information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

Online Rulemaking: A Step Toward E-Governance

Robert Carlitz <rdc@info-ren.org>
Rosemary Gunn <rgunn@info-ren.org>

Information Renaissance
Pittsburgh, PA and Washington, DC

Universal Access Collaboration Expedition Workshop
March 4, 2003

information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

- Non-profit, established 1996
- **www.info-ren.org**
- Public sector Internet
- Infrastructure projects -- fiber and wireless
- Community-focused applications
- Public participation in government policy-making
  - Federal rulemaking
  - Online dialogues

information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

- Agencies develop general legislation, executive orders and other mandates into specific rules and regulations
- Essential component of our modern democracy
- Common features specified by the Administrative Procedure Act of 1946 and executive orders
- Forecast every six months in the Unified Agenda -- see **reginfo.gov**

information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

- Agency docket rooms were going online
- President's Management Agenda identifies online rulemaking as one of its 24 initiatives for E-government
- E-government Act of 2002 mandates government-wide, coordinated electronic dockets
- EPA as lead agency, working with several others on an initial system
- Public portal launched January 23, 2003 -- **www.regulations.gov** (Module 1)
- Government-wide system (Module 2)
- Analysis tools for regulation writers (Module 3)

information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

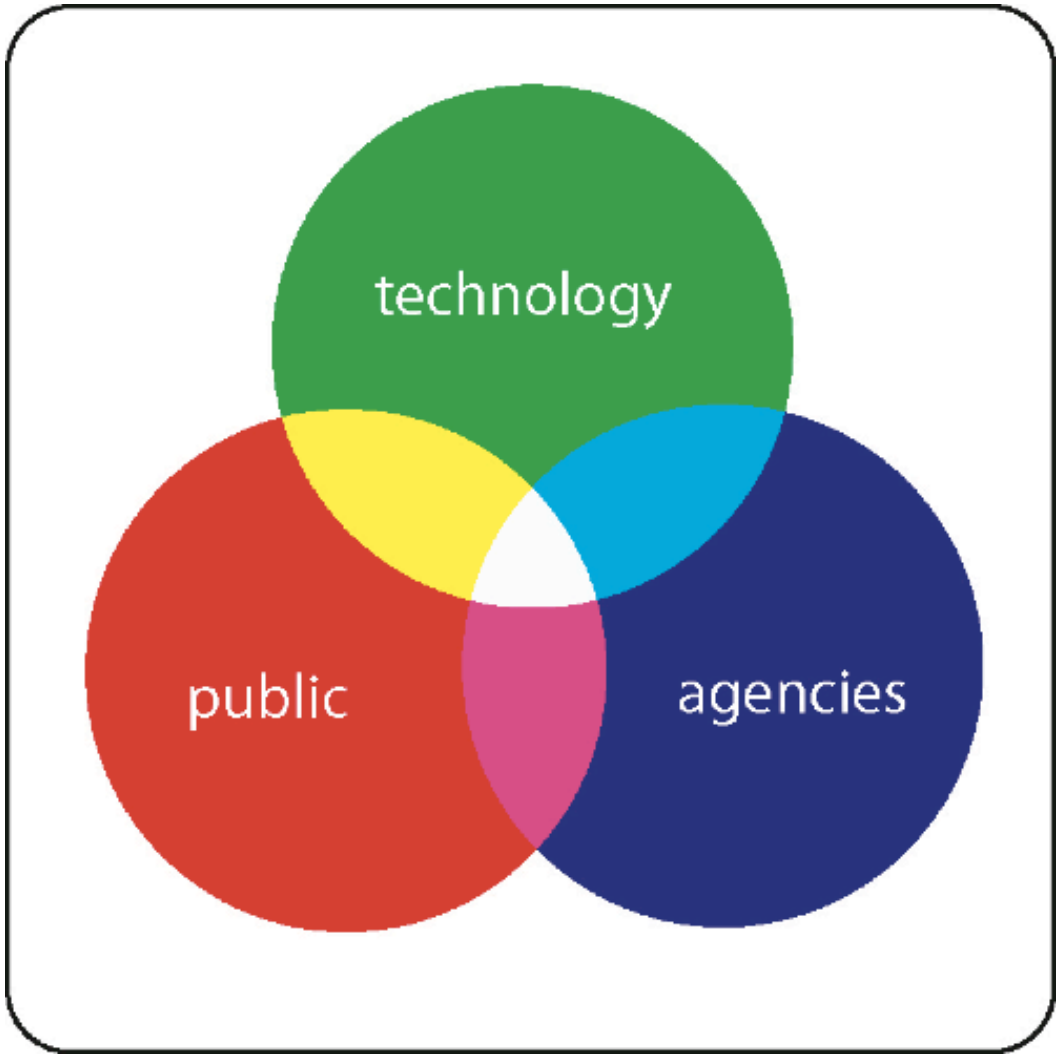
Major Factors

The Agencies

The Public

The Technology

Recommendations



information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

- Thousands of rules each year
- Many agencies do some rulemaking
- Small number have major rulemaking burden
- Agency missions, histories, cultures and stakeholders differ
- Agency buy-in essential for success and sustainability
- Staff may need preparation: new technologies, procedures and work with the public
- Analysis tools to facilitate processing of comments

information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

- Current main participants: regulated industries and their trade associations; public interest groups
  - Follow the Unifed Agenda and the Federal Register
  - Conversant with rulemaking and technical issues
- Online rulemaking may increase contributions from individuals
  - Need information on the rulemaking process
  - Need more extensive background materials on each rule
- Increase public interest and understanding
- Increase trust in government - if done well
- Access remains an important issue

information renaissance

Introduction

Info Ren

Rulemaking

E-Rulemaking

Major Factors

The Agencies

The Public

The Technology

Recommendations

- Internet-enabled system
- Distributed databases
- Data input through Web forms with attached files
- Queries for individual records or entire dockets
- Dockets are logically part of a larger digital library

Introduction
Info Ren
Rulemaking
E-Rulemaking
Major Factors
The Agencies
The Public
The Technology
Recommendations

- Simple Technical Steps
  1. Active notification
  2. Tracking systems
  3. Indices
  4. Structured input forms
  5. Analysis tools
- Architectural Issues
  6. Continuous electronic record/digital library
  7. Modular design
  8. Protocols for data storage, access and exchange
  9. Web services for direct access to databases
  10. Interoperability with Open Source systems
  11. Accessibility by alternative front ends
  12. Standards for the exchange of data among federal, state and local governments
- Issues of Rulemaking Practice
  13. Reply comment periods
  14. Background materials
  15. Interactive tools, open modeling
  16. Early public input
  17. Online dialogues
- Participation
  18. Involving users in system design and testing
  19. Educating the public
  20. Identifying and reaching out to stakeholders
  21. Providing ethical and technical standards
  22. Scaling to very large numbers of participants