a revised program and respond properly to the recommendations requires extending OMB's followup activities beyond current statutory limits. Also, dealing with controversial issues and pursuing Government-wide reforms will require long-term management and continuing oversight. Recently introduced legislation (H.R. 6410) would establish an Office of Federal Information Policy within OMB and extend OMB's followup responsibilities.

## RECOMMENDATIONS TO DIRECTOR, OMB

We recommend that the OMB Director:

1. Redesign the OMB followup program by having:
  - Full-time Executive leadership responsibility assigned.
  - Agency managements actively participate in the followup program.
  - Lead responsibility assigned and interagency groups formed on multiagency and Government-wide reforms.
  - Agency implementing actions disclosed and tracked through completion.

--Alternative actions instead of rejections actively encouraged.

--Top management review proposed rejections.

2. Obtain new agency responses to the Commission recommendations using the revised system's objectives, procedures, and reporting requirements.
3. Include in the followup program previously omitted recommendations affecting Executive agency programs and policies.
4. Show clearly in presidential/congressional status reports the specific actions taken, reasons for rejections, and management plans for long-term reforms.

#### RECOMMENDATIONS TO THE CONGRESS

We recommend that the Congress enact provisions in pending legislation to:

1. Extend OMB's 2-year statutory followup for Paperwork Commission recommendations for several more years.
2. Require OMB to develop a Government-wide legislative program for previously unassigned and currently unresolved Commission recommendations.

Suggested language to accomplish these objectives has been furnished by GAO to House and Senate Committees. (See app. VI.)

## AGENCY COMMENTS AND SUGGESTIONS

During the review we asked agency officials for suggestions to strengthen the followup program. Also, HEW, Labor, and OMB provided written comments on this report. (See appendices VII, VIII, and IX.) Highlights of each agency's comments and suggestions follow.

### HEW comments

HEW states that an update of its actions (Feb. 1980), completed just after our review, shows that the vast majority of its assigned paperwork recommendations are now implemented. We cannot accept HEW's statement, in view of (1) the fact that HEW's data has not been reviewed by OMB and has no official standing, (2) the little time that has elapsed since our field work for any significant change to occur, and (3) the fundamental flaws that still exist in the followup system. Moreover, our analysis of HEW's updated information on the sampled recommendations continues to show problems on each one marked "Implemented" as well as those marked "Rejected." (See app. VII.)

### Labor comments

In reviewing this report, Labor officials expressed concern that when appendix III sample findings are read apart from the report, the findings could direct unfair criticism to the agency because not all of the matters addressed by GAO were required of the agency by OMB. We agree that such unfair criticism is possible if the sample results are read by themselves. We believe that agency responses would have been better had the OMB program been designed differently, leadership provided, and a serious commitment made to the program. Labor also pointed out that OMB had never expressed dissatisfaction with Labor's reported results. (See app. VIII.)

### OMB comments

OMB stressed the overriding need for a long-term management approach to correct the underlying problems in Federal paperwork management. We agree with this emphasis, and for that reason our sample at OMB was heavily weighted in this area. The results, however, show that the Commission recommendations for Government-wide management reform were mishandled by OMB at the beginning of the followup program, and the results have been disappointing. (See p. 11.)

OMB contends that its past reports to the President and the Congress are interim in nature and that it has always intended to make full disclosure of the actions taken. OMB's September 1979 report does not spell out this intent, and the information presently being collected from the agencies does not permit these disclosures.

OMB comments indicate some agreement with the GAO recommendations, but they are so well qualified that we cannot construe them as a serious commitment to take action. A fuller discussion of OMB comments and our evaluation can be found in appendix IX.

#### Agency suggestions

Agency operating officials made several suggestions for improving followup activities. Some suggestions correspond to observations in this report; others are new. Table 2-12 identifies these suggestions.

Table 2-12

Agency Suggestions To  
Improve Followup Program

| <u>Program Area</u>                            | <u>Agency #1</u>  | <u>Agency #2</u>   |
|--|---|--|
| 1. Involving top management                    |   | OMB should get all agency program assistant secretaries to participate in the followup and have them assign an appropriate agency official for responses and needed actions.                                   |
| 2. Getting regular feedback from OMB           | OMB should provide clear guidance and quick feedback on agency responses, to identify and resolve problems as they occur.   | While OMB is now trying to get more documentation on agency responses, this should have been considered long ago when initial responses were received.   |
| 3. Annually reviewing rejections               | OMB should require agencies to reevaluate their "Rejected" recommendations at least annually to consider new policies, programs, support, or resources which could make action feasible.  |  |
| 4. Revising status categories                  |   | Current reporting categories do not provide enough latitude to describe what action can occur. They should be made more descriptive to prevent assigning a "Rejected" status when positive action is possible. |
| 5. Shifting followup responsibility within OMB | The current OMB followup unit may not be equipped to do the job and faces a built-in conflict of interest when dealing with Commission recommendations addressed to its own operations. A special project should be set up in OMB reporting perhaps to the Associate Director for Management. |  |

As a concluding comment, one operating agency official said that OMB had neither taken its followup responsibility seriously nor provided the necessary leadership to make the program a success. The focal point also described a need for more "professionalism" in developing agency responses.

## CHAPTER 3

### SCOPE OF REVIEW

To determine if fundamental improvements were needed in OMB's followup system, GAO sampled responses from three major agencies--Labor, HEW, and OMB--which together are responsible for responding to over half of the Commission's recommendations. Selected recommendations comprise more than 10 percent of those assigned to the agencies. The recommendations involve a variety of major programs and have one or more of the following characteristics:

- Delete or simplify reporting requirements.
- Reform Government operations or management.
- Affect two or more agencies.
- Require legislative changes.
- Status has been reported as implemented.
- Status has been reported as rejected.

The sample represents a broad cross section from which to test and assess the workings of the OMB followup system. Most of the 36 recommendations sampled match up with more than 1 of the above selection categories. In total, the sample matches up with the 6 selection categories 86 times, ranging from 5 to 23 times for any one category. The sample also covers all OMB status categories with 12 in the "Implemented" category, 14 in the "Rejected" category, and 10 in the "Active" category.

Sample results are not projectable to all responses or agencies, but they do point to a number of fundamental problems.

FEDERAL PAPERWORK COMMISSION  
RECOMMENDATIONS RECONCILED  
WITH OMB STATUS REPORT

| COMMISSION<br>REPORT a/                            | REPORT<br>RECOMMENDATIONS |
|--|---------------------------|
| 1. Housing Programs                                | 58                        |
| 2. Education                                       | 41                        |
| 3. Federal Health Programs                         | 39                        |
| 4. Federal/State/Local Cooperation                 | 34                        |
| 5. Procurement                                     | 32                        |
| 6. Equal Employment Opportunity                    | 26                        |
| 7. Occupational Safety and Health                  | 26                        |
| 8. Rulemaking                                      | 23                        |
| 9. Energy  | 22                        |
| 10. Taxation                                       | 20                        |
| 11. Employment and Training Programs               | 18                        |
| 12. Title XX: Recommendations for Reform           | 17                        |
| 13. Information Resources Management               | 16                        |
| 14. The Reports Clearance Process                  | 15                        |
| 15. Environmental Impact Statements                | 14                        |
| 16. The Employee Retirement Income Security Act    | 14                        |
| 17. The Role of Congress                           | 13                        |
| 18. Small Business Loans                           | 13                        |
| 19. Confidentiality and Privacy                    | 12                        |
| 20. Statistics                                     | 10                        |
| 21. Public Works                                   | 9                         |
| 22. Records Management in Federal Agencies         | 8                         |
| 23. Segmented Financial Reporting                  | 7                         |
| 24. Consumer Credit Protection                     | 7                         |
| 25. Administrative Reform in Welfare               | 5                         |
| 26. Information Value/Burden-Assessment            | 4                         |
| 27. The Final Report of the Commission's Ombudsmen | 4                         |
| 28. Final Summary Report                           | <u>3</u>                  |
| Number of Commission Recommendations               | 510                       |

Additions to OMB followup system:

|  |    |
|--|----|
| Duplicate recommendations which OMB assigned to more than one agency | 71 |
| Unpublished Commission recommendations adopted by OMB                | 20 |

a/The Commission issued 9 other reports which did not contain recommendations requiring action.

Omissions from OMB followup system:

|   |        |
|---|--------|
| Congressional recommendations   | b/(59) |
| GAO recommendations   | b/( 4) |
| Library of Congress recommendation  | ( 1)   |
| Recommendations in Ombudsmen and Final<br>Summary reports   | ( 7)   |
| Recommendations dropped by OMB because<br>they were endorsements or duplicated<br>in other Commission reports | (10)   |
| Recommendations being followed by OMB<br>(See ch. 1)  | 520    |

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b/These include only the recommendations not  
"duplicated," that is, not assigned to  
other agencies.



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

MAR 18 1973

MEMORANDUM FOR: Agency Representatives for Commission on  
Government Procurement Matters

Subject: Lead agency assignments and operating guidelines for  
the review and implementation of the recommendations  
of the Commission on Government Procurement

In the Director's letter dated December 7, 1972, agencies were provided information on the overall plans of the Executive Branch for the review and implementation of the recommendations of the Commission on Government Procurement (COGP). The purpose of this letter is to inform you of lead and participating agency assignments and operating procedures and to obtain your response by April 9, 1973.

Since official release of the COGP recommendations on January 22, 1973, this Office has been working with a group of Government officials with procurement expertise who have been formally named as Procurement Policy Advisers (PPA) to OMB. These Advisers have made key inputs to the attached material and will continue to advise this Office on procurement policy and procedural matters relative to the Executive Branch review and implementation of the COGP recommendations in the months ahead.

Attachment I is a listing of COGP recommendations which are identified first by the report Part in which they are found and second by the recommendation number assigned within the Part. The recommendations are listed in the Summary of the COGP report which has been distributed by the COGP and are also included in the recently published full report that is now available. The attached list has been annotated to identify lead and participating agencies. The lead and participating agency assignments are considered appropriate; however, if they present problems to an agency, please let us know and we will consider alternatives available. Agencies not indicated as either lead or participating agencies who wish to participate actively in the development of Executive Branch positions may arrange to do so by contacting OMB.

The listed recommendations have also been identified as either Category A or Category B. Each category identifies a procedure which is believed will prove most advantageous in bringing

each recommendation to the point of an implementing decision. An explanation of the categories is contained in Attachment II.

The recommendations of the COGP are the result of long and conscientious effort on the part of a great many knowledgeable people from Government, industry and public interest groups. Many of the recommendations can be seen now to promise important changes, improvements, and benefits to the Federal procurement process. It is incumbent upon the Executive Branch to move expeditiously toward review and appropriate implementation of these recommendations. In that approach we must strive to look beyond bureau or agency concern and instead see our opportunities in the light of Executive Branch objectives, the concern of the Government as a whole and the overall public interest.

So that we may move forward with our plans for prompt consideration of the COGP recommendations, will you please furnish us the name and telephone number of the individual in your agency who is to have day to day responsibility for your agency's involvement in each assignment, either lead agency or participating agency. We will appreciate your response by April 9, 1973.

Following receipt and consideration of your response, including any suggestions or comments which you may make, we will provide you a listing of the names and telephone numbers of the individuals who have been given lead agency responsibility assignments.

Questions on details of this letter or its attachments should be addressed to H. E. Tetrick, telephone 395-6929.

Dwight A. Ink

Dwight A. Ink  
Assistant Director

**Attachments:**

- I. List of lead and participating agency assignments.
- II. Review and implementation procedures.

## ATTACHMENT II

## PROPOSED REVIEW AND IMPLEMENTATION PROCEDURES

Lead Agency Responsibility.

The Lead Agency is responsible for leading the Executive Branch review and implementation of an assigned recommendation. In carrying out this responsibility the broadest reasonable consideration shall be given to the potential impact of the recommendation on all segments concerned with Federal procurement, both Government and nongovernment.

