MEMORANDUM FOR CHIEF DATA OFFICERS

FROM: Richard Revesz
                 Administrator, Office of Information and Regulatory Affairs

SUBJECT: Data Call for the FY 2022 Information Collection Budget

The Paperwork Reduction Act of 1995 (PRA)[1] expresses a commitment to minimizing paperwork burdens and enhancing the quality of information collected while ensuring the greatest possible benefit to the public.[2] The PRA also directs the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) to report on agencies' efforts that support the goals of the PRA, including accomplishments and planned initiatives to reduce burden on the public. The Information Collection Budget (ICB) describes these efforts, and provides data on cumulative paperwork burdens and violations of the PRA as well.

The Administration is dedicated to advancing the principles of the PRA. Improving the interaction between the public and their government is vital for the timely access of individuals, businesses, and communities to relevant services and benefits. If members of the public struggle with complicated forms, lengthy wait times, or overly burdensome or stigmatizing information requests in order to receive Federal benefits and services, they may miss out on access to much-needed support. The lost time also operates as a kind of tax—a "time tax"—on people. All too frequently, this time tax falls most heavily on underserved communities that have also experienced discrimination, marginalization, and exclusion. Every interaction between the Federal Government and the public should be seen as an opportunity for the Government to save people time, to deliver the level of service that the public expects and deserves, and to ensure that individuals, businesses, and others can access much-needed public programs.

To that end, President Biden issued Executive Order (E.O.) 14058, *Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government*,[3] and E.O. 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.[4] These E.O.s direct the government to lower the burden associated with accessing public benefits and services, particularly for traditionally underserved

---

[1] 44 U.S.C. §§ 3501–3520. See also the implementing regulations at 5 C.F.R. Part 1320.
[2] 44 U.S.C. § 3501.
[3] 86 Fed. Reg. 71,357 (Dec. 16, 2021).
[4] 86 Fed Reg 7009 (Jan. 25, 2021).

communities, and to improve the public's experience when interacting with the government.

On April 13, 2022, OMB, published M-22-10, *Improving Access To Public Benefits Programs Through the Paperwork Reduction Act*.[5] The memo reminds Federal agencies of their responsibility under the PRA to (1) accurately estimate the burdens experienced by the public when accessing benefit programs and (2) use that analysis to minimize burdens, with particular emphasis on burden reduction for underserved communities. M-22-10 also calls on agencies to emphasize systematic, rather than one-time, burden reduction initiatives, including by working with their general counsel to determine if every burden identified in an information collection request is strictly necessary under the relevant authorizing statute or program implementation regulation.

To support the goals of this Administration, the implementation of M-22-10 and the PRA, this year's Information Collection Budget data call is different in both process and substance in the following ways:

1. We are asking <u>both</u> Executive Agencies and Independent Agencies[6] to provide information regarding their planned burden reduction initiatives. In previous years, burden reduction initiatives from Executive agencies were collected through separate data calls pursuant to other E.O.s. This year, we are asking Executive Agencies to submit this information through the ICB data call in the same manner as Independent agencies.
2. In previous ICB data calls, OIRA requested agencies to provide <u>all</u> of their burden reduction initiatives. This year, we are requesting agencies submit more detailed information regarding only their most significant efforts, with a particular focus on efforts that lower public burden and/or further the objectives of E.O.s 13895 and 14058 and OMB M-22-10.
3. In addition to specific initiatives, we are asking agencies to provide information regarding their implementation of Section 1 of M-22-10, related to increasing the transparency and completeness of their burden analyses.

By significant burden reductions, we mean efforts that are anticipated to (1) yield systematic, rather than a one-time, burden reductions; (2) affect a large population of individuals who are eligible or likely eligible for benefits and services; (3) affect traditionally underserved communities, as defined in the listed E.O.s, especially communities facing multiple or compounding disadvantages; and (4) produce insights that could be scaled, replicated, or applied to other programs.

---

[5] Office of Mgmt. & Budget, Exec. Office of the President, OMB M-22-10, *Improving Access to Public Benefits Programs Through the Paperwork Reduction Act* (Apr. 13, 2022), *available at* https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-10.pdf.
[6] See list of agencies covered below. This does not represent a change in process for Independent agencies who have historically submitted burden reduction initiatives for the ICB.

The process related to submissions of PRA violations remains the same as previous years for all Agencies and can be found in Appendix C. For additional information on how agencies are to respond to this Data Call, please see the Appendices.

Appendix A: General Instructions for Completing the 2022 ICB Data Call

1. **When are responses to this memorandum due?**

    Submissions are due to OIRA, Office of Management and Budget (OMB) no later than **COB Thursday March 9th.**

2. **Who must respond to this memorandum?**

    All Executive Agencies as well as Independent Agencies subject to the PRA[7] are required to respond.[8] There are no longer different submission requirements based on whether your agency is an Executive Agency or an Independent Agency. However, for agencies with less than 10 million burden hours in FY 2022, we do not require submission of M-22-10 implementation updates and burden reduction initiatives. The following Executive Agencies and Independent Agencies with more than 10 million PRA burden hours are subject to the burden reduction and M-22-10 implementation aspects of this data call:

    Executive Agencies
    Department of Agriculture
    Department of Commerce
    Department of Defense
    Department of Education
    Department of Health and Human Services
    Department of Homeland Security
    Department of Housing and Urban Development
    Department of Justice
    Department of Labor
    Department of State
    Department of the Interior
    Department of the Treasury
    Department of Transportation
    Department of Veterans Affairs
    Environmental Protection Agency
    Equal Employment Opportunity Commission
    Federal Acquisition Regulation
    Small Business Administration
    Social Security Administration
    Independent Agencies
    Consumer Financial Protection Bureau
    Federal Communications Commission

---

[7] *See* 5 U.S.C. § 3502(5) (providing a list of independent regulatory agencies subject to the PRA).
[8] A list of agencies, including independent regulatory agencies, that have submitted collections of information to OIRA is available at www.reginfo.gov. After navigating to the website, hover over "Information Collection Review" and click on "Search." On the search website loads, you will be able to review collections of information submitted by a particular agency.

