

A Social History of Paperwork Reform Efforts

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Introduction

This paper originated from a Government Information Resources term project during the Fall, 2004, semester, at the School of Information, Communication, and Library Science at Rutgers, The State University of New Jersey.

The paper focuses on a chronological history of paperwork reform efforts in the United States. In exploring that history, the paper offers an interpretation of how the design and implementation efforts of the regulations established by the paperwork reductions acts contribute to and reflect a history of the government's social attitudes and values in regards to information needs, organization, and management. Implicit in these paperwork reform efforts is how Congress identifies problems and prioritizes problem-solving initiatives on behalf of United States citizens.

Pursuant to the term project parameters, the paper only refers to primary documents and not secondary analytical sources. A methodology section describing research gathering precedes the rest of the text.

Methodology

My initial research methods for this paper began with consulting various government indexes. These indexes included the Monthly Catalog, GAO Documents Index, CIS Index, CQ Almanac, Congressional Record indexes, and Legislative Histories Index. At the beginning of this project, I was only aware of the Paperwork Reduction Act of 1995. I soon found leads to the Paperwork Reduction Act of 1980, as well as to periodical amendments to the Acts between 1980 and 1998, which in turn expanded my search efforts in the annual indexes.

Upon discovering the existence of the Commission on Federal Paperwork, I then discovered that there had been an even earlier act – the Federal Reports Act of 1942. The subsequent literature I found helped me to identify the federal agencies and Congressional committees that were most often involved with paperwork reform initiatives, which also gave me new search terms to use in consulting government indexes. Physical shelf-reading in applicable sections of the government documents collection also helped to identify relevant publications that were omitted from both the indexes and the government documents card catalog.

One problem I kept encountering was that many paperwork reform events would be listed throughout the years in the annual indexes, but these entries did not necessarily signify substantial activity. I was often spending time chasing entry leads that resulted in nothing more than short paragraphs and remarks from Congress people. Two bibliographic sources were especially invaluable in helping me establish a timeline of significant paperwork reduction events: Chapter 8 of the *United States Government Information* text book, and the Commission on Federal Paperwork's *History of Paperwork Reform Efforts*.

Another component of the research methodology was to focus my thesis. The paperwork reduction acts have had an incredible amount of influence on all types of legislature. In turn, the acts themselves have been also been shaped by numerous existing statutes. I decided to adhere to my original interest in the acts – the social characteristics and impacts of the acts on federal agencies and on U.S. citizens. I restricted my final collection of bibliographical resources to those documents which explicitly depicted how

Congress recognized problems caused by paperwork burdens, how it prioritized problem-solving initiatives, and what the “human” effects were of its successes and failures.

War and Economic Crisis

The advent of world war and wide-scale economic depression caused extreme upheaval in the functions of the United States government. New federal agencies were being created almost on a daily basis to contend with the issues caused by war and financial crisis. These agencies adopted the usual federal strategies of collecting statistical information from citizens in order to identify the scope of the problems, as well as to pinpoint who exactly was being adversely affected. In addition to economic problems, agencies also had to track production statistics for the war effort.

It was not long before Senators and House Representatives began reporting to Congress their constituents’ concerns regarding the overwhelming paperwork burdens imposed by federal agencies. Furthermore, federal agencies themselves were reporting major problems with tracking, processing, and managing exceedingly massive quantities of paperwork.¹

1939 Central Statistics Board Report

In 1938, the Central Statistical Board was solicited by President Franklin Roosevelt to produce a report measuring paperwork burdens. He was specifically interested in the “number of financial and other statistical reports and returns regularly required from business and industry and from private individuals by agencies of the Federal Government under existing law, and the authority under which each is collected;

¹ *History of Paperwork Reform Efforts*. A Report of the Commission on Federal Paperwork. July 29, 1977. pp. 1-2, 14-15, 24-25.

specific indications of the extent and kinds of duplication existing among them, and the diversity of the accounts and records which they necessitate.”²

Although the purpose of the study was to analyze paperwork burdens on all citizens, the actual methodologies of the studies focused on small businesses, unregulated larger businesses, and federal agencies. The Board found a large instance of information duplication, particularly with financial and tax figures. For example, a typical small business had to report its annual payroll costs on 12 different federal forms per fiscal year.³

The Board also studied the information records businesses and agencies kept for their own purposes, as well as the information collection requirements of the government. For instance, some Federal agencies, such as the Bureau of Labor Statistics and the Bureau of the Census, required separate payroll statistics for manual workers and non-manual workers.⁴ Many employers did not keep this information, so it became a burden to calculate these figures for the government. Furthermore, the Board found that some of these employers could not take the time to accurately figure out the separate payroll numbers, so if their numbers were found to be inaccurate by a Federal agency, the business owner could then be penalized for fraudulent information.