Even considering the fact that the Commission recommendations were developed in a bipartisan atmosphere with the participation of individuals and organizations from outside of the Government it is possible that such individuals and organizations may request to meet with Lead and Participating Agencies during the period of evaluation and policy formulation. To meet with all such individuals and groups would not likely be possible during the process of developing positions and implementation proposals. However, in the interest of fairness, it would be desirable that any person requesting a meeting be offered the opportunity to submit their views in writing. All such written views should be given appropriate consideration. Additional opportunity for input from the private sector will occur when the regulatory material is circulated as appropriate by promulgating agencies.

Recommendation Categories.

The designation of Category A is designed to provide a means for moving forward rapidly with consideration of, and appropriate implementation of, recommendations.

Category B is designed for the handling of recommendations in which a greater amount of study is expected. The procedure to be followed in processing of the recommendations is described below.

Lead Agencies may suggest to OMB changes in the assigned categories after appropriate discussions with Participating Agencies.

While the general thrust of a recommendation may be acceptable it may be found at any time that considerations such as cost and complexity of implementation may call for reexamination as to the basic acceptability of the recommendation.

General Guidelines.

a. Analyses. In the case of Category A recommendations analyses should be of sufficient depth to insure that no significant area or view has been overlooked which may prevent implementation of the recommendation. Analyses should be thorough enough in the case of Category B recommendations to provide a basis for a decision as to the acceptability of the recommendation and guidance on the direction which implementation, if any, should follow.

b. Partial implementation. The possibility of partial or modified implementation should be considered in any case where the acceptance of the total recommendation is not considered feasible.

c. Action plans and status. Action plans for the development of positions and implementation should be prepared at the outset of the assignment and maintained in a current status by Lead Agencies.

Completion dates will be established by the Lead Agency and coordinated with OMB. It is expected that status reporting will usually be on an informal basis to OMB by the Lead Agency representative.

Task Group leaders should anticipate that they may be requested to make a personal presentation to OMB with respect to status, a proposed policy position, and/or implementation approach.

d. Coordination. The Lead Agency has the responsibility to work with participating agencies in developing proposed Executive Branch positions or actions and to include any dissenting views with material submitted to OMB. However, official agency views will be obtained as appropriate by OMB.

### Procedure

The procedures set forth below are to be followed in developing a proposed Executive Branch position on each recommendation and in developing proposed implementing actions to carry out the respective proposed or approved policy decisions. With respect to recommendations in Category A, steps 1 and 2 will be undertaken as parallel efforts combined in a single submission for a policy level decision. In the case of Category B recommendations, step 1 will be completed and a policy level decision will be obtained by OMB before developing proposed implementing actions in step 2. In Category B cases OMB will advise the Lead Agency regarding implementation when a policy level decision has been made on the proposed Executive Branch position.

#### Step 1. Development of proposed Executive Branch position.

- a. Lead Agency prepares jointly with participating agencies a proposed Executive Branch position including supporting analyses and studies and forwards to OMB.
- b. OMB performs appropriate review of proposed position and either returns to Lead Agency for additional effort or obtains official agency views as appropriate.
- c. After OMB evaluation of agency views the proposed position may be returned to Lead Agency for further effort or processed by OMB for policy decision by an appropriate policy level official.

**NOTE:** Recycling of submissions between OMB and the Lead Agency may occur as necessary at points (a) (b) and (b) (c).

#### Step 2. Development of implementing actions.

- a. Lead Agency prepares jointly with participating agencies proposed implementing documents such as draft legislation, directives, letters, etc., and forwards to OMB with pertinent supporting material.
- b. OMB performs appropriate review of proposed implementation and either returns to Lead Agency for further effort or obtains official agency views as appropriate.
- c. OMB evaluates official agency views and either returns proposed implementation to Lead Agency for further effort or

submits proposed implementation to the official responsible for approval of implementation.

\* NOTE: Recycling between OMB and the Lead Agency may occur as necessary at points (a) (b) and (b) (c).



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ANALYSIS OF EXECUTIVE AGENCY ACTION ON SELECTED  
 PAPERWORK COMMISSION RECOMMENDATIONS

APPENDIX III

| OMB NO. | COMMISSION ON FEDERAL PAPERWORK RECOMMENDATION (SHORT FORM)  | OMB STATUS | LEAD AGENCY ASSIGNED FROM MULTI-AGENCY IMPACT | AGENCY TOP MANAGEMENT INVOLVED | AGENCY EVALUATION PREPARED | IF IMPLEMENTED, ACTION IS |           |         |           | IF REJECTED                       |                             | REASONS  |
|---------|--|------------|---|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-----------------------------------|-----------------------------|--|
|         |  |            |   |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED |  |
| 68      | DEPARTMENT OF HEALTH, EDUCATION AND WELFARE<br>Use standard racial/ethnic categories on Emergency School Aid Application forms. (ED #24)       | R          | Y   | NO                             | NO                         |                           |           |         |           | YES                               | NO                          | <ul style="list-style-type: none"> <li><b>WRONG STATUS:</b> Reported as rejected, but 1978 amendments to P.L. 95-561 have converted Emergency School Aid Act application reporting from all non-standard to standard categories. Although two non-standard categories were added, the Commission recommendation has been accomplished in major part.</li> <li><b>UNRESOLVED ISSUE:</b> Whether HEW or OMB should take legislative initiative to remove remaining non-standard categories from application form.</li> </ul>   |
| 82      | Study statutory change to give States option to provide certain services without special eligibility requirements. (TITLE XX #6)               | R          |   | NO                             | NO                         |                           |           |         |           | YES                               | NO                          | <ul style="list-style-type: none"> <li><b>MISASSIGNED:</b> Response requires top level consideration, including study of departmental policy, program impact and possible legislative changes. Agency responder's office says it does not have this policy level responsibility.</li> <li><b>QUESTIONABLE STATUS:</b> Rejection based on statutory prohibition. However, current law does not prohibit HEW study for amending law. Agency responder indicated that this type of amendment process has been done in the past. New legislative initiatives were not considered in Agency response.</li> </ul>                                      |
| 84      | Report total persons receiving each type of Social Service instead of current confused method of determining primary recipients. (TITLE XX #8) | R          |   | NO                             | NO                         |                           |           |         |           | NO                                | NO                          | <ul style="list-style-type: none"> <li><b>QUESTIONABLE STATUS:</b> Rejection is premature; major studies on Social Service reporting requirements now underway in HEW which could lead to recommendation being implemented fully or in part.</li> </ul>  |
| 86      | Review Social Service reporting requirements; reduce frequency from quarterly to annual. (TITLE XX #10)  | R          |   | NO                             | NO                         |                           |           |         |           | NO                                | NO                          | <ul style="list-style-type: none"> <li><b>MISASSIGNED:</b> Agency responder believes changing reporting frequency is a policy matter which should be addressed by someone at that level.</li> <li><b>QUESTIONABLE STATUS:</b> Rejection is premature; major studies on Social Service reporting requirements now underway in HEW could lead to recommendation being implemented fully or in part.</li> <li><b>ALTERNATIVE REJECTED:</b> Rejection based on inability to complete action within OMB's two year followup. Agency position that recommendation may be implemented later not accepted by OMB as alternative to rejection.</li> </ul> |

1/ Top management involvement means generally in the agency's overall program to respond to the Commission recommendations as opposed to involvement in each specific recommendation.



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|---------|--|------------|--|--------------------------------|----------------------------|------------|-----------|---------|-----------|-----------------------------------|-----------------------------|----------------------------------|-------------|--------|--------|--|---------|
|         |  |            |  |                                |                            |            |           |         |           | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED | TOP MANAGEMENT APPROVAL OBTAINED | YES/NO      | YES/NO | YES/NO |  |         |
| 89      | Publish regulatory changes to Social Services requirements no more often than every six months. (TITLE XX #13)   | R          | NO   | NO                             |                            |            |           |         |           | NO                                | NO                          | YES                              |             |        |        | <ul style="list-style-type: none"> <li>• <u>QUESTIONABLE STATUS</u>: Rejected because congressional action could lead to new regulations at other time intervals, but this does not prevent releasing all other regulatory changes on a fixed schedule (no more often than every six months). Also, Executive Order 12044 requires all Executive agencies to publish semi-annually, agendas of regulatory actions.</li> <li>• <u>MISASSIGNED</u>: Agency responder believes regular intervals for publishing regulatory changes is an agency policy matter and should be addressed by someone at a higher level.</li> </ul>  |         |
| 96      | Use a single application form/process in Labor, HEW and Agriculture for all under/unemployment programs; Labor lead in coordinating regulatory changes and unified terminology/procedures. (EMPLOY. & TRAIN. #2) | A          | NO   | NO                             | NO                         |            |           |         |           |                                   |                             | YES                              |             |        |        | <ul style="list-style-type: none"> <li>• <u>LACKS LEADERSHIP</u>: Recommendation requires joint action and management attention by HEW, Labor and Agriculture, but evaluation assigned without giving any one agency the lead. Agriculture considers the recommendation implemented by using Labor's work registration form, Labor disagrees and considers the recommendation still open. HEW is awaiting the outcome, but feels OMB is merely trying to dispose of the recommendation rather than resolve it.</li> <li>• <u>MISASSIGNED</u>: Broad policy involved, possibly even new legislation, but assigned to agency people without policy authority.</li> <li>• <u>BEING REVIEWED OUT OF CONTEXT</u>: Recommendation one in a series; needs to be considered in total context, not independently. (See rec. no. 217 note.)</li> </ul> |         |
| 99      | Involve WIN program staff formally in all reviews/revisions of Employment Security and Social Services reporting requirements. (EMPLOY. & TRAIN. #12)  | I          | NO   | NO                             | NO                         | NO         | NO        | NO      | NO        |                                   |                             | YES                              |             |        |        | <ul style="list-style-type: none"> <li>• <u>WRONG STATUS</u>: Reported as implemented, but while some WIN involvement has occurred there is no formal mechanism to make sure it participates in reporting requirements reviews as recommended.</li> </ul>  |         |
| 103     | Have task force coordinate Food Stamps and WIN program work registration requirements. (EMPLOY. & TRAIN. #18)  | A          | NO   | NO                             | NO                         |            |           |         |           |                                   |                             | YES                              |             |        |        | <ul style="list-style-type: none"> <li>• <u>LACKS LEADERSHIP</u>: Recommendation requires joint action and management attention by HEW, Labor and Agriculture, but OMB assigned without giving any one agency the lead. Agriculture considers recommendation implemented by use of Labor's work registration form, Labor disagrees and considers the recommendation still open; HEW is awaiting outcome.</li> </ul>  |         |

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|---------|---|------------|--|--------------------------------|---------------------|------------|-----------|---------|-----------|-----------------------------------|-----------------------------|-------------|--|----------------------------------|
|         |   |            |  |                                |                     |            |           |         |           | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED |             |  | TOP MANAGEMENT APPROVAL OBTAINED |
|         |   |            |  |                                |                     |            |           |         |           |                                   |                             |             |  |                                  |
|         | DEPARTMENT OF LABOR   |            | (1)  |                                |                     |            |           |         |           |                                   |                             |             |  |                                  |
| 174     | Exclude firms in OSHA national sample from preparing duplicate information in forms OSHA 102/103. (OSHA #2)                           | I          | YES  | YES                            |                     |            |           |         | YES       |                                   |                             | NO          | <ul style="list-style-type: none"> <li>VERY RESPONSIVE ACTION: OSHA made a comprehensive forms review. New OSHA form 200 consolidated and simplified OSHA 102/103 forms. OSHA also reduced the sample size.</li> </ul>   |                                  |
| 179     | Review OSHA consensus standards (with public input) to eliminate impractical/irrelevant requirements. (OSHA #7)                       | I          | YES  | YES                            | YES                 | YES        | YES       | NO      |           |                                   |                             | YES         | <ul style="list-style-type: none"> <li>WRONG STATUS: Action to review OSHA standards is in process rather than implemented.</li> <li>INCOMPLETE RESPONSE: Lacks communication to OMB of review priorities, completion dates and plans for monitoring results.</li> </ul>   |                                  |
| 183     | Transfer sampled employee workplace medical surveillance records to NIOSH annually to prioritize developing new standards. (OSHA #12) | R          | NO   | NO                             | NO                  |            |           |         |           | NO                                | NO                          | YES         | <ul style="list-style-type: none"> <li>LIMITED REVIEW: Agency stood on its original rejection during Commission days rather than responding anew to OMB followup.</li> <li>WRONG STATUS: Agency responded as if recommendation applied to existing standards whereas, development of new standards is involved. Agency agrees intent of recommendation was not considered.</li> <li>NEED FOR REVIEW: This rejected recommendation is coupled to an important HEW/NIOSH recommendation that is still open (OSHA #11). Labor now agrees these two recommendations need to be considered together, not independently.</li> <li>LACKS LEADERSHIP: As recommendations OSHA 11 and 12 affect operations of both Labor and HEW/NIOSH, a lead agency assignment and joint effort is needed to coordinate responses.</li> </ul> |                                  |
| 197     | Reexamine need/use of OSHA reporting requirements in the Annual Summary Report to the Congress. (OSHA #26)                            | R          | NO   | NO                             | NO                  |            |           |         | NO        | NO                                | YES*                        | YES         | <ul style="list-style-type: none"> <li>LIMITED REVIEW: Agency stood on its original rejection during Commission days rather than responding anew to OMB followup.</li> <li>QUESTIONABLE STATUS: Agency interpreted recommendation as eliminating OSHA Annual Report to Congress, whereas Commission just called for streamlining the Report's legislative requirements.</li> <li>INCOMPLETE RESPONSE: These reporting requirements apply to HEW as well, but HEW not asked to respond.</li> <li>ACTION POSSIBLE: OSHA's response acknowledges report should be redirected and made more useful and timely; joint action with HEW needed to examine need/use and prepare any legislative changes.</li> </ul>  |                                  |

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\* (Agency comment: According to Labor officials, this recommendation received additional attention as a result of the administration's review of congressional reporting requirements. Top management then became involved. The rejection was continued based on the administration's reluctance to reopen OSHA legislation.)



