

American Evaluation Association

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DATE: December 16, 2009

TO: Office of Information and Regulatory Affairs, Office of Management and Budget

SUBJECT: Improving Implementation of the Paperwork Reduction Act

The American Evaluation Association (AEA) is pleased to submit comments on improving the implementation of the Paperwork Reduction Act, in accordance with Federal Register /Vol. 74, No. 206 /Tuesday, October 27, 2009 /Notices 55269.

AEA is a professional association of evaluators devoted to the application and exploration of evaluation in all its forms. AEA has approximately 5800 members representing all 50 states and the District of Columbia as well as over 60 foreign countries.

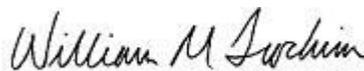
In summary, AEA recognizes the importance of minimizing paperwork burdens on the American public. However, we believe that the current paperwork review process has unintended negative impacts, particularly in denying Federal managers and policy makers timely access to information that is critically needed to address emerging problems and take advantage of promising approaches. We offer several options to speed up the reviews while promoting burden hour reductions, improving burden estimates, and enhancing the usefulness of the data collected.

We hope our attached comments are helpful. The AEA stands ready to assist OMB in improving the current process and would be happy to work with OMB, perhaps to sponsor sessions at AEA's national conferences or other venues on ways to reduce reporting burdens and enhance the quality of evaluation related surveys and the usefulness of the data collected. If we can be of assistance, or if you need more information on our comments, please do not hesitate to call on us or to contact George Grob, our senior advisor for evaluation policy (GeorgeFGrob@cs.com, 540-454-2888).

Sincerely,



Debra Rog
President



William Trochim
Immediate Past President



Leslie Cooksy
President Elect

Attachment: Comments on the Paperwork Reduction Act

Comments on the Paperwork Reduction Act

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Importance of the Paperwork Reduction Act to Evaluators

The professional practice of evaluation often makes use of surveys and other data gathering instruments. Many of our members are employees of the Federal government or work as consultants to Federal agencies. These evaluators would, for all practical purposes, be unable to perform evaluations of Federal programs without being able to gather information from the programs' beneficiaries, grantees, and stakeholders. Thus, the effectiveness and efficiency of the Paperwork Reduction Act, with its requirements for comment by the public, by the Federal agencies sponsoring program evaluations, and by the Office of Management and Budget (OMB) via the Office of Information and Regulatory Affairs (OIRA), is of critical importance to their work. Therefore, AEA appreciates OIRA's invitation to submit comments on improving implementation of the Paperwork Reduction Act.

Focus of AEA's Comments—Unintended Adverse Consequences

In requesting public comments on the implementation of the Paperwork Reduction Act, OIRA specifically requested comments on 1) reducing current paperwork burdens, especially on small entities; 2) increasing the practical utility of information collected by the Federal Government; 3) ensuring accurate burden estimates; and 4) preventing unintended adverse consequences.

All of these topics are important to evaluators, but the last one, unintended consequences, is of special concern to them. Many evaluators believe that the review process does have significant unintended adverse consequences in that it prevents important evaluative information from reaching the hands of policy makers and program managers in time to be useful. As a result,

many ineffective practices and inefficiencies that could easily be remedied early in the implementation of programs are allowed to continue to the detriment of the programs' beneficiaries and at increased cost to taxpayers.

We believe it is possible to avoid these unintended adverse effects while still fulfilling the purpose of the Paperwork Reduction Act and simultaneously streamlining the review process, reducing paperwork burdens on the public, improving estimates of burdens, and improving the utility of the data that is collected. However, to lay the groundwork for our proposals to address the four topic areas raised by OIRA, we first wish to discuss what evaluators regard as three fundamental shortcomings of the review process—1) its duration, 2) the limitation to nine of the number of respondents allowed without OMB's approval, and 3) the orientation of OMB's *Standards and Guidelines for Statistical Surveys*.