² “Letter from President, May 16, 1938.” p. ix. *Report of the Central Statistics Board: Message from the President of the United States Transmitting a Report of the Central Statistic Board on Returns Made by the Public to the Federal Government*. January 10, 1939. 76th Congress. 1st Session. Reprinted in *House Miscellaneous Documents*, Volume 1. House Documents 1-209, with exceptions. 76:1. H. Doc. 27. GPO, Washington, DC: 1939. pp.1-37.

³ *Report of the Central Statistics Board: Message from the President of the United States Transmitting a Report of the Central Statistic Board on Returns Made by the Public to the Federal Government*. p. 2 January 10, 1939. 76th Congress. 1st Session. Reprinted in *House Miscellaneous Documents*, Volume 1. House Documents 1-209, with exceptions. 76:1. H. Doc. 27. GPO, Washington, DC: 1939. pp.1-37.

⁴ *Ibid.*; p. 22

Recommendations of the Central Statistics Board included: allowing agencies to continue to directly collect the information they needed, yet appointing some central agency to recognize and decrease duplication; having federal agencies examine their legal bases for reporting and information collection, and ensuring that they did not conflict with other agencies or contribute to further paperwork duplication; and mandating official hearings before the President of the United States for federal agencies that claimed they could not avoid duplication. The Board also stressed the importance of confidentiality and privacy rights of citizens, which should always take priority over duplication.

1941 Senate Report

A year later, the Senate Special Committee to Study Problems of American Small Businesses released a condensed version of the Central Statistics Board survey, along with a framework for a federal reports act, and 30 pages of testimonies about federal paperwork burdens from American small business owners. Not only did Federal information requirements add to business operational expenses, they were also “sapping” the time of small business owners and managers. This was because smaller companies could not afford to hire clerical staff, which meant that owners and managers were spending their time completing federal forms. One business owner, who employed only two other employees, reported that 33.34% of his office labor overhead was spent on fulfilling federal information requests.⁵

⁵ *Small Business Problems*. Report of the Special Committee to Study Problems of American Small Business. Pursuant to Senate Resolution No. 298. A Resolution to Appoint a Special Committee to Study and Survey Problems of Small Business Enterprises. June 26, 1941. S. Rept. 479. 77th Congress. 1st Session. Reprinted in Senate Miscellaneous Reports Volume III. GPO, Washington, DC: 1941. pp. 1-79.

The report also included an additional 30 pages of letters from heads of administrative federal agencies. The letters were in response to the Committee's solicitations for opinions about the possibility of a central agency in charge of all information collection efforts and statistics. Most respondents agreed that there should be a central agency in charge of overseeing information collection in order to identify duplications, but the agency should not have the authority to determine information needs and methods for collection. Almost all respondents felt that the Central Statistics Bureau was best prepared to fulfill the role of the proposed central agency.

Federal Reports Act of 1942

On Christmas Eve, 1942, President Roosevelt signed into law the first official paperwork reform legislature, the Federal Reports Act of 1942 (56 Stat. 1078) (Public Law 77-831). The purposes of the Act were to “coordinate Federal reporting services, to eliminate duplication and reduce the cost of such services, and to minimize the burdens of furnishing information to Federal agencies.”⁶ The Director of the Bureau of the Budget (and not the Central Statistics Board) was granted the authority to validate and authorize clearance of information needs of federal agencies; review and approve information collection methods; establish a central information collection agency, if necessary; and authorize the distribution of information from one federal agency to other federal and non-federal entities. Most importantly, the Act designated the Director as the authority figure in determining which information needs were duplicated between agencies, and how these duplications should be consolidated to ease paperwork burdens

⁶ *Federal Reports Act of 1942*. Section 1. Public Law 77-831. 56 Stat. 1078. 77th Congress, 2nd Session. December 24, 1942. Reprinted in *United States Statutes at Large*. Volume 56: Part I – Public Laws. GPO, Washington, DC: 1942.

during information collection. The Director was free to institute rules and regulations that would support the implementation of the Act, as well as enforce penalties against agencies that failed to comply.