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|---------|--|------------|--|--------------------------------|----------------------------|------------|-----------|---------|---------------------------|-----------------------------------|----------------------------------|-------------|--------------------------------|---|
|         |  |            |  |                                |                            |            |           |         | COMPLETED                 | IF LEGISLATIVE PROPOSAL SUBMITTED | TOP MANAGEMENT APPROVAL OBTAINED |             |                                |   |
| 212     | Substitute EEO-6 for statistical data collected for Labor Affirmative Action Programs. (EEO #21)   | R          | NO   | NO                             | NO                         | NO         | NO        | NO      | NO                        | NO                                | NO                               | NO          | YES                            | <ul style="list-style-type: none"> <li>LACKS LEADERSHIP: Recommendation requires joint action by HEV, Labor, EEOC, but was assigned without giving any one agency the lead.</li> <li>QUESTIONABLE STATUS: Agency stood on its original rejection during Commission days rather than responding anew to OMB followup.</li> <li>ALTERNATIVE ACTION POSSIBLE: While questioning Commission's precise solution, agency personnel admitted strong potential for consolidating these requirements if EEOC takes the lead.</li> </ul>  |
| 215     | Develop overall system treating employment and training programs as investments in human resources; use common definitions, standards for performance measurements. (EMPLOY & TRAIN, # 1)                | R          | NO   | NO                             | NO                         | NO         | NO        | NO      | NO                        | NO                                | NO                               | NO          | YES                            | <ul style="list-style-type: none"> <li>QUESTIONABLE STATUS: Rejection questionable because first part of recommendation not addressed and second part in progress on small scale.</li> <li>LIMITED REVIEW: Agency person had one day to respond; told to reject recommendation; had not read Commission report until GAO visit.</li> <li>MISASSIGNED: Broad Department-wide policy involved; responder lacked policy authority (now being reassigned by Labor).</li> <li>REVIEWED OUT OF CONTEXT: Recommendation is one of series; needs to be considered in total context, not independently. (See note).</li> </ul>   |
| 217     | Make labor market information systems more responsive to congressional intent and national economy by producing compatible data, eliminating gaps and initiating research efforts. (EMPLOY. & TRAIN, #3) | I          | NO   | NO                             | NO                         | NO         | NO        | NO      | NO                        | NO                                | NO                               | NO          | YES                            | <ul style="list-style-type: none"> <li>MISASSIGNED: A major policy recommendation responded to by administrative office.</li> <li>QUESTIONABLE STATUS: Labor believes some action ongoing but GAO could not discern a response; Labor said OMB's abbreviated version of recommendation caused some misunderstanding.</li> <li>REVIEW OUT OF CONTEXT: Recommendation is one of series; needs to be reviewed in total context, not independently. (See note).</li> </ul> <p>NOTE:<br/>The recommendations presented within the Commission's Employment and Training report are not designed to be evaluated and applied selectively; but rather as a whole. They concern the development of a comprehensive administrative system for over 180 manpower programs. The first recommendation was written as a goal, with subsequent recommendations outlining steps toward achieving that goal -- a National Manpower System treating programs as investments in human resources. The agency assigned the recommendations to separate individuals in the organization. Some agency responders acknowledged they were not equipped to handle the recommendations and did not comprehend what they were rejecting in one case, or implementing in another. These recommendations require evaluation as a group by top policymaking and program officials.</p> |

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|---------|---|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-----------------------------------|-----------------------------|--------------------------------|---|----------------------------------|--------|
|         |   |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED |                                |   | TOP MANAGEMENT APPROVAL OBTAINED | YES/NO |
|         |   |            |  |                                |                            |                           |           |         |           |                                   |                             |                                |   |                                  |        |
| 220     | Coordinate Labor, Commerce, HEW data collection and data sharing between income security and employment and training programs. (EMPLOY. & TRAIN. #7). | A          | NO   | NO                             | NO                         |                           |           |         |           |                                   | NO                          | YES                            | <ul style="list-style-type: none"> <li>• <u>QUESTIONABLE STATUS</u>: Agency rejected year ago for lack of primary jurisdiction; OMB report shows active.</li> <li>• <u>LACKS LEADERSHIP</u>: Recommendation requires joint action by several agencies, but assigned without giving any agency the lead.</li> <li>• <u>REVIEWED OUT OF CONTEXT</u>: Recommendation is part of series that needs to be considered collectively at high policy level departmental wide. (See note, prior page.)</li> </ul>   |                                  |        |
| 233     | Provide employees simplified pension benefit statements in lieu of complex financial statements. (ERISA #3)   | I          |  | NO                             | NO                         | YES                       | NO        | NO      |           |                                   |                             | YES                            | <ul style="list-style-type: none"> <li>• <u>WRONG STATUS</u>: Regulation still in formative stages; action in process rather than implemented.</li> <li>• <u>MODIFICATION NOT DISCLOSED</u>: As opposed to eliminating, Labor simplified annual financial statement to pension participants; statements telling participants their benefits and protection still not available and will not substitute for financial statements as Commission intended.</li> <li>• <u>MODIFICATION NOT APPROVED</u>: Labor's modification of Commission's intent has not received OMB review or endorsement.</li> <li>• <u>ACTION POSSIBLE</u>: Labor Secretary has authority to modify compliance methods and implement Commission recommendation. Congressional interest (S. 209) would go further than recommended action, but accomplish intent.</li> </ul> |                                  |        |

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|---------|---|------------|--|--------------------------------|----------------------------|------------|---------------------------|---------|-----------|-------------|--------------------------------|--|
|         |   |            |  |                                |                            |            | INITIATED                 | TRACKED | COMPLETED |             |                                |  |
|         |   |            |  |                                |                            |            |                           |         |           |             | REASONS                        |  |
|         | OFFICE OF MANAGEMENT AND BUDGET                             |            |  |                                |                            |            |                           |         |           |             |                                | <p>OVERALL COMMENT ON OMB'S REPORTED STATUS FOR COMMISSION'S RULEMAKING, CLEARANCE PROCESS, INFORMATION RESOURCES MANAGEMENT, RECORDS MANAGEMENT AND VALUE BURDEN RECOMMENDATIONS.</p> <p>OMB, over the past two years, has addressed numerous recommendations through Presidential burden reduction plans and Executive Orders 12044 and 12174. These activities are intended to improve government regulations, strengthen the reports clearance process and reduce government paperwork. Such initiatives provide the framework for OMB to group a number of recommendations as being accepted. However, the OMB responder told GAO the agency would soon assign "Implemented" status to these recommendations. Such an assignment does not fully convey the recommendations status--"Accepted, implementation in process"--may be more accurate.</p> <p>These paperwork initiatives demonstrate OMB's concurrence with intent of the Commission's recommendations and OMB is in the process of implementation. But, without an interim status category to indicate ongoing efforts, the "Implemented" status becomes misleading. Actions called for by some of the Commission's recommendations have far reaching effects requiring considerable time to implement. Simply issuing an Executive Order with regulations does not produce instant change or improvements.</p> <p>For these reasons, Executive action on a number of recommendations that follow needs reexamination to more accurately define status, avoiding the assignment of "Implemented" until a changed operation is in place. In commenting further on this matter, the OMB responder said he recognized implementation was only commencing in these cases and that OMB's final report would be more descriptive of the situation.</p> |



1 - IMPLEMENTED  
 A - ACTIVE  
 N - NOT REQUESTED

ANALYSIS OF EXECUTIVE AGENCY ACTION ON SELECTED PAPERWORK COMMISSION RECOMMENDATIONS

APPENDIX III

| OMB NO. | COMMISSION ON FEDERAL PAPERWORK RECOMMENDATION (SHORT FORM)  | OMB STATUS | LEAD AGENCY ASSIGNED FOR MULTI-AGENCY IMPACT | AGENCY TOP MANAGEMENT INVOLVED | AGENCY EVALUATION PREPARED | IDENTIFIED | IF IMPLEMENTED, ACTION IS |         |           |                                   | IF REJECTED                      |        | REASONS  |
|---------|--|------------|--|--------------------------------|----------------------------|------------|---------------------------|---------|-----------|-----------------------------------|----------------------------------|--------|--|
|         |  |            |  |                                |                            |            | INITIATED                 | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | TOP MANAGEMENT APPROVAL OBTAINED | YES/NO |  |
| 380     | Develop mechanism to expedite administrative changes in statutes that reduce unnecessary paperwork and redtape. (RULEMAKING #1)                                    | A          | NO   | NO                             | NO                         |            |                           |         |           |                                   |                                  | YES    | <ul style="list-style-type: none"> <li>LIMITED REVIEW: Recommendation assigned for review late 1979; two OMB individuals "discussed" the recommendation; no mechanism to accomplish its objective developed or evaluation prepared, no plan to do so at this time.</li> <li>FAILURE TO ADDRESS RECOMMENDATION: OMB is not addressing recommendation as written in Commission report; Agency responder considers it will be implemented by President's new Executive Order and legislative paperwork impact statements. Neither relate to the recommendation which suggests a quick mechanism to change statutes' administrative procedures without modifying basic intent or using longer amendment process.</li> </ul>              |
| 393     | Assign lead agency responsibilities to coordinate/collect common program information; license some to clear report requests in their program areas. (CLEARANCE #5) | A          | NO   | NO                             | NO                         |            |                           |         |           |                                   |                                  | YES    | <ul style="list-style-type: none"> <li>CONTINUING EVALUATION NEEDED: OMB responder considers recommendation will be implemented with President's new Executive Order on paperwork management and ensuing regulations. However, so far, lead agency designations for common program information have been congressionally mandated (e.g., Energy, Education); OMB has yet to identify Government-wide potential or make any lead agency assignments. Categorizing this recommendation as "implemented" with issuance of the Executive Order is premature; "Accepted, implementation in progress" is a better description. Agency licensing, the second part of this recommendation, is discussed under recommendation 397.</li> </ul> |

1/ Means top management involvement of OMB when recommendation can be resolved by OMB only; or top management involvement of operating agencies when recommendation requires joint resolution by both the agencies and OMB.