Federal Energy Regulatory Commission
Federal Trade Commission
Securities and Exchange Commission

3. What changes has OMB made to this data call?

The 2022 ICB Data Call returns to a previous practice of requesting burden reduction initiatives from both Independent Agencies and Executive Agencies. OIRA is also requesting agencies provide additional information on how they are implementing M-22-10. We have added a burden hour cut off to limit which agencies must respond to the request for burden initiatives and details on implementation of M-22-10.

Agencies should note that this data call continues the practice started last year of requiring all agencies to report PRA violations.

All the reporting elements of this ICB can be found on
https://community.max.gov/x/O5eDj.

4. How does the ICB fit into OMB's initiatives under the 21st Century IDEA Act?

The PRA's purpose includes ensuring that information technology is acquired, used, and managed to improve performance of agency missions, including the reduction of information collection burdens on the public.[9] The 21st Century IDEA Act[10] further supports this goal by directing agencies to improve the digital experience for the public.

Section 4 of the 21st Century IDEA Act requires agencies to identify and prioritize in-person services, forms, and paper-based processes for modernization and digitization to make it easier for the public to interact with the federal government. Much of this work will support the burden reduction goals of the PRA and M-22-10 and should be considered for inclusion in responding to this data call.

5. What must my agency's submission include?

The 2022 ICB Data Call requests agencies submit three pieces of information:
1. Burden Reduction Initiatives (Only agencies listed in Appendix A, Q2; see further instructions in Appendix B)
2. M-22-10 Implementation Progress (Only agencies listed in Appendix A, Q2; see further instructions in Appendix C)
3. Violations Report (All agencies, see further instructions in Appendix D).

Each senior official responsible for the Paperwork Reduction Act of an Executive Agency or Independent Agency must send to OIRA by **COB Thursday March 9th**

---

[9] 44 U.S.C. § 3501(10)
[10] 44 U.S.C. § 3501 note.

the attached template. In addition, as detailed in **Appendix D**, each agency's Chief Data Officer (CDO) is required to review and complete the preliminary PRA violations report. The template and PRA Violations Report can be found on https://community.max.gov/x/O5eDj.

6. **In what format should the Agency provide this information to OMB?**

   Agencies must use the following templates to complete the data call:
   a) The FY22 ICB Reporting Template.
   b) The 2022 Violations Report.

   All templates can be found on https://community.max.gov/x/O5eDj. All information required under this memorandum should be sent electronically to Michael McManus at Michael.J.McManus@omb.eop.gov and your agency's OIRA Desk Officer.

7. **Will OMB conduct meetings on my agency's submission?**

   OMB will schedule, as needed, meetings with an agency on its progress toward burden reduction goals, M-22-10 implementation, and agency compliance with the PRA.

8. **Who should I contact for further information about specific issues relating to my agency?**

   Questions about specific agency matters should be directed to your agency's desk officer within OIRA. Questions related to the ICB related to this Data Call, the submission templates, or other general questions can be directed to Michael.J.McManus@omb.eop.gov.

9. **What are resources for my agency to identify or design potential burden reduction initiatives?**

   There are a number of resources that agencies can explore to help identify and design potential burden reduction initiatives. We detail several potential resources here:

   - Appendix E to this Data Call includes a summary of potential burden reduction strategies agencies can explore drawing on research literature on burden reduction, as well as agency examples from the implementation of the American Rescue Plan Act based on a longer memo available at https://www.whitehouse.gov/wp-content/uploads/2022/12/BurdenReductionStrategies.pdf.

- The OMB Equity Learning Community has held a number of sessions on administrative burden, highlighting potential burden reduction strategies, and describing Federal-wide resources agencies can explore. Recordings, slides, and additional materials from these events are available on the OMB MAX page for the Implementation of E.O. 13985.

- We encourage agencies to bring together relevant program offices, equity leads, research and evaluation specialists, customer experience specialists, stakeholder or community outreach specialists, and PRA officials to help inform potential burden reduction initiatives.

- Consistent with the guidance in M-22-10, we also encourage agencies to consider drawing on engagement with members of the public who use, or might be eligible to use, agency benefits and services to better understand the experience of learning about, applying for, and accessing those relevant programs. Agencies might also consider engaging other members of civil society with relevant knowledge or experience, such as outside researchers or individuals or organizations who work with members of the public when applying for benefits, like third-party counsel, community-based organizations, or support networks. Such engagement can help illuminate the nature and impacts of potentially unnecessary burdens, both quantitative and qualitative, and also help the agency develop burden reductions strategies.