Additionally, the Act protected private information rights of citizens, including bank reports and income tax returns, by establishing penalties for “unlawful disclosure of information.”⁷ Congress was most concerned with protecting competitive business information for small business owners. However, instead of designating specific types of private information that could not be disclosed, the Act instead awarded a blanket exemption to the Bureau of Internal Revenue. There were similar complexities with privacy, information needs, and information collection within the Bureaus of Public Debt and Accounts, as well as within the Treasury Department, so these agencies were likewise awarded exemptions from the Act.

An important fact was overlooked, though: “tax and financial reporting...constituted over half of all public reporting.”⁸ These exemptions evolved into one of many problems that would plague the implementation efforts of the Federal Reports Act for the next 38 years. The Bureau of the Budget itself would become another problem.

⁷ *Ibid*; Section 4.

⁸ *Reducing Federal Paperwork: 1980-1983*. p. 1. A Report to Congress Under the Paperwork Reduction Act of 1980. Executive Office of the President. Office of Management and Budget. January 1984. Also, pp. 2-3 of the *Report of the Central Statistics Board: Message from the President of the United States Transmitting a Report of the Central Statistic Board on Returns Made by the Public to the Federal Government*. p. 2 January 10, 1939. 76th Congress. 1st Session. Reprinted in *House Miscellaneous Documents*, Volume 1. House Documents 1-209, with exceptions. 76:1. H. Doc. 27. GPO, Washington, DC: 1939. pp.1-37.

1957 House Report⁹

In 1956 and 1957, the House Subcommittee to Study Federal Printing and Paperwork released two major paperwork reports that evaluated the implementation efforts of the Federal Reports Act of 1942.

In Part 1 of the report, the Subcommittee reported that the Director of the Bureau of the Budget was having a difficult time fulfilling assigned paperwork reform provisions. One problem was, due to the exemptions allowed by the 1942 Act, some other agencies felt that their information collection needs should likewise be exempt. As a result, the Director was experiencing numerous problems with clearing information requests and reviewing information collection forms in order to identify duplications. In essence, the authority of the Director was constantly being questioned by more powerful agencies that acted uncooperatively towards regulations they felt infringed upon necessary information collection needs.

Another problem was retrospective and current records management. Some federal agencies found that inordinate amounts of time was spent on maintaining records, analyzing data, and resolving duplication issues. The Subcommittee discovered that there were actually very few standards and guidelines established to guide common records management practices. As a result, different agencies had a variety of inconsistent methods and rules for recording information needs and justifications.

Additionally, since the Director was solely responsible for clearing agencies' information requests, there was a serious backlog in release allowances. Many agencies

⁹ *Paperwork Management and Printing Facilities in the United States Government: Part 1 – Forms Management*. Subcommittee to Study Federal Printing and Paperwork of the Committee on House Administrations. 84th Congress. 2nd Session. House Report No. 2945. GPO, Washington, DC: July 26, 1956.

were frustrated by these delays, and consequently continued to collect unauthorized information.

The Subcommittee recommended significant changes that seemed to have potential for eliminating many of the problems. First, they suggested that officials from large federal agencies who had a successful history of working with large quantities of paperwork, identifying duplication, and reducing paperwork in relation to information collection, should act as consultants and advisors in directing paperwork reduction implementation efforts. Two of these agencies included the Department of Defense and the Division of Organization and Personnel. Also, the General Services Administration had proved to be an excellent leader in guiding federal agencies for civilian services in recognizing and eliminating duplication. In other words, Congress should take advantage of the experts who had already successfully fulfilled the provisions of the 1942 Act, instead of relying on the overextended Bureau of the Budget.

Another recommendation was that the National Archives and Records Service should be granted immediate authority status in establishing and enforcing standards and methods for consistent record management practices. Although this would not solve the problems with historical records, it would at least be effective in getting federal agencies “on the same page” from that point forward.

Lastly, the Subcommittee recommended that existing statutes guiding information collection practices for federal agencies should be examined and amended to improve paperwork reform efforts. The committee was especially concerned about the amount of allowable duplicated financial information burdens imposed on citizens by the Internal Revenue Service and the Treasury Department.

Despite the Subcommittee's findings and potentially effective recommended remedies, little was changed in paperwork legislature to alleviate burden and disorganization. In fact, despite subsequent reports, hearings, and studies, it would not be until almost 40 years later when Congress would finally pass a second law addressing paperwork issues.