ANALYSIS OF EXECUTIVE AGENCY ACTION ON SELECTED PAPERWORK COMMISSION RECOMMENDATIONS

A - ACTIVE  
R - REJECTED

| OMB NO. | COMMISSION ON FEDERAL PAPERWORK RECOMMENDATION (SHORT FORM)  | OMB STATUS | LEAD AGENCY ASSIGNED FOR MULTI-AGENCY IMPACT | AGENCY TOP MANAGEMENT INVOLVED | AGENCY EVALUATION PREPARED | IF IMPLEMENTED, ACTION IS |           |         |           | IF REJECTED                       |                   | REASONS   |
|---------|--|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-----------------------------------|-------------------|---|
|         |  |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | ACTION CONSIDERED |   |
| 394     | Establish agency management units consolidating the fragmented responsibility for information resources activities. (CLEARANCE #6)         | A          | NO   | NO                             |                            |                           |           |         |           |                                   |                   | <ul style="list-style-type: none"> <li>QUESTIONABLE STATUS: No evidence of OMB considering recommendation prior to GAO visit or of consultation with agencies about what is required to implement recommendation.</li> <li>CONTINUING EVALUATION NEEDED: OMB responder considers new Executive Order and ensuing regulations will implement recommendation. However, OMB has not prepared an evaluation of the recommendation and the Executive Order does not address it.</li> </ul>   |
| 397     | License agencies to clear information requirements according to OMB guidelines; encourage pretesting without OMB clearance. (CLEARANCE #3) | I          | NO   | NO                             | YES                        | NO                        | NO        | NO      |           |                                   | YES               | <ul style="list-style-type: none"> <li>WRONG STATUS: Noted as "Implemented" but no agency has been licensed by OMB to clear its own information requirements. OMB has yet to review agencies' capabilities to assume this added responsibility. Categorizing recommendation's status as "Implemented" is premature; "Accepted, implementation in progress" would be a more accurate description. (OMB responder acknowledged the inaccurate status.)</li> <li>CONTINUING EVALUATION NEEDED: Agency responder said new Executive Order has the recommendation idea behind it, but recognizes agencies and OMB are only in the planning mode and much remains to be done towards implementation. For further discussion of Executive Order, see overall comment prefacing OMB recommendations.</li> </ul> |

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I - IMPLEMENTED  
 A - ACTIVE  
 R - REJECTED

ANALYSIS OF EXECUTIVE AGENCY ACTION ON SELECTED  
 PAPERWORK COMMISSION RECOMMENDATIONS

APPENDIX III

| OMB NO. | COMMISSION ON FEDERAL PAPERWORK RECOMMENDATION (SHORT FORM)   | OMB STATUS | LEAD AGENCY ASSIGNED FOR MULTI-AGENCY IMPACT | AGENCY TOP MANAGEMENT INVOLVED | AGENCY EVALUATION PREPARED | IF IMPLEMENTED, ACTION IS |           |         |           | IF REJECTED                       |                                  | EXECUTIVE REEXAMINATION NEEDED | REASONS   |     |    |
|---------|---|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-----------------------------------|----------------------------------|--------------------------------|---|-----|----|
|         |   |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | TOP MANAGEMENT APPROVAL OBTAINED |                                |   | YES | NO |
|         |   |            |  |                                |                            |                           |           |         |           |                                   |                                  |                                |   |     |    |
| 407     | Require agencies consider using HEW's health statistics collection program as alternative to their own collection. (HEALTH #25) | I          | NO   | NO                             | 1/                         | NO                        | NO        | NO      | NO        |                                   |                                  | YES                            | <ul style="list-style-type: none"> <li>● <b>WRONG STATUS:</b> Noted as implemented, but no requirement placed on agencies to consider available HEW capability as an alternative when initiating new data collection requests.</li> <li>● <b>LEADERSHIP NEEDED:</b> OMB contends HEW can implement the recommendation by issuing new internal procedures; HEW disagrees and believes other agencies as well as its own components will not use available collection programs unless required by OMB in its clearance process. Another way to require such coordination would be for OMB (as suggested by another Commission recommendation) to assign HEW "Lead Agency" responsibility for clearing all health data.</li> </ul>   |     |    |
| 440     | Have all agencies conduct information utility audits. (VALUE/BURDEN #2)   | A          | NO   | NO                             | NO                         |                           |           |         |           |                                   |                                  | YES                            | <ul style="list-style-type: none"> <li>● <b>CONTINUING EVALUATION NEEDED:</b> OMB responder considers new Executive Order will implement recommendation, and ensuing regulations will elaborate on specific agency requirements for conducting information utility audits. No OMB evaluation has been prepared, nor have agencies been consulted on such areas as--ability to do them or problems with confidentiality. As content of the future regulations is not presently known and acceptance by all agencies still uncertain, to claim implementation when the Executive Order is issued would be premature; "Accepted, implementation in progress" is a more accurate description. For further discussion of Executive Order see overall comment prefacing OMB recommendations.</li> </ul> |     |    |

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ANALYSIS OF EXECUTIVE AGENCY ACTION ON SELECTED  
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|---------|--|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-------------|-----------------------------------|--------------------------------|---------|---|
|         |  |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED   | IF LEGISLATIVE PROPOSAL SUBMITTED |                                |         | ALTERNATE ACTION CONSIDERED   |
| 442     | Have agencies periodically conduct zero-based reviews of their reporting requirements. (VALUE/BURDEN #4) | I          | NO   | NO                             | 1/                         | NO                        | NO        | NO      | NO          |                                   |                                | YES     | <ul style="list-style-type: none"> <li>• <b>WRONG STATUS:</b> Noted as implemented, but OMB has taken no action. "Implemented" status is based on Federal Reports Act requirement calling for agencies under Act's jurisdiction to rejustify reporting requirements every 5 years. This requirement has no effect on the many agencies excluded from the Act and there is no assurance that those covered by the Act are actually performing zero-based review.</li> <li>• <b>CONTINUING EVALUATION NEEDED:</b> OMB responder considers new Executive Order will implement recommendation, and ensuing regulations will elaborate on specific agency guidelines for conducting periodic zero-based reporting reviews. Although periodic information reviews are required by the Executive Order, no OMB evaluation has been prepared nor have agencies been consulted on such areas as-- resources and expertise to conduct such reviews or on developing common terminology/methodology. As content of the future regulations is not known and acceptance by all agencies is still uncertain, more than the issuance of the new Executive Order will be needed to claim "Implemented;" "Accepted, implementation in progress" would be a more accurate description. For further discussion of Executive Order see overall comments prefacing OMB recommendations.</li> </ul> |
| 452     | Consider reducing grantee accountability for property from \$300 to \$1,000. (ED. #3)                    | I          | YES  | NO                             | YES                        | NO                        | NO        | NO      |             |                                   |                                | YES     | <ul style="list-style-type: none"> <li>• <b>QUESTIONABLE STATUS:</b> Noted as implemented, but formal changes to grantee property accountability requirements are not expected until some time during 1980. Also, full recommendation objective has not been met since minimum accountable property value is going up to \$500, not the \$1,000 recommended. Claiming "Implemented" at this time is premature; a more accurate description for status would be "Modified acceptance, implementation in progress."</li> </ul>  |

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|---------|--|------------|--|--------------------------------|---------------------|------------|-----------|---------|-----------|-----------------------------------|-----------------------------|-------------|--------------------------------|--|
|         |  |            |  |                                |                     |            |           |         |           | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED |             |                                |  |
|         |  |            |  |                                |                     |            |           |         |           |                                   |                             |             |                                |  |
| 453     | Study, to see if grantee/agency reporting requirements for non-expendable property are necessary and cost-effective, and if better accountability can be had using alternative means. (ED. #4) | R          | NO   | YES <sup>1/</sup>              | NO                  |            |           |         |           |                                   | NO                          | NU          | YES                            | <ul style="list-style-type: none"> <li>● <b>INCOMPLETE REVIEW:</b> OMB's in-house, unrecorded study found no unnecessary property reporting burden being imposed on grantees/agencies. However, grantee/agency views were not obtained. It is unlikely this study method could obtain the specific information needed to consider possible duplicate/unnecessary reporting, alternative data sources/reporting procedures or the cost/benefits of current reporting, as the recommendation required.</li> <li>● <b>QUESTIONABLE STATUS:</b> Noted as rejected, but OMB did not perform a study of the recommended scope. The study decision to do "nothing" did not support reasons why or possible alternative means for implementing at least some burden reducing changes.</li> </ul> |
| 467     | Require agencies search Energy Information Office data files before requesting clearance of new energy related reports. (ENERGY #7)  | I          | NO   | NO                             | NO                  | YES        | NO        | NO      | NO        |                                   |                             |             | YES                            | <ul style="list-style-type: none"> <li>● <b>WRONG STATUS:</b> Noted as implemented, but without disclosing how OMB modified recommendation deleting Commission recommended changes in clearance procedures, and requiring only review after clearance submission. After the fact reviews by OMB are not new and do not address the recommendation's requirements.</li> <li>● <b>INCOMPLETE REVIEW:</b> Recommendation written to include GAO was assigned only to OMB. Although GAO does have clearance responsibility for energy reports from CAB and NRC, it was not asked to participate in OMB's response. Fully implementing this recommendation would require GAO procedures be coordinated with OMB's.</li> </ul>   |

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ANALYSIS OF EXECUTIVE AGENCY ACTION ON SELECTED  
PAPERWORK COMMISSION RECOMMENDATIONS

I - IMPLEMENTED  
A - ACTIVE  
R - REJECTED

| OMB NO. | COMMISSION ON FEDERAL PAPERWORK RECOMMENDATION (SHORT FORM)  | OMB STATUS | LEAD AGENCY ASSIGNED FOR MULTI AGENCY IMPACT | AGENCY TOP MANAGEMENT INVOLVED | AGENCY EVALUATION PREPARED | IF IMPLEMENTED, ACTION IS |           |         |           | IF REJECTED | EXECUTIVE REEXAMINATION NEEDED | REASONS |   |
|---------|--|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-------------|--------------------------------|---------|---|
|         |  |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED |             |                                |         | IF LEGISLATIVE PROPOSAL SUBMITTED   |
| 470     | Rely on State statutes and regulations when they will accomplish Federal program objectives. (FED./STATE/LOCAL. #1)                            | R          | NO   | NO                             | /                          |                           |           |         |           |             | NO                             | YES     | <ul style="list-style-type: none"> <li>QUESTIONABLE STATUS: OMB only rejects part of the recommendation, inferring new legislation is needed. OMB and States have developed some cooperative understandings allowing for accepting State statutes and regulations in several areas and will continue to do this on a case by case basis. Current "Rejected" status infers OMB does not accept State statutes and regulations; OMB responder agrees this is misleading.</li> <li>LIMITED REVIEW: OMB has only addressed recommendation as it pertains to Federally assisted programs. State statutes and regulations have a number of cross cutting programs where recommendation could be utilized.</li> <li>ACTIONS POSSIBLE: OMB agrees to case by case determinations for State acceptance but has not demonstrated leadership by identifying and broadening areas where State actions can be accepted or by creating mechanisms for State participation in doing so.</li> </ul> |
| 477     | Consider using administrative reform plans to standardize State and local requirements under Federal assistance programs. (FED/STATE/LOCAL #9) | R          | NO   | NO                             | NO                         |                           |           |         |           |             | NO                             | YES     | <ul style="list-style-type: none"> <li>QUESTIONABLE STATUS: OMB initially rejected recommendation based on interpretation that legislation was required. OMB now believes administrative requirements for Federal assistance programs can be standardized using authority in various management circulars and concurs with this modified approach to the recommendation. Pending legislation (S. 878, S. 904) encourages agencies to submit legislative amendments allowing standardized approaches/forms/procedures. OMB is studying this issue in response to a congressional mandate and will not form its position until the study is completed in 1980. Rejection at this time is premature as study conclusions may lead to this recommendation being implemented fully or in modified form.</li> </ul>   |