Appendix B: Burden Reduction Initiatives

1. What is an appropriate initiative in response to this data call?

We ask you to identify **four initiatives**, in the areas sketched below, to reduce paperwork burdens on the public in accessing and utilizing benefits and services and to enhance the efficiency of information collections. We seek initiatives that

a. Significantly reduce the burden per response and/or overall on the public;

b. Lead to a comprehensive review of an entire program (both within the agency and, in the case of related information collection activities, among agency components or across agencies), including regulations and procedures, with the goal of burden reduction; and

c. Improve program performance by enhancing the efficiency of agency information collections (both within the agency and, in the case of related information collection activities, among agency components or across agencies).

Please note: Initiatives **must not** consist only of methodological changes in how agencies estimate burden unless it is coupled with a substantive burden-reducing intervention. However, efforts to improve burden estimate methodologies may be responsive to M-22-10, see Appendix C.

2. On what areas of burden reduction should agencies focus?

We recommend agencies focus on efforts that are anticipated to (1) yield systematic, rather than one-time, burden reductions; (2) affect a large population of individuals who are eligible or likely eligible for benefits and services; (3) affect traditionally underserved communities, as defined in E.O.s 13985 and 14058, especially communities facing multiple or compounding disadvantages; and (4) produce insights that could be scaled, replicated, or applied to other programs.

More generally, we recommend consideration of initiatives, consistent with the illustrations below, that eliminate unnecessary complexity, standardize inconsistent processes and requirements, eliminate duplicative or otherwise unnecessary reporting requirements, use pre-populated forms, and improve coordination among multiple offices that gather information from a common group of stakeholders. Synthesis of reporting platforms within and across agencies should be considered.

We particularly recommend agencies closely review M-22-10. That memo provides guidance to agencies on how agencies should identify and assess burden-reduction initiatives. Further, Appendix A of M-22-10 shows opportunity areas for burden reductions in government collections.

Of course, agencies are not limited to these burden reduction areas, but we ask that they consider these areas in particular. Agencies are encouraged to consult with their OIRA desk officers as needed with respect to their burden reduction plans.

- **Use of "Short Form" options:** Significant burden reductions can be achieved by providing respondents the option of using streamlined short forms for situations of lesser complexity or importance. This step is particularly useful for applications to receive a Federal benefit. By adopting short forms similar in concept to the IRS Tax Form 1040EZ, agencies can eliminate unnecessary burden and complexity.

- **Reducing unnecessary record retention requirements on regulated entities:** Administrative record retention requirements can often be costly, as regulated entities must set aside valuable storage space, time, and human resources to maintain records. Simply reducing the amount of time that entities must retain records (to the extent consistent with law) could result in significant reductions in paperwork burden.

- **Electronic communication and "fillable fileable" forms (or data systems):** Electronic communication can substantially reduce burdens on respondents and simultaneously increase efficiency in data collection and processing. In particular, OMB seeks initiatives that implement "fillable fileable" approaches where feasible, appropriate, and consistent with law. By reducing or even eliminating the use of paper, such initiatives allow entirely electronic communication between agencies and the public. This may include the pre-population of appropriate forms, particularly those imposing high burdens.

- **Frequency of information collection:** In some instances, monthly or daily information collections can be far more burdensome to the public than collections on a quarterly, bi-annual, or annual basis. OMB seeks initiatives that reexamine the frequency of routine reporting requirements to determine whether less frequent reporting would meet program needs.

- **Maximizing the re-use of data that are already collected:** Administrative or program data can sometimes be re-used or shared to reduce the paperwork burdens imposed on the public. Such administrative or program data may be held either within the agency asking for the new information or by other agencies. OMB encourages agencies to share data to the extent practical, appropriate, and consistent with law.[11]

3. What information about these initiatives must we submit?

---

[11] Office of Mgmt. & Budget, Exec. Office of the President, OMB M-11-02, *Sharing Data While Protecting Privacy* (Nov. 3, 2010), *available at* https://www.whitehouse.gov/sites/default/files/omb/memoranda/2011/m11-02.pdf.

The reporting template entitled "FY22 ICB Reporting Template" includes fields for the information that we request you submit. All burden initiatives should be included within the same template document. When you submit your completed template document, we ask that you include your Agency's acronym at the beginning of the file name. For example, "HHS FY22 ICB Reporting Template." These details are provided on https://community.max.gov/x/O5eDj.

Instructions for Burden Reduction Initiatives

Within the burden reduction initiative template, we ask that your submission include:

a. Agency: Your agency name.

b. Subagency: The subagency responsible for the initiative.

c. Initiative Title: A title of the initiative.

d. Description: A concise description of the program or programs that are affected; relevant burdens or barriers and how they will be targeted; a description of the affected public; and the importance of the collection on those impacted (for instance, in access to specific benefits or services).

e. Strategy to Achieve Reduction: What are the specific burdens or barriers to be targeted by this effort, and how will this initiative lower those burdens or barriers? (For example, through streamlining questions, changing/lowering collection requirements, creating an online platform, partnering with community-based organizations for application assistance.) Please group strategies according to the burdens detailed in OMB Memorandum M-22-10: (1) learning and information costs; (2) compliance costs; (3) psychological costs and stigma; and (4) redemption or use costs.

f. Stakeholder Engagement: Did the agency engage stakeholders, such as members of the public, state and local governments, community-based organizations, worker groups, advocacy groups, legal aid providers, and social service providers, when designing this initiative? If so, please briefly describe outreach efforts, including modes of engagement, targeted stakeholders, and how engagement informed the burden reduction strategy.

g. Relevant Statutes and Regulations: What are the relevant statutes and regulations governing this program and information collection? If relevant, which regulations or policies will need to be changed, or have been changed, to achieve the expected burden reduction?