The length of the review process. For all practical purposes it is nearly impossible, without seeking a waiver from OMB in extraordinary circumstances, to get a survey or other information gathering instrument approved in less than 6 months. Often the process takes longer than that, sometimes a year or more. The math is straightforward. Such delays are inherent in a process which starts with an internal agency review followed by two periods of public comment, the first of 60 days, and the second of 30. On top of this, OIRA has up to 60 days to make its decision about the information collection request after it has been notified of the start of the second 30 day comment period. Even if no other administrative action were needed, the mandatory intervals of public comment and OMB approval would consume 4 months. Of course, time is needed in advance of the first public comment period to secure the approval of designated agency officials, then to absorb the comments received during the first public review, then again to absorb comments from the second public review, and finally to react to OIRA's decisions.

The impact of the delay caused by the paperwork review process is that it makes it practically impossible to get timely evaluative information to policy makers and program managers when it is needed and would be most useful. This is particularly true during the early stages of the implementation of new programs, regulations, and legislative amendments related to such things as eligibility determinations, changes in benefits, and new administrative requirements. The delay can be particularly harmful when program managers become aware of potential waste, inefficiencies, unrealistic program objectives or goals, administrative shortcomings, or other emerging problems that require quick correction. The paperwork review process adds six or more months of delay than would otherwise occur in getting critically needed evaluative information to address emerging program issues. As a result, decision makers must make decisions based on anecdotal and incomplete information, or else delay corrective actions well beyond the period in which they could be most salutary.

Perhaps a more serious unintended consequence of the long duration of the current review process is its chilling effect on evaluation activity. Almost all evaluators and many decision makers familiar with the current paperwork review process will state that they have consciously decided not to propose evaluations of important programmatic questions, such as the likelihood of goal achievement given unexpected difficulties of implementation, because of the prospects of disheartening efforts to obtain approval of their information gathering efforts. We have no exact

measurement of the scope of this problem, but we can confidently report that such behavior is commonly expressed in meetings and private conversations about evaluations under consideration. A sentiment often expressed relative to the appropriate design of a needed evaluation is that it makes no sense to plan such a survey because the OMB paperwork review process will prevent getting the needed information in time.

The nine respondent limit. The paperwork review process is not required when nine or fewer respondents are involved. This is seldom a useful exception. The principles underlying the statistical sciences, especially those pertaining to random sampling, generally preclude the use of sample sizes less than 30 for making statistically reliable projections. Even when probabilistic sampling methods are not needed, the limit of nine respondents precludes the use of the most common evaluation methods.

The exception to the paperwork review process involving nine or fewer respondents is useful for pre-testing of information collection instruments intended for larger numbers of respondent. Such pretesting is an essential step in the design of surveys. However, even for this limited purpose, the limitation to nine respondents can be counter productive. Many surveys could benefit from more extensive pretesting which would improve the value of the information collected and reduce confusion and burdens on respondents.

Furthermore, one of the topics about which OIRA has requested comments is the accuracy of the burden estimates that accompany proposals for information requests that it receives. The best way to estimate the burden hours of a survey is through the experience of pretesting. The current nine respondent limit hampers even this aspect of survey development and management.

Orientation of OMB's Standards and Guidelines for Statistical Surveys (2006). OMB requires that surveys submitted for approval under the Paperwork Reduction Act follow its *Standards and Guidelines for Statistical Surveys*. This document is a thoughtful, carefully prepared compilation of 20 standards related to the planning, design, execution, and reporting of statistical data. It certainly is a useful reference for anyone interested in sound statistical practice. However, this document may often be misinterpreted as applying to any collection of information for evaluations or other analytical studies. As discussed in the next section, "Proposals for improving the paperwork review process," modern evaluation tools include the use of such approaches as case studies, focus groups, open ended web based surveys, and probe samples for which many of OMB's standards and guidelines are irrelevant, distracting, or misleading. For example, the standards require "selecting samples using generally accepted statistical methods (e.g., probabilistic methods that can provide estimates of sampling error). Any use of nonprobability sampling methods (e.g., cut-off or model-based samples) must be justified statistically and be able to measure estimation error." They require a "Plan for a nonresponse bias analysis if the expected unit response rate is below 80 percent." They then go on to provide detailed guidance on the formulas to be used in such a nonresponse analysis, including both a "weighted and unweighted response rate," with the "unweighted response rate (RRU)" defined as "the ratio of the number of completed cases (or sufficient partials) (C) to the number of in-scope sample cases (AAPOR, 2004)." A similar definition of "weighted response rate" is given,

and both definitions are accompanied by complex mathematical formulas that would be inappropriate to reproduce here.