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|---------|---|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-----------------------------------|--------------------------------|--------------------------------|--|
|         |   |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | IF ALTERNATE ACTION CONSIDERED |                                |  |
| 497     | Have HUD, VA and Agriculture set up management groups to resolve areas of program overlap; OMB should monitor this process. (HOUSING #39) | I          | NO   | 1/                             | NO                         | YES                       | YES       | NO      | NO        |                                   |                                | YES                            | <ul style="list-style-type: none"> <li>QUESTIONABLE STATUS: Noted as implemented and progress has reportedly been made in developing common forms and evaluations in various HUD, VA and Agriculture programs. HUD has modified the recommendation by using interagency channels through program people rather than setting up "management groups." The process is continuing and is expected to take at least several years and possibly require new legislation or executive orders before being completed. Current status is better described as "Modified acceptance, implementation in progress."</li> <li>LIMITED REVIEW: 1978 amendments to PL 95-557 required HUD to lead in developing Common forms, but only within the framework of existing statutes. The Commission recommendation also required resolving overlapping program processes and conflicting objectives. These broader issues are not being addressed by HUD or OMB. The HUD responder believes a special "project office" is needed to get real progress on these broader issues.</li> </ul>   |
| 499     | Adopt Information Resources Management concept as Government-wide policy; develop implementing guidance/tools. (INFO. RESOURCES MGT. #1)  | A          | NO   | NO                             | NO                         |                           |           |         |           |                                   |                                | YES                            | <ul style="list-style-type: none"> <li>CONTINUING EVALUATION NEEDED: OMB responder considers new Executive Order will implement this key recommendation and ensuing regulations will elaborate on specific actions. This recommendation and related ones in Commission report contemplate major overhauls in each agency's information management activities. Overhauls range from installing a planning and budgeting system for all information resources to career training and stronger internal review. The idea is to manage information like any other resource rather than treating it as free and to regularly consider alternatives to paperwork requirements. Establishing certain basic capabilities in each agency and continuing evaluations of agency progress will be needed to accomplish this reform. Categorizing the recommendation as "Implemented" when the Executive Order is issued would be premature; "Accepted, implementation in progress," is a more accurate description. For further discussion of the Executive Order, see overall comment prefacing OMB recommendations.</li> </ul> |

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|---------|--|------------|--|--------------------------------|----------------------------|------------|-----------|---------|-----------|-----------------------------------|-----------------------------|----------------------------------|-------------|--------|--------|--|---------|
|         |  |            |  |                                |                            |            |           |         |           | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED | TOP MANAGEMENT APPROVAL OBTAINED | YES/NO      | YES/NO | YES/NO |  |         |
| 500     | Consolidate Federal policy oversight for information, records, statistics, ADP and communication activities into OMB central management unit. (INFO. RESOURCES MGT. #2)  | R          | NO   | NO                             | NO                         |            |           |         |           |                                   |                             | NO                               | YES         | YES    |        | <ul style="list-style-type: none"> <li>• <b>QUESTIONABLE STATUS:</b> Rejection refers to inconsistency with Presidential reorganizational plans. OMB did not bring together representatives of the functions involved to evaluate the recommendation or consider possible alternative means to implement its intent.</li> <li>• <b>ALTERNATIVE POSSIBLE:</b> OMB responder acknowledges consolidating some of the recommended functions under OMB policy oversight (information and records, for example) could be beneficial. Panelists at 1978 Annual Records Conference favored the recommendation. House Government Operations Committee is considering legislation (H.R. 6470) to consolidate these various functions into a new OMB office.</li> </ul> |         |
| 504     | Develop guidelines for agency information planning system linking data collections to enabling legislation, program goals, and value/burden assessments; integrate this new system into agency's regular planning, accounting and budgeting functions. (INFO. RESOURCES MGT. #7) | A          | NO   | NO                             | NO                         |            |           |         |           |                                   |                             |                                  |             | YES    |        | <ul style="list-style-type: none"> <li>• <b>CONTINUING EVALUATION NEEDED:</b> OMB responder considers recommendation will be implemented with the President's new Executive Order and ensuing regulations, but OMB has yet to consult with agencies, prepare an evaluation of recommendation and decide what should be done to introduce integrated information planning systems into each agency. These systems may take several years to become operational. As noted in an overall comment prefacing OMB recommendations, categorizing the recommendation as "Implemented" with issuance of the Executive Order would be premature; "Accepted, implementation in progress" is a more accurate description.</li> </ul>                                     |         |

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|---------|--|------------|--|--------------------------------|----------------------------|---------------------------|-----------|---------|-----------|-----------------------------------|-----------------------------|--------------------------------|---|----------------------------------|--------|
|         |  |            |  |                                |                            | IDENTIFIED                | INITIATED | TRACKED | COMPLETED | IF LEGISLATIVE PROPOSAL SUBMITTED | ALTERNATE ACTION CONSIDERED |                                |   | TOP MANAGEMENT APPROVAL OBTAINED | YES/NO |
|         |  |            |  |                                |                            |                           |           |         |           |                                   |                             |                                |   |                                  |        |
| 507     | Direct agencies to include in their information system audits analyses of data use, cost/benefits, quality, alternative sources, and compatibility with other Federal/private data. (INFO. RESOURCES MGT. #10) | A          | NO   | 1/                             | NO                         |                           |           |         |           |                                   |                             | YES                            | <ul style="list-style-type: none"> <li>CONTINUING EVALUATION NEEDED: OMB responder considers new Executive Order will implement recommendation, and ensuing regulations will elaborate on agency analyses required in information systems audits. However, no OMB evaluation has been prepared nor have agencies been consulted on such areas as--available resources and capability to do such analyses, possible cooperative efforts, or developing common procedures/terminology/methodology. As content of future regulations is not presently known and acceptance by agencies still uncertain, to claim "Implemented" when the Executive Order is issued would be premature, "Accepted, implementation in progress" is a more accurate description. For further discussion of Executive Order see overall comment prefacing OMB recommendations.</li> </ul> |                                  |        |
| 518     | Improve Federal agency compliance with OMB Circular A-95 on intergovernmental management, planning, and information. (FED./STATE/LOCAL Unpublished Position Paper.)  | I          |  |                                | YES                        | YES                       | YES       | YES     | NO        |                                   |                             | YES                            | <ul style="list-style-type: none"> <li>WRONG STATUS: While OMB has taken some positive steps--surveying user problems, developing a new concept for Circular A-95, and holding a major conference--actual implementation is still in developmental stage. Assessing the improved compliance with A-95 requirements will not be possible for some time. To claim "Implemented" is premature at this time; "Accepted, implementation in progress" would be a more accurate description.</li> <li>CONTINUING EVALUATION NEEDED: While A-95 changes are intended to improve Federal relationships with State and local activities, OMB must continually monitor results of current actions to make sure this objective is met.</li> </ul>   |                                  |        |