h. Stage: A designation of the status of the burden initiative. For example, predevelopment, user-interview/research, testing, design and build, policy sign off and deployment.

i. Impacted Population: What broad groups will be impacted by this initiative, and are there any disproportionate impacts on sub-groups? Please be as specific as possible in detailing sub-groups that may be disproportionately affected by the initiative. Examples of broad groups include individual households; non-profits or other community-based

organizations; state, territorial, Tribal, or local governments; and small businesses. Examples of sub-groups might include individuals with disabilities, households headed by a single parent, workers in a particular occupation, low-income households, or minority-owned small businesses.[12]

j. Population Size: How many people/businesses/groups are currently covered by this collection? How many will be impacted by this initiative? Where possible, please estimate the size of the affected sub-groups named above.

k. Current Burden and Estimated Reduction: An accounting of the current burden of the collection or process, and the estimate of the reduction in burden hours and costs for the entire initiative.

l. Collection(s) Affected: A list of the titles and OMB Control Numbers of the collections affected by this initiative.

m. Milestone Dates: The projected or actual month and year for the completion of key milestones. For example, "User interviews and research," "Final project scoping," "System Development and User Testing," "Final policy sign off and submission to OIRA."

n. Project Lead Contact Info: The name and contact information for the lead subject matter expert on this project.

---

[12] Agencies might consider disproportionate impacts on underserved populations enumerated in E.O. 13985, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

Appendix C: Implementation of Section 1 of M-22-10, the Burden Reduction Memo

This year, OIRA is asking agency CDOs to affirm that the agency has developed or is developing procedures to ensure agency compliance with the analytical requirements in their Information Collection Request (ICR) Supporting Statements and associated documentation[13] as discussed in Section 1 of M-22-10.

The FY22 ICB Reporting Template, M-22-10 sheet, requests agencies provide narrative explanations on any actions they have taken to implement the Memo and their implementation plans for the next year.

M-22-10 requested agencies ensure their ICR Supporting Statements responses include the following information:

1. *Question Prompt 1* of the Supporting Statement should include, when requested by OMB, "specific justifications for why each element or process within an information collection is necessary or to provide analysis within the supporting statement justifying why the agency's approach appropriately minimizes burden."[14]
2. *Question Prompt 2* should include:
    a. a qualitative description of a respondent's "beginning-to-end experience of" completing the information collection,[15] to potentially include burdens associated with comprehending notices associated with the collection, traveling for the collection, developing necessary documentation or evidence, and consulting with third-parties;
    b. a qualitative discussion of the learning costs associated with an information collection, including "the time and effort expended by a respondent to discover and determine the applicability of an information collection to their particular circumstances, as well as any additional research to understand how to comply with any program participation requirements," such as notices "that are used during the information collection experience";[16]
    c. a qualitative discussion of psychological costs associated with the information collection when those costs "impose barriers or delays to completing an information collection that exceed those that can be measured by exclusively examining the time or financial cost experienced by the respondent."[17]
3. *Question Prompt 3* should include, when an agency does not offer a digital means for submitting the information collection, an explanation of "the office responsible for receiving the information collection, the reasons the information collection cannot be submitted digitally, and the technological, procedural, regulatory, or legislative changes that would be necessary to allow for a means of digital submission."[18]

---

[13] Supporting Statement A is a document in which agencies respond to a standard set of 18 questions established by OMB to provide a rationale for the information collection. A copy of Supporting Statement A can be found at https://pra.digital.gov/uploads/supporting-statement-a-instructions.pdf.
[14] OMB M-22-10, at 5.
[15] *Id.* at 4.
[16] *Id.* at 9.
[17] *Id.* at 8.
[18] *Id.* at 13.

4. *Question Prompt 8* should include documentation of efforts to affirmatively engage stakeholders and impacted members of the public beyond an ICR's requisite *Federal Register* notices to solicit feedback on "improv[ing] the accuracy of time estimates, gain[ing] additional perspectives on any challenges in the information collection process, and solicit[ing] solutions for streamlining information collections."[19]

5. *Question Prompt 12* should include a quantified estimate of burden that "accurately reflect[s] the public's experience" as documented via the qualitative description as well as any additional stakeholder engagement.

6. Efforts to provide additional supplemental documentation that can inform an understanding of the burden associated with the information collection, including, when relevant:
   a. compiling state-, territorial-, tribal-, or local government-designed forms that are used to implement a federally sponsored information collection;[20]
   b. notices that are used to communicate to respondents or prospective respondents associated with an information collection;[21]
   c. websites that are used to communicate requirements or processes associated with an information collection.[22]

---

[19] *Id.* at 6.
[20] *Id.* at 10.
[21] *Id.* at 9.
[22] *Id.*

13

Appendix D: Violations Report

As in previous ICB data calls, agencies are required to report on violations of the PRA and OMB's regulations implementing the PRA. OMB reminds agencies of the importance of the requirement that a senior agency official certify that PRA standards have been met. Specifically, OMB calls on CDOs to review their procedures to ensure that this certification process is robust.

Consistent with the process of previous ICB data calls, OIRA will provide agencies with a list of an agency's known PRA violations for the reporting years. **Agencies must verify that the information OIRA provides is accurate, correct information that is incorrect, and add any violations that do not appear on the list.**

The preliminary list of PRA violations can be found here:
https://community.max.gov/x/O5eDj.

Upon review, if the agency believes a violation should be added or removed, they must email the completed Excel document to their OIRA Desk Officer and the ICB Coordinator Michael McManus (Michael.J.McManus@omb.eop.gov). If the agency has no edits, please send a brief confirmation to your desk officer and ICB coordinator that the agency has reviewed with no comments.