The Paper People Experiment

In 1960, the Bureau of the Budget invited 25 other Federal agencies, including the Departments of Agriculture, Education, and Labor, to conduct an evaluation of current information management practices from 1950 to 1960. The Bureau and the other agencies identified 1100 items¹⁰ consisting of strengths, weaknesses, and suggestions for improvement in regards to these current practices. A few selected items from the list of 1100 were then presented as a progress report to the President. The Bureau included "paperwork simplification" as a priority item in this report. Examples of successful "thinning out" of federal paperwork included \$50,000 saved by the Treasury Department for simplifying customs forms; \$275,000 saved by the Internal Revenue Service solely as result of "the revision of the 'Notice of Adjustment' form;" and \$5 million saved by the Post Office in "streamlining money order forms." Furthermore, the overall reduction of federal paperwork from 1950 to 1960 freed up 5 million square feet of space, thereby saving the government over \$7 million a year that would normally be used for filing cabinet purchases, and for the salaries of file clerks and typists.¹¹

¹⁰ *Management Improvement in the Executive Branch: A Progress Report.* Bureau of the Budget. Executive Office of the President. May 1961. p. 3.

¹¹ *Ibid.*, p. 38.

The Bureau considered the carefully chosen list of paperwork simplification efforts to be so successful that it suggested that federal agencies should adopt similar *work* simplification techniques, as well. For example, by searching for “simpler and cheaper” ways to do work, the Bureau of Customs was able to reduce its labor force by 18%, even though its remaining employees experienced a 90% increase in workload. The Immigration and Naturalization Service reduced its immigrant investigative force by 60%. The IRS work force decreased by 6%, yet was handling one million more tax forms since 1953.¹²

In these cases, the cut-and-dry techniques used to reduce paperwork were applied in a likewise cut-and-dry manner to human employees. There was no mention of potential morale problems for employees who were expected to take on heavier workloads, and it does not seem likely that federal agencies used their financial savings to compensate these employees. There was no discussion about the quality of work produced, or possible repercussions of reduced positions, such as, namely, potential future national security problems because of backlog in the Immigration and Naturalization Service.

Commission on Federal Paperwork

In December of 1974, Public Law 93-556 was passed to establish a Commission on Federal Paperwork. The Commission was in response to Congress finding once again that “unprecedented” federal paperwork requirements were continuing to burden “private citizens, recipients of Federal assistance, business, government contractors, and State and

¹² *Ibid.*, p. 40.

local governments.”¹³ The Commission was expected to work with federal agencies to determine the validity of information needs, information collection and dissemination processes, and information management. Afterwards, a report of the findings would be presented to Congress.

During the next three years, the Commission would actually produce a great number of reports that studied paperwork burdens on all aspects of government operations. Some of the report titles include *History of Paperwork Reform Efforts*, *Impact of Federal Paperwork on State and Local Governments: An Assessment by the Academy for Contemporary Problems*, *The Reports Clearance Process*, *Information Resources Management*, and *Records Management in Federal Agencies*. In 1977, a *Final Summary Report*¹⁴ was issued, which identified common paperwork problems across all agencies, as well as presented recommendations for improved paperwork practices. The common paperwork problems sounded familiar – numerous instances of duplicated information collection; failures of the Office of Management and Budget (OMB; formerly known as the Bureau of the Budget); lack of cooperation between federal agencies; as did the proposed recommendations - distribution of OMB responsibilities to more experienced heads of federal agencies; establishment of standards for information collection methods; hearings and penalty enforcement for instances of duplication.

¹³ *A bill to establish a Commission on Federal Paperwork*. Public Law 93-556. December 27, 1974. 93rd Congress. 1st Session. Summary from <http://thomas.loc.gov>.

¹⁴ *Final Summary Report*. A Report of the Commission on Federal Paperwork. October 3, 1977.

Paperwork Reduction Act of 1980¹⁵

In December of 1980, almost 40 years after the Federal Reports Act, the Paperwork Reduction Act of 1980 was passed. Its purpose: “To reduce paperwork and enhance the economy and efficiency of the Government and the private sector by improving Federal information policymaking, and for other purposes.” Although this purpose statement was less specific and more vague than that of the 1942 Act, the provisions in the Act did make strong efforts to provide explicit, *quantifiable*, and detailed methods and *timelines* for overseeing and achieving paperwork efficiency, less duplication of information solicitations, and more cooperation between federal agencies. The methods for quantifying progress and the timelines offered for direction, provided important measures for accountability, which were absent from the 1942 Act.