The above excerpts show that the standards are clearly intended for larger quantitative statistical surveys and, as such, are irrelevant to focus groups, case studies, and many kinds of qualitative analysis. Perhaps OMB did not intend these standards to be used for all evaluation studies involving surveys or other forms of information collections. However, in practice, most surveys are judged on the basis of these standards, whether relevant or not, because of misconceptions surrounding their purpose. Ironically, these standards sometimes promote the use of studies with a very large number of respondents, thus increasing the paperwork burden on the public.

Proposals for Improving the Paperwork Review Process

AEA recognizes the importance of minimizing paperwork burdens on the American public and acknowledges the statutory duties of officials in Federal agencies and OMB under the Act. We offer the following recommendations for OMB to consider within the framework of the current law or in requesting statutory changes to the Paperwork Reduction Act if necessary.

While there are practical problems connected with the paperwork review process for large evaluations, especially summative evaluations that are needed in the latter stages of a program's life cycle, our recommendations here focus on smaller data gathering processes that are most useful for formative evaluations, especially during the early or mid stages of a program's life cycle.

Decisions about many emerging program problems or opportunities could be better informed with quick evaluations of limited scope and relatively small public paperwork burdens. The field of evaluation has matured considerably over the last ten to twenty years, especially with respect to the quality and usefulness of such rapid study methodologies. This includes the effective use of low burden approaches like short electronic email or web based surveys, structured interviews, on-site inspections, focus groups, case studies, probe samples, and analysis of existing data sets. Many of these methods involve qualitative rather than quantitative data, or both. Using several of these methods simultaneously to triangulate the results can greatly enhance the validity and reliability of results as well as the relevance of findings. Thus, these approaches, now commonplace in the field of evaluation, could be used to address OMB's stated interests in minimizing burdens, improving burden estimates, improving the utility of data collected, and avoiding the unintended adverse consequences of the current paperwork review process--if the approval process could be expedited.

Facilitating the use of such approaches could be accomplished with relatively modest changes to current procedures. Recognizing the need for independent review to ensure the quality, scope, focus of surveys and other information gathering instruments, we are not proposing to eliminate the review of such instruments by designated agency officials. Instead, our proposals are centered on decreasing or eliminating the requirements for public comments and OMB approval in certain cases. In this vein, we offer the following options for consideration by OMB, to be used either alone or in combination.

Exemptions based on higher number of respondents. This proposal is to increase the number of respondents allowed before triggering the requirement for public comments and OMB review. Any increase would be efficacious, but we suggest consideration of increases to 50, 100, or 500 respondents. Needless to say, the higher the number the stronger the analytic power. However, even at the lower end of this field, a sample of up to 50 respondents can yield important insights about such things as emerging program problems and opportunities and significant changes over time. Larger (but still relatively small) samples can also provide stronger platforms for pretesting surveys and estimating burden hours. This could improve the analytic value of the data collected through, and, in some cases, reduce the burden of the ultimately approved instrument.

Burden based limits. This proposal is to allow an exemption from public comments and OMB review based on burden hour limits instead of number of respondents. For example, a burden hour limit of 100 hours could support information requests of 200 respondents based on average length of 30 minutes of burden per response, or 400 respondents based on average length of 15 minutes of burden per response.