OIRA reports two categories of PRA violations: (1) collections in use without OMB approval and (2) lapses in renewal or discontinuation. Violations falling under the first category, collections in use without OMB approval, occur when the agency fails to receive OIRA approval for the information collection request before it begins to collect information. Violations falling under the second category, lapses in renewal or discontinuation, occur when the agency fails to submit its request to OIRA to renew or discontinue, as appropriate, its approval for a collection prior to the expiration date.

OIRA identifies two types of lapses in renewal or discontinuation: (1) collections that expired during the reporting Fiscal Year and were reinstated after the expiration date during that same year and (2) collections that expired during the Fiscal Year and were not renewed or discontinued before the end of that Fiscal Year. The violation will be reported in the year it improperly lapsed and the year it was renewed.

If an agency has zero known violations for all the fiscal year, their agency will not appear on the MAX page. If an agency's internal review yields no further violations, please send a brief statement to your OIRA desk officer that the agency reports zero violations.

Appendix E: Strategies for Reducing Administrative Burden in Public Benefit and Service Programs

See below for an excerpt of evidence-informed burden reduction strategies and examples agencies can consider based on a longer OIRA memo, available at https://www.whitehouse.gov/wp-content/uploads/2022/12/BurdenReductionStrategies.pdf.

Select Evidence-Informed Strategies for Reducing Administrative Burden

- **Providing easy-to-use and actionable information to likely eligible individuals has been shown to increase program participation under some conditions but is unlikely to reach the most vulnerable and disconnected individuals. Instead, informational interventions are most likely to be effective, according to research, when paired with other burden reduction methods that target compliance and psychological costs.**

  A number of past interventions have tested whether providing information to eligible (or likely eligible) but non-participating individuals can improve program participation.[23] Available evidence suggests that these informational campaigns, aimed at reducing learning costs, are more likely to be effective when paired with other interventions that lower compliance costs or psychological costs.[24] For instance, this includes providing assistance with application and recertification in addition to informational outreach.

  An important limitation identified by past research is that informational interventions appear to be most effective for individuals who are already connected to existing benefit programs or the tax system, and who tend to be relatively more advantaged.[25] Accordingly, agencies might carefully consider the limits of informational interventions to reach especially vulnerable populations, especially when deployed on their own without additional burden reduction approaches like those described below.

- **Ensuring that program decision points minimize required actions by beneficiaries has been shown to boost the likelihood that beneficiaries will receive the full services or benefits to which they are entitled. Two complementary strategies for reducing learning, compliance, and psychological costs in this way include (1) shifting from "opt-in" to "opt-out" for receipt of benefits and services where feasible and (2) setting defaults in programs to be most favorable towards beneficiaries.**

  One of the core findings from behavioral economics research is that individuals show a strong degree of passivity, choosing to remain with earlier or default choices even when those

---

[23] See for instance: Caitlin Anzelone et al., Office of Planning, Research, & Eval., Admin. for Children & Families, U.S. Dep't of Health & Human Servs. *Using Behavioral Insights to Increase Participation in Social Services Programs: A Case Study* (June 2018); Beth Osborne Daponte et al., *Why Do Low-Income Households not Use Food Stamps? Evidence from an Experiment*, 34 J. Hum. Res. 612 (Summer 1999); John Guyton et al., *Reminders and Recidivism: Using Administrative Data to Characterize Nonfilers and Conduct EITC Outreach*, 107 Am. Econ. Rev.: Papers & Proc. 471 (May 2017).

[24] *See, e.g.*, Elizabeth Linos et al., *Can Nudges Increase Take-up of the EITC?: Evidence from Multiple Field Experiments*, Am. Econ. J.: Pol'y (forthcoming); Amy Finkelstein & Matthew J. Notowidigdo, *Take-Up and Targeting: Experimental Evidence from SNAP*, 134 *Q.J. Econ.* 1505 (Aug. 2019).

[25] Linos, *supra* note 17; Finkelstein & Notowidigdo, *supra* note 17.

choices might not be the most favorable.[26] In benefit programs, this could mean that individuals miss out on more generous benefits or services for which they might be entitled but that would require new applications, certifications, or other reporting.

A burden-reducing alternative is for program administrators to design programs in ways that default individuals into receiving the full benefits or services available to them. This could mean automatically delivering benefits or services to individuals when they become eligible for those benefits or services. Below, this memo discusses strategies for using administrative data to do so. It can also mean automatically enrolling or delivering the maximum tier or category of benefit service to which individuals are eligible. By removing steps that individuals would otherwise need to take on their own, these measures may both reduce learning and compliance costs, as well as reduce psychological burden.

One example of these changes to program choice architecture comes from publicly-subsidized health insurance policies in Massachusetts.[27] The state implemented two policies to reduce learning, compliance, and psychological costs for beneficiaries, including (1) automatically enrolling eligible individuals who did not choose a health plan in a fully-subsidized, free plan; and (2) instead of disenrolling individuals who missed payments on their health plans, transferring those individuals to a fully-subsidized, free plan. These two changes led to large increases in enrollment and retention in health insurance coverage, preventing otherwise vulnerable individuals from becoming uninsured because they failed to select a health plan or missed an insurance premium payment.

