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## DAILY BRIEFING

December 5, 2005

### OMB aims to link all agencies to e-rule site by 2007

By [Chloe Albanesius](#), [National Journal's Technology Daily](#)

The Office of Management and Budget is looking to link all federal agencies to a Web site that allows users to submit electronic rulemaking comments by fiscal 2007, the nation's top administrator for e-government said Monday.

The agency launched regulation.gov in 2003, but much of the work on the Web site would be considered "foundational work," Karen Evans said during a Capitol Hill e-rulemaking symposium. E-government "now is really focused on getting results."

The site now has more than 8,000 new rules created each year by 160 agencies and there are at least 500 regulations open for comment, Evans said.

"Having the agencies put all this information into one place where it can be searched [is] really very groundbreaking for us," she said. Evans stressed that "the biggest challenge is not the technology," but agency business operations and how well they work with the system.

When launching the "second generation" of regulation.gov in September, OMB pondered whether more comments produced a better rule. "The goal here is not just to measure number of comments, but our goal really is the outcome -- to have a good rule that goes forward as we go with all of our programs," Evans said.

"Overall, the goal is to really use and think of the federal government as one enterprise, and rulemaking is one of the major businesses that we're in," she said.

Cynthia Farina, a professor at Cornell Law School, questioned whether making e-rulemaking available online would "raise expectations about [comment] legitimacy as more people have the opportunity to participate more broadly."

Administrators have not examined "how we use the [regulation.gov] technology to try to assist the more



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average member of the public" leave comments "in a way that makes them feel that they have expressed their view [without] getting in the way of the agency's job," Farina said.

"There are those [comments] that aren't helpful," like those that make "blanket comments on the intent" of the rule rather than details of the rule itself, said Don Arbuckle, OMB's deputy administrator for information and regulatory affairs.

The agency sees a number of Freedom of Information Act requests from inmates and elderly Americans, presumably because they have time on their hands, Arbuckle said. "The agency will have to find a way ... to go about encouraging quality of comments."

But overall, the site will "enable those that are interested" in a particular topic, he said. One suggestion was to "have a set of serial comments, where people got to comment on people's comments, which could be quite useful to the rule makers in the agency."

Sally Katzen, a former OMB administrator for information and regulatory affairs, expressed concern about funding levels. "In the best of times, it is Congress' pleasure to provide funds for new projects, particularly those back home, rather than those to make the government function better," she said.

"We have the words, we don't have the resources," she said.

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