On the other hand, despite the codified Paper Reduction Act of 1980 being considerably more specific and lengthier than the Federal Reports Act of 1942, practically all of its provisions duplicated those established by its predecessor. These provisions reflected the same 1942 issues that still remained unresolved almost 40 years later: paperwork burden; debate over the establishment of a central collection agency; determination of the validity of information requirements; recognition and resolution of duplicated information collection; lack of efficiency; and high economic costs. Worse, authority for the enforcement of the Act was re-extended to the Office of Management and Budget, despite its glaring lack of success and history of incompetence.

¹⁵ *Paperwork Reduction Act of 1980*. Public Law 96-511. 94 Stat. 2812. 96th Congress. 2nd Session. December 11, 1980. Reprinted in United States Statutes at Large. Volume 94: Part 3. GPO, Washington, DC: 1996.

In defense of the OMB, it is important to keep in mind that Congress ignored the recommendations of various Senate and House committees to designate the Central Statistics Board as the overseeing information collection authority. Congress instead decided to appoint an agency that was already overburdened and overextended with its normal responsibilities. In the 1980 Act, Congress pointed out that a special office within the OMB - the Office of Information and Regulatory Affairs (OIRA) – had been created for the sole purpose of working on the provisions of the Act, but sections 3504 and 3505 of the Code made it clear that the Director of the OMB was still responsible, and therefore would be held accountable, for the enforcement and the success of the provisions, including clearing information needs, identifying and resolving duplication, and acting as a liaison between federal agencies with similar information needs.

The 1980 Act did step into entirely new territory: it included the first formal provision for automatic data processing (ADP) as related to paperwork reduction efforts. Although the ADP provision listed in section 3501 is brief, general, and tentative, it would act as a predecessor for future paperwork reform efforts, as well as for future paperwork reform problems: “To ensure that automatic data processing and telecommunications technologies are acquired and used by the Federal Government in a manner which improves service delivery and program management, increases productivity, reduces waste and fraud, and, wherever practicable and appropriate, reduces the information processing burden for the Federal Government and for persons who provide information to the Federal Government.”¹⁶

¹⁶ *Ibid.*, opening purpose statement.

Elimination of Publications “Acts”

On the heels of the Paper Reduction Act of 1980, the OMB released Bulletin 81-16: “Elimination and Consolidation of Government Periodicals and Recurring Pamphlets,” in 1981. Pursuant to the bulletin, federal agencies had to cease all printing of new periodicals and pamphlets, “develop an internal control system plan to be reviewed and approved by OMB, for controlling the future production of publications,” and then report to OMB the resulting “funding reductions.”¹⁷ Unfortunately, according to the OMB’s 1983 analysis and report on the “Eliminations, Consolidations, and Cost Reductions of Government Publications,” most agencies did not have an inventory of all of the periodicals and pamphlets they published, nor did they have the time to create an itemized “internal control system plan” for OMB. In response to the agencies’ lack of response, OMB then released a supplement to Bulletin 81-16, instructing all agencies to: list biographical information for each publication; reapply each publication for clearance status and dissemination approval from OMB; and report potential financial savings for discontinuing publications. Even OMB admits that the “compilation of this proved to be difficult and time-consuming for many agencies”.¹⁸ Here are just a few steps in the compilation process:

- Agencies had to form new review boards to review publications;
- Review boards had to develop criteria for eliminating publications;
- Agencies had to create itemized inventories, formatted to OMB’s specifications;
- OMB collected the inventories, and then immediately returned them back to agencies so that a second inventory of reductions could be completed; and

¹⁷ *Management Improvement in the Executive Branch: A Progress Report*. Bureau of the Budget. Executive Office of the President. May 1961. p.1.

¹⁸ *Ibid.*, p. 2.

- OMB then “transferred” final inventories into a computer, created one printed version, and distributed that version to all agencies, so that they could review their particular sections for errors and omissions.

On one hand, there were a few benefits that resulted from OMB’s project. Agencies were able to inventory all of their publications, and identify duplications in content, as well as potential areas for consolidation. There is also no evidence that OMB directed certain publications to be discontinued, or that agencies were given quotas to fulfill, so it can be assumed that agencies had autonomy in determining which of their own publications should be eliminated.