A common misconception in program administration is that failing to enroll or take-up benefits or services reflects an intentional decision on the part of the prospective beneficiary. Past research clearly demonstrates that this assumption may not reflect reality. Instead, agencies might think about opportunities to minimize the choices and actions that applicants or beneficiaries need to proactively take—especially given other cognitive, financial, and time burdens that vulnerable populations may face.[28]

- **Providing additional methods of submitting applications has been shown to increase program participation—but is most likely to be effective when paired with other burden reduction methods that target compliance and psychological costs.**

  Providing additional means of submitting benefit applications, especially allowing online or phone applications, may help to reduce compliance and psychological costs for prospective beneficiaries. The move to online filing for taxes, for instance, increased claims for the Earned Income Tax Credit.[29] Online applications can be especially burden-reducing when

---

[26] For widely-cited examples, see Brigitte C. Madrian & Dennis F. Shea, *The Power of Suggestion: Inertia in 401(k) Participation and Savings Behavior*, 116 Q. J. Econ. 1149 (Nov. 2001); James J. Choi et al., *Optimal Defaults*, 93 Am. Econ. Rev. 180 (2003). For a summary of the behavioral economics findings, see Richard H. Thaler & Cass R. Sunstein, *Libertarian Paternalism*, 93 Am. Econ. Rev. 175 (May 2003).

[27] Adrianna McIntyre et al., *Can Automatic Retention Improve Health Insurance Market Outcomes?*, 111 Am. Econ. Ass'n Papers & Proc. 560 (May 2021); *see also* Iris Arbogast et al., Nat'l Bureau of Econ. Research Working Paper 30580, *Administrative Burdens and Child Medicaid Enrollments*, (Oct. 2022).

[28] On the costs faced by vulnerable populations, see especially Sendhil Mullainathan & Eldar Shafir, *Scarcity: Why Having Too Little Means So Much* (2013).

[29] *See, e.g.*, Wojciech Kopcuzk & Cristian Pop-Eleches, *Electronic filing, tax preparers and participation in the Earned Income Tax Credit*, 91 J. Pub. Econ. 1351 (Aug. 2007); Carolyn Barnes & Sarah Petry, *"It Was Actually Pretty Easy": COVID-19 Compliance Cost Reductions in the WIC Program*, 81 Pub. Admin.

agencies are able to make forms more accessible and easier to navigate, and when individuals are able to take advantage of knowledgeable intermediaries who can assist them in the claimant process.[30] In the case of the Earned Income Tax Credit, for instance, much of the increase in claims associated with online filing may have occurred because of increased use of tax preparers offering tools for filing.

Without simplification measures or navigational assistance, moving away from paper or mail-based applications may not appreciably reduce burden.[31] For instance, research suggests that states who moved from paper to phone and online filing for unemployment benefits did not see an increase in unemployment insurance participation—perhaps because there were no other informational or compliance cost reductions deployed at the same time. Agencies might consider avoiding online forms that simply replicate paper-based forms, and instead explore how digital forms can make applications more accessible.

In addition, agencies might consider ways of drawing on trusted intermediaries to further assist claimants, which can reduce both compliance and psychological costs. In fact, these factors may complement one another: by increasing take-up of benefits in local communities, agencies can help to address stigma around benefit application and receipt.[32] This memo discusses both of these measures in more detail below. In either case, agencies might consider whether retaining alternative methods of applying for benefits may increase access to individuals who lack consistent access to phone service or internet access.[33]

- **Using existing administrative records to automatically enroll individuals, populate application information, or determine eligibility has been shown to increase program participation.**

  In some cases, programs may be able to remove the step of application, certification or recertification altogether if they have access to reliable administrative records for eligible beneficiaries. In such cases, agencies could consider initiating enrollment or certification on behalf of individuals automatically. Taking this step may substantially reduce learning and compliance costs for beneficiaries, potentially as low as zero, to the extent that no further action is required on the part of the beneficiary. This may work especially well in the case of cash payments, which can be automatically distributed or deposited in bank accounts.[34]

Rev. 1147 (Nov./Dec. 2021). On questions of program integrity and benefit receipt in the EITC, see, for example Robert Greenstein et al., Ctr. on Budget & Pol'y Priorities, *Reducing Overpayments in the Earned Income Tax Credit* (Jan. 31, 2019), *available at* https://www.cbpp.org/sites/default/files/atoms/files/4-30-13tax.pdf.

[30] *See, e.g.*, Colin Gray, *Leaving Benefits on the Table: Evidence from SNAP*, 179 *J. Pub. Econ.* No. 104054 (Nov. 2019).

[31] As an example of a move to phones and online filing that did not increase take-up, see Avraham Ebenstein & Kevin Stange, *Does Inconvenience Explain Low Take-Up? Evidence from Unemployment Insurance*, 29 *J. Pol'y Analysis & Mgmt.* 111 (Winter 2010).

[32] *See, e.g.*, Pablo A. Celhay et al., Nat'l Bureau of Econ. Research, Working Paper 30307, *Stigma in Welfare Programs* (July 2022).

[33] Lindsey J. Leininger et al., Univ. Wis. Population Health Inst., *The Target Efficiency of Online Medicaid/CHIP Enrollment: An Evaluation of Wisconsin's ACCESS Internet Portal* (Feb. 2011), *available at* https://www.irp.wisc.edu/wp/wp-content/uploads/2019/10/ACCESS_IssueBrief-Jan-2011-2.pdf.

[34] Kris Cox et al., Ctr. on Budget & Pol'y Priorities, *Stimulus Payments, Child Tax Credit Expansion Were Critical Parts of Successful COVID-19 Policy Response* (June 22, 2022).

