

- *Incorporating identification elements into existing requirements.* Once a methodology for identifying which requirements apply to a small business is developed, all federal information collections will have to be updated to reflect it. Incorporating industry sector identification or other identification elements into requirements all at once would overwhelm most regulatory agencies. However, under federal law, agencies must update their information collection requests—that are associated with those requirements—every three years. There are currently over 8,000 approved information collections. OMB form 83–I could be modified to require the new identification element. The information could be updated in the Reports Management System database on a continual basis as the agencies' information collection requests are submitted. OMB's review help to ensure that all requests include identification elements and agency CIO review could help to ensure the accuracy of the information. In this way, the element (or elements) needed to specify applicability could be added to all information collections and housed in a searchable database within three years.

Note: While this effort could be completed in three years, it could still represent a significant workload for agencies that have to evaluate the applicability of their requirements.

Resources

- *Cost of system development.* To build a functioning profiler or "intelligent agent" that asks the user a number of questions and based on the answers takes one to the appropriate information collection requirement or compliance assistance tool will cost a minimum of \$200,000 for developing better accessibility to environmental, employment, taxation, and trucking regulations and compliance assistance information.

- *Cost of system operation and maintenance.* A system that enables users to identify applicable reporting and recordkeeping requirements must be operated and maintained continuously. The BCOS project should provide a basis for estimating the cost of operating and maintaining a more comprehensive system.

- *Staffing needs.* Building, operating, and maintaining a system that could provide a list of requirements will require staff from multiple agencies with reporting and recordkeeping responsibilities.

Options Considered

The Task Force identified and evaluated several federal resources that potentially could be used to generate a list of applicable requirements.

Existing Information Sources Related to Federal Paperwork and Regulatory Requirements

- The Paperwork Requirements Web site: <http://www.whitehouse.gov/omb/infocoll/infocoll.html>.

Managed by OMB; provides an inventory of current approved information collections; listed by agency; not searchable by business size or sector.

RISC/OIRA Consolidated Information System (ROCIS):

OIRA, working with GSA's Regulatory Information Service Center (RISC), is developing ROCIS. ROCIS will provide for electronic submission, review, and approval of information collections. It will also give the public the ability to see, via the Internet, what information collections agencies have submitted to OMB for review, and give the public the ability to comment electronically to OIRA about these information collections. The public will also be able to see precisely what is currently approved under the PRA.

ROCIS also collects basic information about the information collections. While the system will not be sophisticated enough to be able to determine the precise information collections with which a specific business must comply, there will be information about the regulatory provisions with which an information collection is associated.

OIRA intends for ROCIS to be in place before the end of 2003. However, because approvals under the PRA can be good for up to three years, ROCIS will not form a complete database of information collections approved under the PRA until 2006.

- The *Businesslaw.gov* Web site: <http://www.businesslaw.gov>.

Managed by SBA; provides access to a variety of tools and resources related to federal, state, and local requirements. At the federal level, it includes information about the federal regulatory process and access to the U.S. Code, Code of Federal Regulations, and **Federal Register**; offers plain English compliance assistance guides that can be used to help determine requirements.

- The Business Compliance One-Stop (BCOS): <http://www.businesslaw.gov>.

Managed by SBA and under development. Will allow small business sectors to identify what regulations apply to their operation, learn about how to comply, and find useful

compliance assistance resources. Initial focus is on providing compliance assistance resources and information. In the long-term, will enable users to identify the requirements that apply to their particular operation and complete transactions online. *Businesslaw.gov*, described in the preceding bullet, is one of the early accomplishments under this initiative, and will be the portal for offering these capabilities.

- The "Regulation.gov" Web site: <http://www.regulation.gov>.

Another E-Government initiative; Sponsored by OMB and maintained by GPO; allows searches of regulations by key words; allows businesses to provide comments on Federal regulations in development; and provides links to EPA, E-Gov, the **Federal Register** and FirstGov, which links to *Businesslaw.gov*.

Options (based on the evaluations above):

1. *OMB should publish a list of requirements applicable to small business.* OMB's Reports Management System database contains information about approved information clearance packages. The Web site does not list actual regulatory requirements, nor does it list specific reporting or recordkeeping requirements. The ROCIS tool now under development will enable OMB, other federal agencies, and the public to perform searches on this database. However, there are limitations to this database. Most agencies do not categorize their information collections by business size or type. If OMB required agencies to develop such information and added it to the database, one could search for the identifying information (at least as to the clearance packages that OMB had reviewed). Using the Code of Federal Regulations reference included in the database, users could then look up the underlying regulatory requirement. However, many reporting and recordkeeping requirements are not published in the Code of Federal Regulations. And, ROCIS could not include the interactive functions contemplated under BCOS—it would only be possible to include and search on simple categorization schemes such as industry sector. Additionally, although it would be certified by agency CIOs, information included in ROCIS would still be subject to the same issues of inaccuracy or incompleteness as the information currently reported on the 83–I form.

2. *Support the BCOS project team's efforts to develop an automated, interactive system that enables small businesses to self identify applicable requirements.* This system would