On the other hand, though, OMB was already spotting potential problems. From an ADP standpoint, many agencies had to create a totally different data system to capture the information the OMB was soliciting. In other cases, some agencies decided not to identify their publications as either periodicals or pamphlets, thereby avoiding potential eliminations. Other agencies claimed that continuation of their publications was ensured by existing statutes. OMB was not able to confirm these statutes, but it suspected that the statutes may have *authorized* publications, but they did not necessarily *require* publications to exist.¹⁹ Most recently, the American Library Association’s Government Documents Roundtable reported that OMB’s Bulletin 81-16 “resulted in massive curtailment of the executive agencies’ publications of government books, pamphlets, periodicals, and films, a few of which have been turned over to commercial publishers at much higher rates to the purchasers.”²⁰

¹⁹ *Ibid.*, p. 6.

²⁰ *GODORT Resolution on Restrictions on Access to Government Information*. (82.07.14 #80). American Library Association. Government Documents Roundtable. Revised March 2001. Accessed from: <http://sunsite.berkeley.edu/GODORT/resolutions/82071479.html> .

Paperwork Reduction Reauthorization Act of 1986²¹

In 1986, the Paperwork Reduction Act of 1980 was “quietly” amended and became the Paperwork Reduction Reauthorization Act of 1986. By “quietly,” it is meant that the 1986 Act was not an independent act, but a Title included in the much larger Appropriations Act of 1986, Public Law 99-591. The amendments consisted mainly of minor changes, such as in timeline dates and wording of statements, but with the exceptions of two significant changes.

First, an Administrator from OIRA was appointed by the President of the United States to assume many of the responsibilities originally assigned to the Director of the OMB. Although the Director was still ultimately responsible and accountable for the results of the Administrator’s efforts, the burden of work would fall upon the Administrator.

Second, even the automatic data processing provision still remained brief and unspecific, there was an interesting addition. Besides the purposes of ADP set forth in the 1980 Act, data processing should now also “improve the quality of decision making.”

Paperwork Reduction Act of 1995²²

In May of 1995, Congress passed the Paperwork Reduction Act of 1995. Once again, the provisions are similar to both those of the 1980 Act and the Federal Reports Act of 1942, but there are also new additions. Furthermore, there is a distinctly different

²¹ *Paperwork Reduction Reauthorization Act of 1986*. Title VIII of Public Law 99-591. 100 Stat. 2241-335. 99th Congress. 2nd Session. October 30, 1986. Reprinted in *United States Statutes at Large*. Volume 100: Part 4. GPO, Washington, DC: 1986.

²² *Paperwork Reduction Act of 1995*. Public Law 104-13. 109 Stat. 163. 104th Congress. 1st Session. May 22, 1995. Reprinted in *United States Statutes at Large*. Volume 109: Part 1 – Public Laws. GPO, Washington, DC: 1995.

“tone” to the purpose statement of the 1995 Act: “To further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.” In section 3501, “the greatest possible public benefit” becomes the second most important priority under paperwork reduction, while government financial savings, which was the second priority in the 1980 Act, is now listed as the fifth priority. The Paperwork Reduction Act is no longer just about the reduction of a burden; it is now a vehicle through which the government can practice customer service and gain public trust.

The provision statements for “information technology”- the terminology that has replaced “automatic data processing” - is fleshed out substantially. New priorities include “the dissemination of public information on a timely basis...that makes effective use of information technology;” computer security; public accessibility to information; and new information technology acquisitions. The definition of “public burden” is expanded to include “acquiring, installing, and utilizing technology and systems” and “searching data sources.” There is also the introduction of new vocabulary terms, such as “information resources management” and “information system.”

The Director of the OMB and OIRA are still in charge of overseeing and enforcing the 1995 Act, but their duties and responsibilities are substantially integrated with information technology. A major portion of the Director’s tasks is creating information technology and records management standards, guidelines, and policies. The Director is expected to consult with the Director of the National Institute of Standards

and Technology, and the Archivist of the United States. The Director must also ensure that all information technologies adhere to the Computer Security Act of 1987.

Additionally, in section 3506, “Federal agency responsibilities” increases from four brief provisions in the 1980 Act to seven extremely detailed provisions in this current Act. There are three significant changes. First, although the Director of the OMB is still responsible for all provisions, heads of federal agencies must accomplish many of the Director’s tasks within their federal agencies. These tasks include verifying and clearing information needs and collection practices, identifying and reducing duplication, and adhering to any existing statutes, such as privacy laws.