In other cases, agencies might consider using administrative records to facilitate eligibility determinations—for example, using an individual's eligibility for one program as proof of eligibility for another. Doing so may decrease compliance costs and increase program participation.[35] In the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), for instance, research suggests that policy changes using eligibility for other programs to confirm income eligibility for WIC may have increased program participation. In another published analysis, pre-population of student financial aid application data fields with already-collected tax information (also paired with application assistance) reduced application completion time and increased the likelihood that individuals would use Federal financial aid to attend college.[36]

At the same time, agencies pursuing simplifications of eligibility determinations might consider retaining existing means of verifying eligibility to ensure that they do not create new barriers to participation. In addition, before employing automatic enrollment, data matching, or data population strategies, agencies will need to verify that those strategies are legally permissible and appropriate given applicable law, policy, and regulations and that administrative data are sufficiently reliable for program integrity purposes.[37]

- **Making in-person assistance options more physically and geographically accessible has been shown to increase successful applications, and thus program participation rates, particularly among disadvantaged individuals.**

  Research on the WIC program has found that pregnant women's proximity to WIC clinics is associated with increases in participation, especially for more disadvantaged women.[38] Geographic distance to in-person facilities may be especially important for programs that require in-person visits to evaluate initial and continued eligibility. In these cases, agencies might explore ways to ensure that in-person facilities are accessible, for instance, by minimizing transportation and other related costs (like child care). Another example comes from research on Social Security disability benefits, which found that closures of field offices were associated with reduced disability applications in the areas around the closed offices.[39] The analysis suggests that effects may have been largest for the most disadvantaged individuals. The lesson is that vulnerable individuals may be especially sensitive to changes in the geographic distance to government offices.

  Just as importantly, agencies might consider providing alternatives to in-person appointments for individuals who cannot easily travel for such meetings. Qualitative research on WIC

---

[35] For an overview of opportunities to combine different state administrative data sources for eligibility determinations, see Sonal Ambegaokar et al., Ctr. on Budget & Pol'y Priorities, *Opportunities to Streamline Enrollment Across Public Benefit Programs* (Nov. 2, 2017); *see also* Marianne Bitler et al., *WIC Eligibility and Participation*, 28 *J. Hum. Res.* 1139 (2003); Christopher A. Swann, *WIC Eligibility and Participation: The Roles of Changing Policies, Economic Conditions, and Demographics*, 10 B.E. J. Econ. Analysis & Pol'y (Mar. 2010).

[36] Eric P. Bettinger et al., *The Role of Application Assistance and Information in College Decisions: Results from the H&R Block Fafsa Experiment*, 127 *Q.J. Econ.* 1205 (Aug. 2012).

[37] On the risks of automation in benefit determination, see for instance: Derek Wu & Bruce D. Meyer, Working Paper, *Certification and Recertification in Welfare Programs: What Happens When Automation Goes Wrong?* (2021).

[38] Maya Rossin-Slater, *WIC in your neighborhood: New evidence on the impacts of geographic access to clinics*, 102 J. Pub. Econ. 51 (June 2013).

[39] Manasi Deshpande & Yue Li, *Who Is Screened Out? Application Costs and the Targeting of Disability Programs*, Am. Econ. J.: Econ. Pol'y 213 (Nov. 2019).

program waivers implemented during the COVID-19 public health emergency—which suspended in-person appointments—found that many participants reported strong appreciation for the ease of phone-based interactions. And aside from lowering compliance costs, research suggests that these waivers may have lowered stigma and psychological burden on beneficiaries by collecting participant health information remotely, rather than through an in-person clinic visit.[40] Research also suggests that COVID-19 waivers removing the requirement that WIC beneficiaries visit local offices to reload benefits may have increased participation rates in states adopting waivers compared to those that did not remove in-person requirements.[41]

- **Simplifying, permitting more flexibility in, or eliminating unnecessary reporting, documentation, and other requirements for application and recertification has been shown to increase program participation rates.**

  Reducing the documentation that applicants are required to provide, simplifying application forms, introducing or expanding categorical eligibility criteria (rather than income or other resource thresholds that require more specific reporting from beneficiaries), and allowing applicants to use the same application for determining eligibility in multiple programs may increase program participation rates.[42] After application, an important set of barriers to ongoing participation in social programs are post-award reporting requirements and recertifications—processes by which current beneficiaries document continued eligibility. Longer recertification periods, fewer recertification or reporting requirements for changes in income, flexible alternatives for recertification or reporting requirements (for instance, waiving requirements for face-to-face meetings), or decreasing penalties for individuals who miss recertification requirements may increase continued participation in programs.[43] Recent research on the Medicaid and State Children's Health Insurance Program (SCHIP) has found that when states increased reporting requirements on program beneficiaries, health insurance coverage for children fell, especially for non-white children, Hispanic children, children with at least one non-citizen parent, and children with non-college educated parents.[44]

  Not all of these strategies may be available for all programs under current program statutes. That said, agencies may have opportunities for using demonstration project or waiver authorities to advance alternatives for recertification and reporting.

- **Providing assistance in accessing benefits through sources or intermediaries trusted by target communities has been shown to increase participation rates, especially for disadvantaged participants.**

---

[40] Barnes & Petry, *supra* note 22.