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STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 521     | The President should propose and the Congress should enact legislation eliminating the exemption of agencies from the clearance process.  |                          | OMB                         |              |
| 522     | The President should require all agencies now exempt from the Federal Reports Act to register with OMB all reports in use or proposed.  |                          | OMB                         |              |
| 523     | The President should propose and Congress should enact legislation to place all reports clearance authority in OMB.   |                          | OMB                         |              |
| 524     | President propose and Congress enact legislation to establish a new organization to centralize and coordinate existing information management functions.  |                          | OMB                         |              |
| 525     | President propose and Congress enact laws consistent with recommendations contained in CFP report "Confidentiality and Privacy."  |                          | OMB                         |              |
| 526     | Congress should review the (b) (3) exemption of the Freedom of Information Act with a view toward repealing 5 U.S.C. 552(b)(3). Such a review would include those laws limiting disclosure of personal information about individuals. |                          |                             |              |
| 527     | Congress should provide by separate legislation or as part of proposed Fair Information Practices Act, for strengthened restrictions on the use and disclosure of information.  |                          |                             |              |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 528     | Congress should revise the Privacy Act to provide that exemptions from the Act's requirements be based on characteristics of information rather than on type of agency maintaining the information or the system of records containing the information.   |                          |                             | •            |
| 529     | Congress, as an alternative to fundamentally revising the exemption provisions of the Privacy Act, should repeal subsection (d)(5) and subsection (j), General Exemptions, or at least require that agencies included within subsection (j) be subject to subsection (g), Civil Remedies.   |                          |                             | •            |
| 530     | Congress should revise the Privacy Act (subsection (b), Conditions of Disclosure), to redefine the types of permissible disclosures; set limitations on redisclosure; limit information disclosed to that which is relevant to the purpose of the disclosure; and provide that no agency deny any individual a right, privilege, or benefit because of that individual's failure to consent to a disclosure not specifically authorized by the act. |                          |                             | •            |
| 531     | Congress should amend subsection (g), Civil Remedies, of the Privacy Act and particularly subsection (g)(4) to recover actual or compensatory damages to individuals adversely affected by agency noncompliance not resulting from willful or intentional violation, and to recover general damages (minimum \$1,000 maximum \$10,000) where agencies have willfully failed to comply with the act.   |                          |                             | •            |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 532     | Congress, when amending subsection (b) of Privacy Act in accordance with Recommendation No. 10 (#530), should also amend the Act to extend its application to certain programs and activities receiving Federal Financial Assistance.   |                          |                             | •            |
| 533     | Congress should eliminate unnecessary and complex requirements in the Truth-In-Lending Act which do not carry out original intent of legislation and should revise the act to provide consumers with clear information.   |                          |                             | •            |
| 534     | Congress should amend Fair Credit Billing Act to eliminate semiannual notices required of creditors and to require advising consumers of their rights at time they receive bills.   |                          |                             | •            |
| 535     | Congress should evaluate within 1 year paperwork costs of implementing Equal Credit Opportunity Act.  |                          |                             | •            |
| 536     | Congressional education committees in every third Congress, beginning with 95th Congress, should eliminate or consolidate HEW reports and studies and make remainder compatible with over-all plan for reporting.   | •                        |                             |              |
| 537     | Congressional education committees should make January 1 latest date for Federal agencies to announce specific education data to be collected for start of following school year to provide sufficient time for States and institutions to include such data in their annual acquisition plans. |                          |                             | •            |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br>Commission Recommendation   | Applies<br>only to<br>Congress | Applies to                         |                 |
|------------|---|--------------------------------|------------------------------------|-----------------|
|            |   |                                | Executive Branch<br>Assigned<br>to | Not<br>assigned |
| 538        | Congressional education committees should hold hearings on regulations or data-gathering forms that are proposed from laws whenever agencies and respondents need guidance in preparing or responding to such regulations and forms.  | •                              |                                    |                 |
| 539        | Chairpersons of congressional committees having oversight over CETA program should hold formal hearings to determine how a program that was legislated to be "flexible and decentralized" now requires over 100 million staff hours of paperwork burden.                      | •                              |                                    |                 |
| 540        | Establish a National Energy Data Center for statistical energy data within Energy Information Administration.   |                                | DOE                                |                 |
| 541        | Congress should amend National Environmental Policy Act and Atomic Energy Act of 1954 to allow Nuclear Regulatory Commission to accept a State environmental review as its own while retaining responsibility to assure that an adequate environmental review is carried out. |                                |                                    | •               |
| 542        | The President and Congress should reorganize EEOC to strengthen compliance and streamline procedures.   |                                | OMB                                |                 |
| 543        | Enact legislation to permit acceptance of State statutes, regulations, and procedures.  |                                | OMB                                |                 |
| 544        | Continue to review opportunities for combining categorical programs into block grants.  |                                | OMB                                |                 |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 545     | Amend Joint Funding Simplification Act to permit President to propose administrative reform plans to Congress.  |                          |                             | •            |
| 546     | Establish standard administrative and financial management requirements for Federal assistance programs.  |                          | OMB                         |              |
| 547     | Central policy management unit should be authorized by Congress to issue appropriate rules and regulations to implement such legislation.   |                          | OMB                         |              |
| 548     | Consider use of administrative reform plans to permit use of letter-of-credit.  |                          | OMB                         |              |
| 549     | Strengthen Federal Management Circular 73-2 or Congress should adopt legislation to give State auditors first right of refusal for audit of Federal assistance programs, make Federal work papers and audit findings available to State auditors, require Federal auditors to advise legislative audit authorities, State-wide central audit authorities, and other affected parties about particulars of their audits. |                          |                             | •            |
| 550     | Congress should eliminate specific compliance standards from legislation. When compliance standards are necessary, however, Congress should standardize them so that all programs are audited under uniform Federal guidelines.   |                          |                             | •            |
| 551     | The President and Congress should assign a single or cognizant agency for each nonassistance program to develop all regulations and reporting requirements.   |                          | OMB                         |              |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br><u>Commission Recommendation</u>   | Applies<br>only to<br>Congress | Applies to<br><u>Executive Branch</u> |                         |
|------------|--|--------------------------------|---------------------------------------|-------------------------|
|            |  |                                | <u>Assigned<br/>to</u>                | <u>Not<br/>assigned</u> |
| 552        | President and Congress should grant single agency or cognizant agency the authority to certify State and local government's compliance with non-assistance programs to Federal administrators.         |                                | OMB                                   |                         |
| 553        | Combine planning assistance programs into several block grants covering functional areas.  |                                | OMB                                   |                         |
| 554        | House of Representatives should amend House Rule XXII to allow an unlimited number of Members to cosponsor any particular bill.  | •                              |                                       |                         |
| 555        | Congress should eliminate statutory restrictions which require separate or duplicative agency grant awards or review processes.  |                                |                                       | •                       |
| 556        | Congress should adopt legislation which would integrate collateral review and comment process into A-95 and TC-1082 systems.   |                                |                                       | •                       |
| 557        | Review need for legislation authorizing uniform claims form for State Medicaid programs.   |                                | HEW                                   |                         |
| 558        | Congress should consider adopting language to clarify authority of U.S. National Committee on Vital and Health Statistics to review ongoing paperwork activities.                                      |                                |                                       | •                       |
| 559        | Congress should reconsider current arrangements under which U.S. National Committee's budget is determined by the agency which is integrally involved in health data collection and related paperwork. |                                |                                       | •                       |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 560     | Endorse full implementation of Cooperative Health Statistics System in 3-5 years.   |                          | OMB, HEW                    |              |
| 561     | To reduce existing duplication, Congress should consult comprehensive health data inventory before instituting new data demands.  |                          |                             | •            |
| 562     | Congress should minimize adverse paperwork implications of overlapping committee jurisdictions by reducing the number of committees involved in a given area and by insuring that committees involved in an area coordinate their work. | •                        |                             |              |
| 563     | House of Representatives should amend its rules to require a paperwork impact statement on bills proposed for floor vote.   | •                        |                             |              |
| 564     | Congress should avoid, whenever possible, exempting present or future data collection activities from provisions of Federal Reports Act or other clearance processes.   |                          |                             | •            |
| 565     | Congress should consider instituting single letter-of-credit concept under categorical programs, either in lieu of or in addition to block grants.  |                          |                             | •            |
| 566     | Congress should pass legislation requiring categorical health programs to coordinate their data requests to avoid duplicate collection and to share data among programs.  |                          |                             | •            |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br>Commission Recommendation  | Applies<br>only to<br>Congress | Applies to<br>Executive Branch |                 |
|------------|--|--------------------------------|--------------------------------|-----------------|
|            |  |                                | Assigned<br>to                 | Not<br>assigned |
| 567        | Congress should mandate uniformity and consolidation of data in health care financing reforms.   |                                |                                | •               |
| 568        | HEW and Congress insure that any steps taken to increase Medicare and Medicaid program control do not produce unnecessary and duplicative paperwork.   |                                | HEW                            |                 |
| 569        | CFP congressional members should work with Social Security oversight committees to insure that master plan and Commission's beneficiary-oriented simplification recommendations receive thorough public attention.                               | •                              |                                |                 |
| 570        | CFP support concept of increased uniformity of information collection between Medicare and Medicaid through establishment of Office charged with day-to-day coordination of two programs.  |                                |                                | •               |
| 571        | CFP support increased uniformity in reporting among State Medicaid programs and semiannual rather than quarterly reports.  |                                |                                | •               |
| 572        | CFP endorse concept of uniform claims form under Medicaid and Medicare programs.   |                                |                                | •               |
| 573        | Congress should revise Section 203 (b)(2) of the National Housing Act to exclude closing costs for purposes of calculating HUD maximum insurable mortgage amount and increase loan-to-value ratios to compensate for exclusion of closing costs. |                                |                                | •               |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br>Commission Recommendation   | Applies<br>only to<br>Congress | Applies to<br>Executive Branch |                 |
|------------|---|--------------------------------|--------------------------------|-----------------|
|            |   |                                | Assigned<br>to                 | Not<br>assigned |
| 574        | The two main congressional committees on housing (Senate Committee on Banking, Housing and Urban Affairs and House Committee on Banking, Currency, and Housing) should coordinate with other housing-related committees on proposing new legislation, identifying overlaps with existing legislation, and sharing housing data. | •                              |                                |                 |
| 575        | Congress and the President should take all steps necessary to adopt the concept of information resources management, accept it as policy, and introduce it into operation.  |                                | OMB                            |                 |
| 576        | President propose and Congress authorize establishment of small high level policy staff to oversee confidentiality and information access issues.   |                                | OMB                            |                 |
| 577        | The President and the Congress should direct that audits conducted by agencies and GAO of information gathering systems include need, quality and utility of data.  |                                | OMB                            |                 |
| 578        | The President should propose and the Congress should enact legislation to recentralize clearance authority in OMB.  |                                | OMB                            |                 |
| 579        | Congress should amend Small Business Act P.L. 87-305, to permit publication of <u>Commerce Business Daily</u> on weekly basis when improved publication and distribution techniques are implemented. Small Business Committees of Congress should hold hearings on impact of changes on small business.                         |                                |                                | •               |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br>Commission Recommendation   | Applies<br>only to<br>Congress | Applies to                         |                 |
|------------|---|--------------------------------|------------------------------------|-----------------|
|            |   |                                | Executive Branch<br>Assigned<br>to | Not<br>assigned |
| 580        | Congress should enact legislation establishing statutory procurement base applicable to all executive agencies by consolidating and modernizing two existing procurement statutes.  |                                |                                    | •               |
| 581        | Congress should enact procurement reform legislation which embodies not only sound procurement policies but also provisions reducing or eliminating paperwork and lessening administrative burden on procurement process.   |                                |                                    | •               |
| 582        | Congress should consider implications of amending Title 23 (Highways) U.S.C. and other applicable statutes delegating compliance responsibility for NEPA, Civil Rights, and Uniform Relocation Act to States under approved State Certification Acceptance process. |                                |                                    | •               |
| 583        | Congress should consider implications of amending Federal Water Pollution Control Act (33 U.S.C. 1281) by delegating program administration to States under a certification procedure.  |                                |                                    | •               |
| 584        | Congress should give NARS of GSA authority to monitor and advise Federal agencies on retention schedules.   |                                |                                    | •               |
| 585        | Congress should include a paperwork assessment in committee reports on legislation.   | •                              |                                    |                 |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br>Commission Recommendation  | Applies<br>only to<br>Congress | Applies to<br>Executive Branch |                 |
|------------|--|--------------------------------|--------------------------------|-----------------|
|            |  |                                | Assigned<br>to                 | Not<br>assigned |
| 586        | Congressional committees, in soliciting Executive agency comments on legislation and in subsequent hearings, should require that agencies specifically address paperwork implications of proposed legislation.   | •                              |                                |                 |
| 587        | Congressional committees, in performing oversight functions, should give particular attention to paperwork activities of Executive agencies.   | •                              |                                |                 |
| 588        | House Government Operations Committee should include paperwork reviews in its oversight plans at beginning of each Congress. Senate Governmental Affairs Committee similarly should advise Senate committees of paperwork problems within their jurisdictions.   | •                              |                                |                 |
| 589        | Congress should assign to a subcommittee in each house jurisdiction for Federal paperwork generally and for the Commission on Federal Paperwork's recommendations. The subcommittees would periodically assess the implementation of the recommendations. Such subcommittees should periodically hold hearings and receive reports from the Office of Management and Budget, the General Accounting Office, and interested public parties. | •                              |                                |                 |
| 590        | Congress should enact a procedure for expeditious consideration of proposed reforms of administrative provisions mandating paperwork requirements.   | •                              |                                |                 |
| 591        | House and Senate Committees on Appropriations should require agencies to submit summaries of expenditures for information gathering and estimates of external paperwork burdens in their annual appearances before the committees or in their annual reports.  | •                              |                                |                 |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 592     | Office of Legislative Counsel of the Congress should incorporate standard provisions in legislation to reduce the burden of reporting requirements wherever practicable.  | •                        |                             |              |
| 593     | Congressional Budget Office should study total costs of programs, including external paperwork and red tape costs, in evaluating programs for the Congress.   | •                        |                             |              |
| 594     | The Statute giving GAO responsibility to make periodic reviews of internal Government reporting requirements should be amended to provide for expedited action on GAO's recommendations.  |                          | Assigned to GAO             |              |
| 595     | Require agencies to increase public participation in the development of regulations.  |                          | OMB                         |              |
| 596     | Congress should amend APA to require agencies to state in writing that, when drafting rules, they solicit public comment on paperwork burden imposed by those rules.  |                          |                             | •            |
| 597     | Congress should amend Section 553 of APA to require projected estimate of paperwork burden imposed by complying with a proposed rule, including type and number of people affected, time required to comply, expertise or special training needed for compliance, and cost of compliance efforts. |                          |                             | •            |
| 598     | Congress should amend Section 553 of APA to extend period for public comment from 30 to 45 days.  |                          |                             | •            |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB No. | OMB Summary of Commission Recommendation  | Applies only to Congress | Applies to Executive Branch |              |
|---------|---|--------------------------|-----------------------------|--------------|
|         |   |                          | Assigned to                 | Not assigned |
| 599     | Congress should amend Section 553 of APA to require setting an effective date for a proposed rule, so that public may comment on the practicality of the date.                                    |                          |                             | •            |
| 600     | Congress should amend the Administrative Procedures Act to encourage the utilization of additional publications other than the <u>Federal Register</u> for notice purposes.                       |                          |                             | •            |
| 601     | Congress should amend Administrative Procedures Act to authorize the President to delay, for not more than one year, promulgation of agency rules required by law.                                |                          |                             | •            |
| 602     | The President and Congress should adopt procedures to expedite consideration of administrative changes in statutes which preserve intent of legislation and reduce red tape and paperwork burden. |                          | OMB                         |              |
| 603     | Congress should appropriate necessary funds to complete electronic printing and retrieval system of the <u>Federal Register</u> and the system should be used to eliminate duplication.           |                          |                             | •            |
| 604     | Congress should improve oversight procedures and limit use of congressional veto over new regulations to special situations.  | •                        |                             |              |
| 605     | Provide for sunset-type reviews or programs and regulations.  |                          | OMB                         |              |
| 606     | Congress should establish a permanent bipartisan commission including representatives of Federal, State, and local governments to consider common tax problems.                                   | •                        |                             |              |

STATUS OF CONGRESSIONAL RECOMMENDATIONS

| OMB<br>No. | OMB Summary of<br>Commission Recommendation  | Applies<br>only to<br>Congress | Applies to<br>Executive Branch |                 |
|------------|--|--------------------------------|--------------------------------|-----------------|
|            |  |                                | Assigned<br>to                 | Not<br>assigned |
| 607        | Congress should amend P.L. 93-647 to provide States with funds, equal to 5 percent of the State match for a 3-year period, to encourage needs assessment programs without diminishing service programs.  |                                |                                | •               |
| 608        | Congress should amend P.L. 93-647 to allow States to have Comprehensive Annual Services Program (CASP) plans approved for three fiscal year periods.   |                                |                                | •               |
| 609        | Congress should amend P.L. 93-647 so that States may amend their CASP plan to no more than 10 percent of their Federal and non-Federal outlays to meet social services needs arising from physical disasters or sudden major economic changes. |                                |                                | •               |
| 610        | Congress should amend Title XX to allow for a common determination period to consider simultaneous applications for AFDC and Title XX.   |                                |                                | •               |
| 611        | Study amending Title XX to give States option of classifying certain services as "universal access."   |                                | HEW                            |                 |
| 612        | Enact legislation to simplify administrative process for welfare.  |                                | HEW                            |                 |
| 613        | In process of simplification of welfare, develop basic set of common terms and procedures.   |                                | HEW                            |                 |
| 614        | The Congress should enact legislation standardizing work registration and rehabilitation requirements for similar categories of public assistance recipients and programs.   |                                |                                | •               |
| 615        | The Congress should consolidate congressional committee jurisdiction over the income security programs into one committee each in the House and Senate.  | •                              |                                |                 |

