

OFFICE OF MANAGEMENT AND BUDGET

Office of Information and Regulatory Affairs

Supporting Statement- Information Collection Request

OMB Control 0348-0065

Information Collection Request Title:

Information on Meetings with Outside Parties Pursuant to Executive Order 12866

- 1. What are the circumstances that make this collection of information necessary, and what legal or administrative requirements necessitate the collection?*

Executive Order 12866, "Regulatory Planning and Review," issued by President Clinton on September 30, 1993, establishes and governs the process under which OIRA reviews agency draft and proposed final regulatory actions. Consistent with the disclosure provisions of Executive Order 12866, OIRA provides information about its work related to regulatory reviews on Reginfo.gov at www.Reginfo.gov and on OIRA's website at <https://www.whitehouse.gov/omb/oira>. OIRA makes public all substantive communications with any party outside the Executive Branch concerning regulatory actions under review. If the OIRA Administrator or his/her designee meets with outside parties during a review, the subject, date, and participants of the meeting are disclosed on the Reginfo.gov website, as well as any materials distributed at such meetings.

These meetings occur at the initiative and request of an outside party. Any member of the public may request a meeting about a regulatory action under OIRA review, and may invite other outside parties to attend. OIRA's role in these meetings is limited to listening to feedback on the regulation under review. OIRA always invites representatives from the agency or agencies issuing the regulatory action. OIRA and agency staff may ask clarifying questions, but do not take minutes. OIRA does, however, post on RegInfo.gov any written materials provided by outside parties, including the initial meeting request.

To ensure transparency associated with meetings pursuant to Executive Order 12866, OIRA will collect—and then post publicly—the following information, which outside parties must provide, to request a meeting with OIRA to present their views on a regulatory action currently under review:

1. Name of the organization requesting the meeting.
2. Name of the organization's client or who the organization is representing at the meeting (if applicable).
3. The name of the regulatory action on which the party would like to present its views.
4. The Regulatory Identification Number (RIN) of the regulatory action on which the party would like to present its views.

When outside parties arrive for their meeting with OIRA they will then need to provide the following information in-person:

1. The full names of all attendees present at the meeting, and for each attendee:
 - a. the name of the organization each attendee is affiliated with; and
 - b. the attendee's client or who the attendee is representing (if applicable).

2. Copies of all briefing materials used during the presentation that will be given to OIRA for consideration.

All information submitted to OIRA pursuant to this collection will be made publicly available at Reginfo.gov.

This effort extends the current information collection that streamlined the process for outside parties when requesting a meeting and will ensure transparency and accuracy of the docket that OIRA keeps in accordance with the disclosure provisions of Executive Order 12866. OIRA welcomes any and all public comments on the proposed collection of information such as the accuracy of OIRA's burden estimate, the practical utility of collecting this information, and whether there are additional pieces of information that should be collected from meeting requestors to further the disclosure provisions of Executive Order 12866.

2. *How, by whom, and for what purpose is this information used?*

The information collected will be used to schedule Executive Order 12866 meetings, populate the meeting calendar on reginfo.gov, and be published on OIRA's docket of Executive Order 12866 meetings on reginfo.gov in accordance with the disclosure provisions of Executive Order 12866.

3. *To what extent does this collection of information involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology? What consideration is given to use information technology to reduce burden?*

This is an electronic collection, accessible through RegInfo.gov. Additionally a paper version of the collection will be presented to attendees to fill out during the actual meeting in order to confirm attendance.

4. What efforts are used to identify duplication? Can similar information already available be used or modified for use for the purposes described in Item 2 above?

The information in this collection does not exist anywhere else, nor does information that would serve the same purpose. OIRA is the only Federal party that keeps a docket of Executive Order 12866 meetings with outside parties.

5. If this collection of information impacts small businesses or other small entities, what methods are used to minimize burden?

This collection will not uniquely impact small businesses or other small entities.

6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?

This collection is conducted before and during each Executive Order 12866 meeting to ensure the accuracy and transparency of the docket that OIRA keeps in accordance with the disclosure provisions of Executive Order 12866. Less frequent collection of this or similar information would impact OIRA's ability to comply with those provisions.

7. Are there any special circumstances associated with this information collection that would require it to be conducted in a manner inconsistent with OMB guidelines?

There are no special circumstances associated with this information collection.

8. What effort was made to notify the general public about this collection of information? Summarize the public comments that were received and describe the action taken by the agency in response to those comments.

To notify the general public about this collection, OIRA posted a 60-day comment request notice for this information collection in the Federal Register on May 2, 2022. OIRA did not receive any comments on this information collection.

9. Was any payment or gift given to respondents, other than remuneration of contractors or grantees? If so, why?

No payment or gift is associated with this collection.

10. What assurance of confidentiality was provided to respondents, and what was the basis for the assurance in statute, regulations, or agency policy?

No assurance of confidentiality will be provided to respondents. All information will be posted publicly in accordance with the disclosure provisions of Executive Order 12866.

11. What is the justification for questions of a sensitive nature? If personally identifiable information (PII) is being collected in an electronic system, identify the Privacy Impact

Assessment (PIA) that has been conducted for the information collected under this request and/or the Privacy Act System of Records notice (SORN) issued for the electronic system in which the PII is being stored.

This information collection contains no questions of a sensitive nature. Further, respondents are informed that all data will be posted publicly. No Privacy Impact Assessment (PIA) or System of Records Notice (SORN) is required for this collection.

12. *What is the estimated hour burden of this collection of information?*

Expected average annual number of respondents: 300

Average annual number of responses per respondent: 2

Total number of responses annually: 600

Burden per response: 15 minutes

Total average annual burden: 150 hours.

OIRA solicited but did not receive public feedback on the estimated hour burdens. The numbers above are OIRA's preliminary estimates, and are subject to some uncertainty. The number of responses will vary slightly based on the number of Executive Order 12866 meeting requests OIRA receives, and the 15 minute burden per response may vary dependent on the number of persons expected to attend and the amount of documents submitted.

13. *What is the estimated annual cost burden to respondents or record keepers resulting from this information collection request (excluding the value of the hour burden in Question 12 above)?*

There is no cost burden to respondents or record keepers associated with this collection beyond the hour burden listed in Question 12.

14. *What is the annualized cost to the Federal Government?*

The majority of costs will be due to the processing of meeting requests by Senior Administrative Staff. Using a representative wage rate of \$35 per hour at 15 minutes per meeting, it is estimated it will cost the Federal Government $\$35 \times .25$ (1/4 an hour) $\times 600$ meetings a year, which equals \$5250 annually.

15. *What is the reason for any program changes or adjustments reported?*

Burden numbers have been updated to reflect more recent and accurate figures.

16. *Outline plans for tabulation and publication for collections of information whose results will be published.*

The information collected populates OIRA's docket of Executive Order 12866 meetings and calendar of prospective meetings. The docket and calendar are publicly posted at RegInfo.gov pursuant to Executive Order 12866 disclosure requirements.

17. *If seeking approval to not display the expiration date for OMB approval of this information collection, what are the reasons that the display would be inappropriate?*

OIRA will display the expiration date for OMB approval of this information collection.

18. *What are the exceptions to the certification statement?*

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.