[41] Aditi Vasan et al., *Association of Remote vs. In-Person Benefit Delivery with WIC Participation During the COVID-19 Pandemic*, 326 JAMA 1531 (Oct. 19, 2021)*.*

[42] For analysis of state SNAP policies and their relationship to participation rates, see for example Peter Ganong & Jeffrey B. Liebman, *The Decline, Rebound, and Further Rise in SNAP Enrollment: Disentangling Business Cycle Fluctuations and Policy Changes*, 10 Am. Econ. J.: Econ. Pol'y (2018).; Leininger et al., *supra* note 26; Caroline Ratcliffe et al., Urban Inst., U.S. Dep't of Agriculture Econ. Research Serv. Contractor & Cooperator Rpt. No. 36, *Effect of State Food Stamp and TANF Policies on Food Stamp Program Participation* (Jan. 2008).

[43] See especially Ganong & Liebman, *supra* note 35; Tatiana Homonoff & Jason Somerville, *Program Recertification Costs: Evidence from SNAP*, 13 Am Econ. J.: Econ. Pol'y 271 (Nov. 2021).

[44] Iris Arbogast et al., *supra* note 20.

When potential beneficiaries are confronted with applications, certifications, or recertifications for public benefits and services, trusted intermediaries—like community-based organizations or frontline service providers—may offer important assistance, reducing informational costs, compliance costs, and psychological costs and stigma.[45] These kinds of navigation services are especially likely to be successful when they are provided by organizations or other representatives who have trusted relationships with the communities they are serving, and where these organizations or representatives use culturally and linguistically appropriate outreach and assistance strategies.[46] Agencies should be aware, however, that some intermediaries may require beneficiaries to pay for their assistance. These intermediaries can introduce further costs to benefit access, undermining program effectiveness.

Examples of Recent Burden Reduction Measures Highlighted in the White House's "*Advancing Equity through the American Rescue Plan*"[47]

In addition to lessons informed by past research, a number of Federal agencies have taken steps in recent years to reduce administrative burden in response to the COVID-19 public health emergency. This section provides examples of burden reduction efforts in Federal agencies, often in partnership with state, local, territorial, and Tribal governments. While we do not yet have research or evaluation findings related to the effectiveness of these efforts, the below examples provide models for agencies to consider.

- The **Emergency Rental Assistance** program provided funding for rental and utility assistance to state, city, county, and Tribal grantees to support low-income households affected by the economic consequences of the COVID-19 public health emergency. To reduce administrative burden in the delivery of these benefits, the U.S. Department of the Treasury issued guidance that clarified the **permissibility of self-attestation** for all eligibility criteria during the public health emergency, subject to appropriate safeguards. Treasury further encouraged grantees to **avoid establishing documentation requirements that would create barriers** and urged user-friendly application processes that were available in multiple modalities.

- Enhancements to the **Child Tax Credit** made the credit temporarily more generous, and implementation by the Treasury Department aimed to ensure broader and more equitable take-up of the credit. One important step that the Treasury Department took was using existing information from 2020 stimulus payments to identify families who might be eligible for the expanded Child Tax Credit in 2021 and begin **automatic advance payments** to those

---

[45] *See, e.g.*, Eric P. Bettinger et al., *supra* note 29; Benjamin D. Sommers et al., *The Impact Of State Policies On ACA Applications And Enrollment Among Low-Income Adults In Arkansas, Kentucky, And Texas*, 34 Health Aff. 1010 (June 2015).; Alexander Hertel-Fernandez & Alix Gould-Werth, Wash. Ctr. for Equitable Growth, *Labor organizations and Unemployment Insurance: A virtuous circle supporting U.S. workers' voices and reducing disparities in benefits*(Oct. 9, 2020), *available at* https://equitablegrowth.org/labor-organizations-and-unemployment-insurance-a-virtuous-circle-supporting-u-s-workers-voices-and-reducing-disparities-in-benefits/; Diana Whitmore Schanzenbach, Inst. for Research on Poverty, Univ. Wis.-Madison, Working Paper DP1367-09 *Experimental Estimates Of The Barriers To Food Stamp Enrollment* (Sept. 2009).

[46] *See, e.g.*, Robert Vargas, *How health navigators legitimize the Affordable Care Act to the uninsured poor*, 165 Soc. Sci. & Med. 263 (Sept. 2016).

[47] For more detailed case studies, see White House, Advancing Equity through the American Rescue Plan (May 2022), *available at* https://www.whitehouse.gov/wp-content/uploads/2022/05/ADVANCING-EQUITY-THROUGH-THE-AMERICAN-RESCUE-PLAN.pdf.

families. These families were less likely to be regular tax filers—since they had previously used a tool for non-filers—and so might have otherwise missed out on receiving the enhanced Child Tax Credit without automatic payments.

- The new national **Low Income Household Water Assistance Program** provides emergency water support to low-income households. This program provided grants to states, territories, and Tribal communities to work with utilities to pay for water service to low-income households. To reduce administrative burden on applicants, the U.S. Department of Health and Human Services encouraged grantees to use a **sample household application** that incorporated plain language and streamlined data fields, requesting only the minimum necessary information to establish eligibility. The program also encouraged grantees to use **categorical eligibility criteria**, and in particular, using an applicant's eligibility for other Federal benefits programs as an easily-verified marker.

- The U.S. Department of Labor launched an **Unemployment Insurance Navigator program,** funding state unemployment insurance agencies to partner with local, community-based organizations. These organizations are intended to have a presence in communities that have experienced obstacles to unemployment insurance benefit access in the past. Through these partnerships, workers will receive **targeted outreach and assistance** provided by trusted community intermediaries aimed at boosting participation rates in the program.