Burden hour budgets. This proposal is to delegate annual burden hour budgets to Federal agencies to be used at their discretion, and allow these budgets to be allocated to offices within the agencies that conduct research, evaluation, or other such studies. This could be coupled with burden based limits or respondent thresholds discussed above. This approach would preserve control over burden hours, but without the need for public comments or OMB clearance. Information requests above the burden based or respondent based limits would still need to go through public comment and OMB clearance processes. Agencies could also request increases in their burden hour budget to accommodate more small projects if they can justify them to OMB's satisfaction.

Broader exemptions and limits for voluntary responses. The above policies could even further ameliorate the paperwork burdens on the public if they were limited to surveys for which responses could be purely voluntary. This could alleviate concerns of citizens that failure to respond to a request for information from a Federal government agency might result in adverse consequences for them. Implementation of this option would be accompanied by the prominent display of a label, designed by the responsible agency, in consultation with OMB, that assures the potential respondent of the voluntary nature of the request.

Generic clearances. This proposal is to allow exemptions for information requests in certain situations where information requests are now widely regarded as fairly routine, appropriate and useful. Examples include: *early implementation studies* intended to quickly gather information through interviews and document reviews to determine if there are any obvious problems with grantees meeting schedules or otherwise successfully getting started in implementing the new program; *promising approaches and obstacles studies*, intended to identify common problems among grantees and useful solutions or practices to be shared among them; *accountability reviews* to determine if funds are being spent only for authorized purposes; *routine pre- and post- tests* administered in connection with training programs; and *customer satisfaction surveys* made after a program beneficiary has an interaction with an agency or grantee providing a

service or other benefit. The latter category is a good example of methods used by many private sector businesses shortly after providing a service to their customers. Allowing exemptions to the public comment period and OMB review could facilitate improved service in public programs, as now routinely occurs in the private sector.

There are many other examples of more substantive types of evaluations that an agency might use in connection with its particular programs. Examples might be an evaluation of activities of volunteer partners in certain Federal social interventions that are designed to enhance compliance with regulations or to improve communications and stakeholder collaborations.

What we would propose for these generic clearances is that Federal agencies identify categories of evaluations that they would like to do routinely under certain circumstances, such as early implementation reviews for new waves of grants. For such categories, the agency could produce a guide or standard for conducting the studies. The guide could be subjected to the statutory paperwork reviews process and then be approved for use for a period of time, say three to five years. It could then be updated if necessary and reviewed again under current procedures. These generic categories could be subject to the burden hour budgets or respondent size limits discussed above. This approach would maintain the advantages of the current paperwork review process, but would significantly improve the timeliness and utility of the reviews.

Standards and Guidelines. This proposal is to limit the applicability of OMB's *Standards and Guidelines for Statistical Surveys* to large statistical surveys intended to produce scientifically projectable quantitative results. Clarifying that these standards do not apply to qualitative studies or to methods that are intended to produce quick insights about program operations, timely information to inform management decisions in the light of emerging problems, or to exploit promising opportunities would help reduce paperwork burdens, provide timely and useful results to top level managers and policy makers, speed up the paperwork review process, and reduce frustrations and misunderstandings inherent in the current system.

Conclusion

All of the above policies would promote improvements in the four topic areas for which OIRA has requested comments. They could help minimize burdens, improve the estimating of burdens, improve the utility of data requested, and avoid the unintended consequences attendant upon the current paperwork review process. At the same time, critically needed quality controls would still be in place at the agency level for all information requests, and at the OMB level for the larger information collection instruments associated with major data systems, quantitative statistical studies, and large and complex summative studies.

AEA's Offer of Technical Assistance

The AEA stands ready to assist OMB in achieving the four types of improvements about which it has requested comments. AEA would be happy to work with OMB, perhaps to sponsor a session at AEA's national conference, or perhaps in other venues on ways to reduce reporting burdens and enhance the quality of evaluation related surveys and the usefulness of the data collected.

Again, AEA wishes to reiterate its understanding of the need to minimize public paperwork burdens. We hope the above analysis and recommendations are useful and thank OMB for inviting comments on this important subject.