STATUS OF GAO RECOMMENDATIONS 1/

APPENDIX V

| OMB NO. | RECOMMENDATION<br>(SHORT FORM)  | STATUS 2/ |          |          |             | EXPLANATION<br>(WHY OPEN OR REJECTED: HOW MODIFIED OR IMPLEMENTED)  |
|---------|---|-----------|----------|----------|-------------|---|
|         |   | OPEN      | REJECTED | ACCEPTED | IMPLEMENTED |   |
| 616     | Augment clearance process resource level; upgrade training and career opportunities. (CLEARANCE #12)  | X         |          |          |             | Currently, organizational placement and size of the GAO reports clearance function are appropriate. Staff is augmented when the need arises. GAO career opportunities are available to clearance staff as well as specialized training. |
| 622     | Agencies seek assistance from GAO Data Bank File before burdening States with audit inquiries. GAO further publicize and update File material. (FED./STATE/LOCAL #14)   |           |          | X        |             | Letter sent to Federal audit agencies urging use of File prior to auditing State programs. Have publicized existence and use of File through National and regional audit forums. Updated 1977; plan to update again in 1980.            |
| 630     | Develop guidance to insure agencies identify and consider full costs of data collection. (INFORMATION RESOURCES MGT. #9)  |           |          | X        |             | In process of implementation, see separate status of accepted recommendations.  |
| 631     | Include in audits of information gathering systems need, quality, and utility of the data collected. (INFORMATION RESOURCES MGT. #10)                                   |           |          | X        |             | Incorporated in GAO issue area planning, presently auditing several agencies along these lines. However, executive agencies have primary responsibility and GAO will monitor their performance.   |
| 633     | Review National Archives and Record Service reimburseable technical assistance program in light of current priorities and efforts to reorient program. (RECORDS MGT.#2) |           |          | X        |             | Conducted review; report expected to be released Spring, 1980.  |

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APPENDIX V

STATUS OF GAO RECOMMENDATIONS 1/

APPENDIX V

| OMB NO. | RECOMMENDATION<br>(SHORT FORM)   | STATUS 2/ |          |                |             | EXPLANATION<br>(WHY OPEN OR REJECTED: HOW MODIFIED OR IMPLEMENTED)  |
|---------|--|-----------|----------|----------------|-------------|---|
|         |  | OPEN      | REJECTED | ACCEPTED       | IMPLEMENTED |   |
| 642     | Establish group similar to Program Evaluation Office to evaluate Federal paperwork. (ROLE OF CONGRESS #10)   |           |          | X <sup>m</sup> |             | Established new planning issue area and assigned to separate group in GAO/General Government Division as opposed to creating new office.  |
| 643     | Amend statute to require expedited congressional action on GAO recommendations for deleting congressional reporting requirements. (ROLE OF CONGRESS #12) |           |          | X <sup>m</sup> |             | In lieu of imposing requirements on committees, GAO has modified recommendation to tie future GAO work into congressional sunset timetables. As each Federal program approaches reauthorization, GAO will make findings and recommendations on the program's reporting requirements available to appropriate committee. |
| 645     | Require clearance for data collected by agency exempt from review on behalf of an agency not exempt. (TAX #15)   |           |          |                | X           | Directed agencies to (1) review information collection activities and (2) advise of information being collected on their behalf by an exempt agency and (3) to submit future proposals for clearance.   |
| 646     | Determine whether agencies exempt from Federal Reports Act are collecting information for other agencies. (TAX #16)                                      |           | X        |                |             | See partial action above. Pending legislation would eliminate potential problem by removing all exemptions from Federal Reports Act.  |

1/According to OMB's September 1979 status report, 33 recommendations were assigned to GAO. Many of these are general recommendations which the Commission made to all Federal agencies but do not apply in any substantive way to GAO operations. Others apply to the Joint Financial Management Improvement Program and have been turned over to that group.

2/m means accepted in modified form.

APPENDIX V

STATUS OF GAO ACCEPTED, BUT NOT YET IMPLEMENTED, RECOMMENDATIONS

| OMB NO. | RECOMMENDATION (SHORT FORM)   | CHANGE IF RECOMMENDATION MODIFIED  | MAJOR STEPS TO COMPLETE  | TARGET DATES  | STEP STAGE            | PROGRESS AS PLANNED (yes/no) | If NO, explain delays/ needed resolution |
|---------|---|--|--|---|-----------------------|------------------------------|--|
| 630     | Develop guidance to insure agencies identify and consider full costs of data collection. (INFORMATION RESOURCES MGT. #9)                                  |  | Coordinate proposed guidance with similar OMB guidance<br>Complete office review<br>Issue for public comment<br>Evaluate comments<br>Issue final regulations | 3/31/80<br>4/30/80<br>5/10/80<br>7/31/80<br>8/31/80 | U<br>P<br>P<br>P<br>P |                              |  |
| 643     | Amend statute to require expediated congressional action on GAO recommendations for deleting congressional reporting requirements. (ROLE OF CONGRESS #12) | Provide the Congress GAO recommendations on reporting requirement as each agency program approaches reauthorization. | To be added if pending sunset legislation is enacted.  |   |                       |                              |  |

Planned  
Underway  
Completed

Suggested Legislative Language Provided  
to House and Senate Committees

In connection with consideration of H.R. 6410, to establish an Office of Information Policy in OMB, GAO has furnished the appropriate committees the following language:

Added to functions of the new Office

"Overseeing action on the recommendations of the Commission on Federal Paperwork"

Added to the new Office assignment of  
tasks and deadlines

"Within two years after \*\*\*enactment\*\*\* complete action on recommendations of the Commission on Federal Paperwork, including development of necessary legislation."



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20201

REFER TO:

OFFICE OF THE INSPECTOR GENERAL

MAR 4 1980

Mr. Gregory J. Ahart  
Director, Human Resources  
Division  
United States General  
Accounting Office  
Washington, D.C. 20548

Dear Mr. Ahart:

The Secretary asked that I respond to your request for our comments on your draft report entitled, "The Followup Program For Federal Paperwork Commission Recommendations Is In Trouble." The enclosed comments represent the tentative position of the Department and are subject to reevaluation when the final version of this report is received.

We appreciate the opportunity to comment on this draft report before its publication.

Sincerely yours,

  
Richard B. Lowe III  
Acting Inspector General

Enclosure

Comments of the Department of Health, Education, and Welfare on the General Accounting Office Draft Report Entitled: "The Followup Program for Federal Paperwork Commission Recommendations is in Trouble"

Department Comments

We have no comments on the recommendations in the report, which are all directed to the Office of Management and Budget (OMB). However, we would note that with respect to implementation of the Commission's recommendations which apply to HEW, the status of events has changed from that identified in the draft GAO report. Based on our latest status reports which we provided to OMB this month (February 1980), we can now report that we have accepted 65 of the Commission's 71 recommendations which apply to HEW. We have implemented the vast majority of these and work is underway on the remainder. For the other 6 recommendations, we have partially implemented 3 and rejected 3, for the reasons described in the attachment to this statement.

GAO response

HEW's claim that the vast majority of its recommendations are implemented is highly questionable. First, HEW is relying on information not yet reviewed or published by OMB. Second, just a short time has elapsed since our field work. During this period only limited change could have occurred, considering the fundamental flaws that exist in the followup program. Finally, we have looked at the updated information covering our sampled HEW recommendations and found continued problems with these responses. Four of 5 recommendations now being reported as "Implemented" are questionable. These 4 would more correctly be described as "Open," while the remaining one is at best "Accepted, action in progress." Also, our analysis of 3 other sampled recommendations now reported by HEW as fully or partially "Rejected" show that additional actions are needed and reported status is either questionable or wrong. (See GAO analysis below.)

GAO Analysis of HEW's Updated  
Status Reports to OMB

| <u>Rec.<br/>no.</u> | OMB<br>reported<br><u>9/79</u> | HEW<br>reported<br><u>2/80</u> | <u>Analysis of updated status</u>   |
|---------------------|--------------------------------|--------------------------------|---|
| 68                  | Rejected                       | Implemented                    | "Implemented" status is questionable; although recommendation is mostly implemented, an important issue is still unresolved (see app. III); a more correct status would be "Open."                      |
| 82                  | Rejected                       | Implemented                    | "Implemented" status is questionable; statutory prohibitions still being noted whereas recommended action is to study further changes in the law (see app. III); a more correct status would be "Open." |
| 84                  | Rejected                       | Rejected<br>and<br>Implemented | "Rejected/Implemented" status is not only confusing but also questionable because an HEW study affecting this recommendation is underway (see app. III); a more correct status would be "Open."         |
| 86                  | Rejected                       | Implemented                    | "Implemented" status is wrong and misleading; study contract to start action on this recommendation yet to be issued; a more correct status would be "Accepted, action in progress."                    |
| 89                  | Rejected                       | Rejected                       | "Rejected" status still wrong; no new data reported or reason given why an alternative can not be implemented (see app. III); a more correct status would be "Open."                                    |
| 96                  | Active                         | Active                         | Update notes separate but related work being done which could resolve this recommendation.  |

|     |             |             |   |
|-----|-------------|-------------|---|
| 99  | Implemented | Implemented | "Implemented" status still wrong; new data only references actions, pre-dating the Commission recommendation, which do not resolve it (see app. III); a more correct status would be "Open."  |
| 103 | Active      | Implemented | "Implemented" status is questionable; no evidence of implementation provided; another agency which provided HEW's response to OMB believes the recommendation is not yet implemented (see app. III); a more correct status would be "Open."                                 |
| 119 | Rejected    | Rejected    | No new data reported; rejection still continued although major HEW study affecting this recommendation is underway; alternative--a different time frame than the one recommended by the Commission--is still ignored (see app. III); a more correct status would be "Open." |

Based on the results as we know them today, we believe HEW has been responsive to the Commission's recommendations. In one area, the Commission's recommendations for "advocacy" actions, OMB did not require status reports. However, at the request of the audit team, we researched 10 of these recommendations, as they apply to HEW, and found that they were all implemented.

#### GAO response

A statement recognizing HEW's work on the Commission's "Advocacy" recommendations has been added to the report.

(See p. 18.)

Finally, we note that while senior HEW managers were not involved in the day-to-day tracking of efforts to implement the Commission's recommendations, several senior managers played active roles in taking the actions necessary to implement many of the recommendations.

GAO response

HEW is not addressing the kind of top management involvement described in this report. As opposed to playing a role in implementing some individual recommendations (a backend involvement), this report is directed first to top management's involvement with OMB in laying out the followup program and defining agency responsibilities, and secondly to supporting in-house efforts in various ways to fully review the recommendations (see pp. 7 to 9).

Lacking top management involvement at HEW is evidenced by the HEW official's suggestion at our exit conference that HEW program assistant secretaries need to be involved in and support the followup program. (See p. 35.)

We recognize that all audits, of necessity, must reflect the status of activities as they are at a particular period in time. For this audit, the study team examined conditions as they were during the late summer and early fall of 1979. We would hope that the final report will give some indication of the current level of progress at HEW, so that the report does not give a misleading impression of the overall level of commitment which this Department has made to the implementation of the Commission's recommendations.

GAO response

HEW's current level of commitment is much higher than earlier months and HEW is to be commended for this action. But, as noted above, GAO has analyzed the updated information provided by HEW and found continued problems with the responses.

(Attachment to HEW comments)

COMMISSION ON FEDERAL PAPERWORK  
DETAILS OF REJECTIONS

RecommendationReason for RejectionTitle XX #13

Publish proposed changes in Title XX no more often than every six months.

Implementation is not possible because of the timing of bills and implementation dates specified in legislation. However, the Office of Human Development Services will make an effort to consolidate such changes where possible.

Federal Health Program #22

Endorse full implementation of Cooperative Health Statistics System (CHSS) in 3-5 years.

The Department initially accepted this recommendation and continues to endorse the concept of CHSS. However, the Office of Management and Budget (OMB) did not accept the time frame for completion (3-5 years) and rejected this CFP recommendation. OMB considers it inadvisable to commit the government to this level of implementation given their questions and problems with establishing CHSS.

Equal Employment Opportunity #21

Labor permit HEW to use EEO-6 data for HEW's Office for Civil Rights affirmative action program for higher education.