Second, there is, again, an emphasis on customer service. Federal agencies must provide information in response to public requests (as applicable by law) in a timely fashion. When collecting information, federal agencies must make collection methods (i.e. questionnaires, forms, worksheets) as clear and easy to understand as possible. (In section 3501, “reviewing instructions” is also a term of public burden.) Furthermore, in order to ensure that federal agencies are practicing the best customer service methods, they must also solicit customer feedback

Finally, heads of federal agencies are also in charge of similar information technology and management tasks as the Director of the OMB, including computer security and technology standards. They are also responsible for keeping current with new information technologies, promoting information technology use, and initiating legislature to “improve technology practices.”

Present Status of Paperwork Reform Efforts

In 1998, Congress passed the Government Paperwork Elimination Act (GPEA) as Title XVII under the Appropriations Act of 1998 (Public Law 105-277, 112 Stat. 2681-750). Surprisingly, with the exception of a minor phrase change to section 3504 of the Paperwork Reduction Act of 1995, the GPEA does nothing to amend the 1995 Act, nor does it address any of the paperwork burden issues. In fact, it assigns an additional task to the Director of the OMB: the responsibility of researching, integrating, and ensuring the operability of electronic signatures²³, a method of allowing federal paperwork to be completed electronically in a safe and non-fraudulent environment.

In 2003 and 2004, there were statements from Congress people calling for additional studies, hearings, and reports, to investigate the present status of paperwork burden for the purpose of creating new amendments to the Paperwork Reduction Act of 1995. The last entry appears in the May 18, 2004, edition of the *Congressional Record*. It is a speech from Minnesota House Representative Betty McCollum.

Judge McCollum claims that the paperwork restrictions enabled by the 1995 Act is distorting information collection and the public release of data related to environmental matters. She fears that the 1995 Act is being used to further the anti-conservative agenda of the Bush Administration²⁴. Interestingly, history repeats itself in Judge McCollum's speech. Similar arguments had been presented during the enactment hearings for the

²³ Government Paperwork Elimination Act. Sections 1701-1710. Title XVII of Public Law 105-277. 112 Stat. 2681-750. 105th Conference. 1st Session. Accessed from <http://www.gpoaccess.gov>.

²⁴ Speech of Honorable Betty McCollum. Remarks in House, Tuesday, May 18, 2004. Reprinted in *Congressional Record*, Volume 150, No. 70. 108th Congress. 2nd Session. GPO: Washington, DC: June 2, 2004.

Federal Reports Act of 1942, where some members of Congress claimed that the Act would further the “New Deal” agenda of President Roosevelt.

Conclusion

The greatest cause of the social failures of the paperwork reduction efforts is due to the historically consistent lack of proactive attention towards the current concerns and needs of United States citizens. Every paperwork act has been a delayed reaction to situations that have been present for a considerable amount of time, and therefore have grown into insurmountable problems that cannot be solved by one document of legislature. For instance:

- Statistical and data collection problems first starting gaining attention at the start of World War I, yet Congress does not address these issues until almost 20 years later in 1942;
- It is immediately obvious that the Bureau of the Budget cannot handle the significant number of tasks assigned to it by the 1942 Act, yet not only is the Bureau not relieved of its workload, it actually receives even more responsibilities in the Paperwork Reduction Acts of 1980 and 1995;
- Senate and House Committees were conducting studies and reports on automatic data processing opportunities as early as 1965, yet ADP provisions are not officially incorporated into paperwork reform efforts until 1980; and
- During the Vietnam War years, Congress was finding evidence of severe public distrust in and dissatisfaction with the United States government, yet it is not until the 1995 Act that Congress finally addresses “customer service” concerns.

Finally, the fact that paperwork burden problems in 1942 are still the same exact paperwork burden problems in 2004 should be evidence enough for Congress to recognize that paperwork reduction legislature has been grossly inadequate.

A significant contribution to both paperwork burden and duplication is largely due to federal agencies’ collection of information and data from citizens who themselves would not normally keep track of those kinds of information and data because it is

irrelevant. As a result, special technological accommodations, and increased time and effort must be spent on recording information that only federal agencies find valuable.

Federal agencies exist to ensure the smooth operation and functionality of the United States on behalf of its citizens. Instead of forcing the public to accommodate the needs of the government, the government should instead re-evaluate its own information needs, and consider that if certain data does not improve the lives of citizens, then it most likely is not going to improve the function of government.

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