The [Program for Public Consultation](#) (PPC) at the University of Maryland School of Public Policy is submitting a letter to help improve the Federal Government's PPCE activities, by:

1. Providing educational tools for ordinary citizens to become informed on proposed regulations, evaluate arguments for and against, and finally submit their recommendation.

2. Using those tools to conduct a survey and get input from a representative sample of citizens

PPC is a nonprofit nonpartisan organization that has been researching public opinion on federal policy for over two decades; and has crafted a unique method of surveying representative samples of the public that ensures their opinions are informed by the facts and debates relevant to the policies being discussed in Congress and the Executive Branch.

You can contact Evan Charles Lewitus <elewitus@umd.edu> for further information about PPC, its methodology, and its research output.

The public comment and hearing system

The requirement for public comment and hearing has been one of the greatest steps forward in government responsiveness over the last century. PPC has submitted numerous comments and participated in hearings on CAFE standards, clean energy tax credits, and net neutrality rules, in which we shared the results of our national surveys of the general public on whether they favor or oppose the proposed policies. The process was straightforward and accessible, and PPC was grateful for the opportunity to share its public opinion research with authorities.

As a method of obtaining public input, the public comment and hearing system can be improved to obtain a more representative picture of public opinion and allow more of the general public to participate. The current methods have the following shortcomings that can be addressed:

1. Those who participate in the public comment periods and hearings are most often special interest groups, experts, those personally affected, and those who are highly politically involved. This group is rarely representative of the attitudes of the public at large and often has a personal stake in agency decisions.

2. Certain interests attempt to paint a picture of public support that is to their own benefit, by conducting biased polls and astroturfing public support. Because policymakers and agency officials do not have their own tools to determine public opinion on public policy, they are not in a position to evaluate these inputs effectively.

3. The material provided to the public to understand the nature of, and context for the proposed policies, is often inaccessible to an ordinary person, due to its length and technical language.

4. The recent influx of AI-generated responses has generated uncertainty about whether the public input obtained is reflective of actual people's opinions.
5. Some of the written comments are unrelated to the proposed policy, and thus require a time-intensive filtering process to obtain only the appropriate input.

6. An aggregation of the results of the comment periods and hearings, which would require a qualitative analysis, is not conducted, and would be difficult to carry out; and thus the agency, representatives, and the public (through the media) never learn the full results of the public consultation process.

PPC's public consultation methodology as a solution

PPC has been developing a public consultation methodology over the last two decades to capture informed, considered and representative responses to real federal policy proposals.

This methodology consists of:

- **Policymaking simulations**, which are online questionnaires in which participants are presented briefing material about a proposed policy and its context, evaluate arguments for and against, and finally make a decision as to whether they favor or oppose the policy. Their final recommendations can then be submitted to their representatives, along with additional comments about the issue or proposals. The material is written for the general public (i.e. 10-11th grade reading level), and is reviewed by experts on differing sides to ensure the material is accurate and balanced.

  These simulations can be ordinary citizens as a tool for civic education, or to provide clear and concise input to their representatives. Government officials can also use them to obtain public input that is directly connected to actual policies under consideration.

- **Public consultation surveys**, which use policymaking simulations that are fielded online to a representative sample of the population (national or otherwise). Standard survey methods are used to ensure representativeness (i.e. pre- and post-stratification) and authenticity (i.e. quality assurance checks).

Benefits of PPC's public consultation methodology

PPC believes its methodology would be a beneficial addition to the public comment and hearing processes in obtaining public input on proposed policies.

When a **policymaking simulation** is offered as part of the public comment periods and hearings for a proposed regulation:

- A broader and thus more representative array of people will be able to provide input, as the format (e.g. length, language) makes it more accessible to those without direct issue expertise.

- The input obtained is assured to be directly applicable to the proposal under consideration, because people's response options are limited to supporting or opposing the actual policies under consideration.

- Input will be better informed and less subject to misinformation as participants will be provided with accurate and balanced background information and the opportunity to consider competing arguments for and against the policies.

- Comments can also be collected within the survey through open-answer questions, after respondents have gone through the briefing and arguments; and thus qualitative material can be obtained that is more informed and applicable.

When a **public consultation survey** is conducted for a proposal:

- The input obtained will be from a representative sample of the public, rather than just advocates or the politically motivated,

- When the sample is large enough, it will be possible to pull out and effectively hear from marginalized groups that are often unheard in the public input process.