In February 1978 the President transferred to the Department of Labor the contract compliance aspects of HEW's civil rights enforcement responsibilities. This recommendation applies solely to the transferred function.

(Attachment to HEW comments)

DETAILS OF PARTIAL REJECTIONSRecommendationReason for Rejection

Employment and Training #15  
 Have Labor Market Advisory Councils augment existing data sources and better plan WIN programs.

Labor Market Advisory Councils (LMACs) are diverse activities with various administrative capabilities. They are often ad hoc groups which meet informally to address the appropriateness of institutional training programs in the local areas. After due consideration the WIN National Coordinating Committee concluded that the LMACs were not suitable sources for data and they have used other, more appropriate means available to the Committee.

Title XX #8  
 Secretary of HEW should revoke both the primary recipient and estimated unduplicated count reporting requirement for persons receiving each type of service.

The recommendation to revoke the estimated unduplicated count of recipients has been implemented. The primary recipient concept has been maintained. However, a study of the Social Services Reporting Requirements now underway, will review the primary recipient concept. Appropriate changes to the reporting requirements will be made based on the findings of the study.

Equal Employment Opportunity #22  
 Secretary of HEW should formulate uniform regulations for five statutes administered by the Office for Civil Rights.

Where appropriate this recommendation was implemented. However, since the five statutes deal with different and non-duplicative substantive matters it is not possible for the substantive provisions of the implementing regulations to be uniform.

U. S. Department of Labor

Inspector General  
Washington, D.C. 20210

MAR 4 1980

Mr. Gregory J. Ahart  
Director  
Human Resources Division  
U.S. General Accounting Office  
Washington, D.C. 20548

Dear Mr. Ahart:

The Department of Labor has reviewed the General Accounting Office's draft report, "The Followup for Federal Paperwork Commission Recommendations is in Trouble". The Department's response is enclosed. We appreciate the opportunity to comment on the draft report.

Sincerely,

A handwritten signature in cursive script that reads "Marjorie Fine Knowles".

MARJORIE FINE KNOWLES  
Inspector General

Enclosure

Department of Labor's Comments on GAO Draft Report  
"The Followup for Federal Paperwork Commission  
Recommendations is in Trouble"

The general thrust of the report is that the Office of Management and Budget (OMB) was not aggressive enough and did not devote enough resources to the followup program. There is, however, this underlying theme throughout the report, and particularly in Appendix III, that the Agencies themselves were lax in their efforts to implement the followup program. The Department does not concur. There has been a considerable degree of effort on the Department of Labor's part to reduce paperwork and there continues to be a heavy emphasis on reducing this burden on the public.

OMB was given the responsibility for developing a followup program and in doing so, it set forth guidelines and requirements which the Department followed. As described in the report, OMB never indicated that the Department was less than satisfactory in its aggressive, implementation of the various recommendations to the Department, rather, OMB expressed satisfaction with the followup program performed by the Department of Labor.

GAO response

Labor's point that agency actions cannot be judged by themselves but rather were dependent to some extent on OMB's guidelines and administration has been recognized in the report. (See p. 33.)



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

March 3, 1980

Honorable Elmer B. Staats  
Comptroller General of  
the United States  
General Accounting Office  
Washington, D. C. 20548

Dear Elmer:

I am sending you my comments on the draft GAO report on OMB follow-up of the recommendations of the Commission on Federal Paperwork (Code 009900) because of your sustained, personal interest in the goals and objectives of the Commission.

The Commission on Federal Paperwork was established in recognition of broad complaints about the excessive burden of paperwork imposed on the public by the Federal Government. Excessive paperwork burden may be seen as a consequence of many specific problems and shortcomings in agency programs, but fundamentally the cause is the attitude and approach throughout government to the management of public reporting requirements and other information resources.

In its wide ranging work, the Commission identified many specific, worthwhile corrective actions. We applaud the contribution that the Commission made and we recognize that there is much to be done to complete the work begun by the Commission.

But a consistent theme in all the work of the Commission is a concern that once these specific problems are corrected, they stay corrected. The only way to make sure that the same problems do not spring up again like weeds mown down is to put in place a sound management process. We have taken as a high priority the long term management process implied in all the Commission's work. The draft report should emphasize the need to establish a long term management process that can prevent the return of the problems and abuses identified by the Commission. I believe that the report could be improved greatly if it were modified to include recognition of this need and our substantial efforts to deal with it.

GAO Response

The Federal Paperwork Commission emphasized the fundamental modifications needed in the long term management process and a number of its recommendations, most assigned to OMB, are included in the GAO sample. This report outlines how OMB mishandled these recommendations by failing to establish the means for Government-wide views to be developed or for setting up acceptable timetables for implementation. The resulting slow progress is depicted in table 2-4 (p. 11) and appendix III.

In accord with the high priority we have given to the long term management process, there have been fundamental modifications in the Federal Government's approach to the management of information as a resource:

-Executive Order 12044, Improving Government Regulations, is changing the rulemaking process in ways that the Commission recommended to lessen paperwork burden. These changes include greater involvement of interested parties, longer comment periods, sunset review of existing regulations, and more consistent use of plain, easy to understand language.

-The President's Reorganization Project has resulted in significant realignments of functions that have reduced fragmentation and simplified relationships in ways that have helped to reduce paperwork burdens. For example, consolidation of various energy data systems in the new Department of Energy was an important factor in reducing the existing reporting burden by 5,000,000 hours.

-We have reorganized relevant functions at OMB, combining responsibility for paperwork reduction with that for regulatory policy and information policy.

-Based on study of the Commission's reports and our experience in the first two years of the President's paperwork reduction program, we have developed a comprehensive, new system that we regard as the real beginning of managing information as a resource. This system is expressed in the President's November 1979 Executive Order 12174, Paperwork, and regulations we proposed in January 1980 to implement the Executive Order.

These regulations would replace existing OMB guidance on the Federal Reports Act. This system will initiate planning and budgeting of information collection from a resource allocation viewpoint, require examination of how information is used once collected, establish a Federal Information Locator System, strengthen the reports clearance process by placing more responsibility on agencies and putting control points earlier in the clearance process, and require that agency responsibility for paperwork control be at a high level, independent of program operating responsibility, and able to approve, deny, or modify proposed forms.

-We have also supported legislation to unify responsibility for paperwork control in OMB, eliminate exemptions to that control, and further strengthen the power of that control.

The intention of this new system is to develop and institutionalize consistent policy level involvement in agency reports management. The draft GAO report cites lack of involvement by top agency managers as a problem in implementing Commission recommendations. In fact, that is just one specific aspect of the fundamental problem of ineffective agency management of paperwork and information.

#### GAO Response

At the followup program's inception, OMB had an excellent opportunity to get the agencies' top management involved in establishing the program's operation and defining agency responsibilities. While it may have been the intention of OMB to involve agency top management, it did not do so, and the program suffered from this lost opportunity. OMB can not simply attribute this problem to "ineffective agency management" but rather to its own failure to get the followup program started with the needed agency management involvement.

Although we have made fundamental system changes our first priority, we have moved ahead on individual Commission recommendations. There has been significant progress, although the draft report does not recognize this. We are not by any means finished, however, and we are not ourselves satisfied with the pace or resourcefulness of agency efforts. We originally expected to complete follow-up by the end of our two-year statutory reporting obligation. As you noted when testifying before Congressman Brooks on February 7, additional time is necessary to complete the job. This is a consequence both of the extent of the Commission's recommendations and inadequate existing processes for managing information resources. We recognized this and expressed our continuing commitment to effective follow-up in our proposed paperwork control regulations (1370.7(f)). We have also endorsed legislation to extend this responsibility.

The draft report includes many assertions and conclusions about individual CFP recommendations. We believe this is premature. We have not rendered final decisions on any recommendations. To dispute the status of particular recommendations in advance of such an assessment would distract from the main task of reforming Federal paperwork management and reducing burdens. We will, however, use specific information in the draft report as a constructive contribution to our task. We will take remedial action where we find this information to be accurate.

#### GAO response

OMB's September 1979 progress report to the President and the Congress does not indicate anything tentative or interim about recommendations marked as "Implemented" or "Rejected". The OMB report contains such statements as "...more than half of the Commission's recommendations were fully implemented."

We do have comments on the specific recommendations for the OMB Director in the conclusion of the draft report.

1. We have taken steps to augment resources and increase the level of effort devoted to CFP recommendations. We intend this oversight and follow-up to continue to be integrated with other paperwork control, regulatory policy, and information management responsibilities by our desk officers. In our view, a separate staff with exclusive responsibility for CFP recommendations would accomplish less in the long run.

#### GAO response

OMB's comment is in answer to GAO's recommended full-time, Executive leadership for the followup program. However, OMB has yet to respond to the recommendation. GAO believes that unless someone is put in charge of the followup program and held accountable for its operation and results, the program will continue to be in trouble.

2. Securing effective participation of agency top management has been our objective for some time. It is the reason for our giving top priority to overall management system reforms.

#### GAO response

OMB did not answer the GAO recommendation--which asks that agency managers actively participate in the followup program. Such was not done in the past and we know of no plans to do so in the future.

We concur with the principle of assigning lead responsibility for multi-agency recommendations.

#### GAO response

OMB concurs in principle but did not answer the recommendation that lead agencies be assigned and interagency groups be formed on multiagency and Governmentwide reforms.

Our plans, discussed with GAO staff, have always provided for disclosure of implementing actions in the wrap-up at the end of the statutory reporting period. These actions will be specified in subsequent status reports.

#### GAO response

GAO was not aware of any OMB plans to disclose implementing actions in status reports until GAO reviewed its findings with OMB officials.

3. We will continue our practice of obtaining new or revised agency responses to recommendations whenever our review (including consideration of the draft GAO report) indicates insufficient development or inadequate response.

#### GAO response

OMB did not answer the GAO recommended action. The comments limit OMB's action to matters that might come to its attention or this GAO report which contains only sample results. In view of the basic program flaws as outlined throughout this report, we believe OMB will need to obtain new agency responses for a majority of recommendations.

4. The exclusion from our follow-up process of recommendations directed to the Congress was done with the knowledge of GAO staff. It was based on the concept of separation of powers. We are willing to reevaluate our approach and consider development of specific, appropriate executive branch actions.

GAO response

GAO did not concur officially in OMB's action to exclude the congressional recommendations. Our position is clearly spelled out on pages 18 to 20.

5. Our plans for follow-up, developed with knowledge and consultation of GAO staff, called for descriptive assessment of the disposition of each recommendation (specific actions taken, reasons for rejection, alternatives considered, etc.) in the report at the end of the statutory reporting period. We have not intended that the summary status listings we have published on an interim basis be a complete accounting of actions taken. Such a disclosure is called for, and will be the basis of status reports during the period of our extended oversight responsibility.

GAO response

GAO is not aware of any original OMB planning along the lines discussed above. If OMB intended for its reporting on the recommendations to be interim with additional disclosures to come later, we believe such intentions should have been stated in OMB status reports. Also, it should be noted that OMB operating guidelines did not ask the agencies to furnish the needed information. (See p. 12.)

With regard to the recommendations for the Congress in the conclusion of the draft report, we have endorsed, in our testimony, on H.R. 6410, an extension of OMB's two-year statutory responsibility for follow-up of the Commission's recommendations. Also, as noted in 4. above, we will reevaluate our approach to Commission recommendations directed to the Congress.

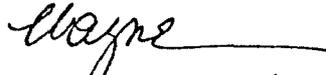
Our position is precisely that of the Paperwork Commission. You will recall how Frank Horton summed it up in his letter to President Carter delivering the Final Summary Report:

"In essence, we seek three things:

1. A substantial reorganization of Government administrative and management machinery which affects the Federal paperwork process;
2. A new philosophy of Service Management so that laws, rules and regulations are made in a context of true consultation and participation with the people; and
3. A continuation and expansion of effort to cut paperwork which has already been mounted by the Administration."

Thank you for the opportunity to comment on the draft report. I want to assure you that Jim Tozzi and I have a strong personal commitment to sustained, effective follow-up of the Commission recommendations as an essential and integral component of our overall effort to cut Federal paperwork.

Sincerely,



Wayne G. Granquist  
Associate Director for  
Management and Regulatory Policy

(009900)



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