- There will be a far lower percentage of automatically-generated responses (i.e. from chatbots) than the standard public comment system, as they can be weeded out through contemporary quality assurance measures (e.g. inserting attention questions, speed tests, etc.)

- A clear summary of the results – whether a majority of the public favors or opposes the proposed policy – can be published and distributed throughout the agency, and shared with policymakers and the media.

Implementing PPC's public consultation methodology

Policymaking simulations
Crafting the policymaking simulations would require the expertise and labor time to curate and edit the material that was already written for the public comment, and the material recorded in public hearings. It is likely that survey crafting firms or experts would need to be hired or contracted.

The policymaking simulation would be programmed in online survey software, and a link to it would be made available on the Federal Register, as well as on the respective agencies' website. A new government platform could also be created as a repository for all policymaking simulations.

Public consultation surveys
If input from a representative sample is desired, the policymaking simulation would be fielded nationally to a representative sample, large enough to get reliable input from marginalized groups. In addition, the data would need to be cleaned, weighted and analyzed, which often takes a few days, or longer if a qualitative analysis is going to be conducted on any open-answer comments.

Due to the higher costs of fielding a national survey, doing so may be reserved only for proposed regulations that: 1) will have effects on the population at large; and 2) will be understandable to an

ordinary citizen if given the proper briefing material. For example, this could include proposed regulations for auto emissions, clean energy tax credits, net neutrality, or political campaign advertising.

Staff for implementation
Creating the policymaking simulation and fielding the survey would require staff with expertise in survey building and methodology. This staff could come from the Census Bureau which already has this expertise, or a new team could be hired to serve each agency on request. Professional surveying firms could also be contracted for this additional work, on a standing or ad hoc basis.

In addition to the costs of new staff or consultants, officials in each agency would also need to use their time to review the material to ensure it accurately reflects the policy proposals being considered, the background information being presented, and the arguments being made. From our experience, these staffing costs are not overwhelming and would be a cost-efficient way to get scientifically-backed and representative public input data for Federal agencies.

Success of the public consultation surveys

Dozens of public consultation surveys have been conducted by PPC on the national, state and district level over the last decade. The process and results of the survey have been well received by the general public, the media, Members of Congress and their staff, and officials in the Executive Branch.

Public consultation surveys have elicited meaningful inputs on complex policy issues, such as net neutrality and nuclear weapons policy, even from citizens with low educational levels. They have played a role in numerous Congressional policy debates, being cited on the floor of Congress and in hearings, and in press releases from Congressional committees and offices.

They have also found a surprising among of [bipartisan common ground](#). Over just the last eight years, public consultation surveys have revealed over 200 policy positions with majority support among both Democrats and Republicans.

PPC believes strongly that the public consultation survey methodology is one of the most effective ways to listen to the people as a whole, when it comes to their opinion on proposed policies: It is more representative than optional input opportunities (comments, hearings and town halls), the results are more informed and considered than standard polling, and its process is more time- and cost-efficient than other deliberative processes, such as citizen juries and assemblies.

Big idea: A Federal institute for public consultation

Obtaining public input in a manner consistent with the core principles of a representative democracy – over and above conducting elections – has been a problem for most nations. The American public feels that their government is not nearly as responsive as it should be, with polling consistently showing that the public does not feel heard or represented.
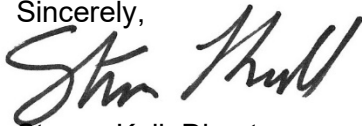
Establishing an independent national institute for gathering input from the public, that uses public consultation methodologies as well as other innovative democratic techniques, will provide several benefits:

- Give agencies and representatives the ability to reliably consult the public, as a whole, rather than rely on the input of those deeply invested in the issues

- Restore the social contract between the American people and their government by giving the American people the means to give meaningful and effective input on policy issues.

- Grow the emerging field of public consultation and apply its methods at the Federal level.

The growing field of deliberative and participatory democracy has developed methodologies that can capture public input that is a) representative of the population as a whole, and b) directly applicable to the policy questions at hand. These include PPC's methodology, citizen assemblies and juries, participatory budgeting, and [much more.](#)

Thank you for giving PPC the opportunity to share our recommendations for furthering public consultation and participation in the governing process. We hope to continue to work alongside federal agencies to improve representation and responsiveness, and give all the people a greater voice in their government.

Sincerely,

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