

eRULEMAKING FACT SHEET

The President's E-Government Initiative

“Simply put, our goal is to make your government more accessible to all Americans”
– **President George W. Bush, March 2002**

WHAT IS eRULEMAKING?

- ✓ eRulemaking is one of the E-Government Initiatives aimed at integrating agency operations and technology investments. E-Government is an integral part of the President's Management Agenda to make it easier for the public to interact with the government, increase efficiency and save taxpayer dollars.

WHAT IS THE ULTIMATE GOAL OF eRULEMAKING?

- ✓ Ultimately, eRulemaking will: create a government-wide, centralized docket system for all federal agencies that will allow the public to access and search all publicly available regulatory material; provide an easy and consistent way for the public to search, view and comment on proposed rules; and build a seamless, integrated, unified, and cost-effective regulatory management system to ensure efficiency, economies of scale, and appropriate consistency in the federal rulemaking process.

WHAT IS A DOCKET?

- ✓ A docket serves as the repository for documents or information related to an agency's rulemaking activity. Agencies most commonly use dockets for rulemaking actions, but dockets may also be used for various other non-rulemaking activities. For the purpose of this initiative, the dockets included are limited to rulemaking dockets. The docket generally consists of the materials specifically referenced in the Federal Register document, any public comments received, and other information used by decision-makers, or otherwise related to the agency rulemaking activity. Each time an agency rulemaking action is announced in the Federal Register, a docket is, or has been, established to accumulate materials throughout the rulemaking development process.

WHAT IS REGULATIONS.GOV?

- ✓ Regulations.gov is the first significant milestone of the eRulemaking initiative. Regulations.gov is a new online rulemaking website that provides the public unprecedented access to a democratic rulemaking process and enables greater public involvement in the decisions that affect their lives.
- ✓ Regulations.gov consolidates all government rules that are open for public comment into a single, user friendly website. At any given time, there could be up to 500 rules open for public comment from over 160 federal rulemaking agencies.

WHY IS REGULATIONS.GOV IMPORTANT?

- ✓ In recent years, there has been a dramatic shift in the public use of the Internet. The Pew Foundation reports that 42 million Americans viewed federal regulations through the Internet in 2001, with 23 million commenting on proposed rules, regulations and policies. According to the National Archives, the public retrieved more than 65 million documents from the on-line Federal Register in 2001.
- ✓ Regulations.gov helps remove barriers that have previously made it difficult for the public to participate in the federal government's regulatory process. This website will make federal rulemaking information more accessible to the public.
- ✓ Opening up this democratic process will also improve the quality of rulemaking decisions and will take into account the views of those whom these decisions impact most – the public and the regulated entities. The public has the right to be better informed of what federal rules are open for comment, to submit comments on these rules, and to have the U.S. government take their views into account before rules are finalized.

WILL eRULEMAKING SAVE MONEY FOR TAXPAYERS?

- ✓ The eRulemaking initiative will save taxpayer dollars and make the federal government more efficient by consolidating redundant docket information technology systems across agencies and by reducing duplicative spending for these systems.
- ✓ An estimated \$94 million will be saved over three years creating one central docket system for the federal government. This estimate includes \$56 million for eliminating duplication of systems and \$38 million for annual maintenance fees.
- ✓ Creating one central online docket public comment system supporting the federal government regulatory process will cost the federal government approximately \$21 million plus \$10 million in annual operations and maintenance costs.
- ✓ eRulemaking works to consolidate redundant docket information technology systems. It is estimated that the cost for all rulemaking agencies to develop separate rulemaking sites would be approximately \$51 million. Those costs exclude long-term maintenance and operation cost of those systems, which would run an additional \$50,000 - \$1 million per year for each system, depending on size, and an additional \$25,000 - \$2 million for complete docket operations.
- ✓ Reducing duplicative information technology spending helps to maximize current information technology investments and opportunities for future development, and ensures that taxpayer dollars are more wisely spent.
- ✓ The eRulemaking initiative will also reduce costs by creating a unified, cost-effective regulatory management system to ensure greater efficiency, economies of scale, quality, and appropriate consistency in the federal rulemaking process.

WHAT IS IMPORTANT ABOUT FEDERAL RULEMAKING?

- ✓ Federal regulations establish the rights and obligations of the public and government. Federal agencies have the authority to create regulations that affect a wide spectrum of issues facing the public, such as security, health, safety, benefits, environment, etc.
- ✓ When an agency proposes a rule, the public has a right of “notice and comment.” This notice and comment opportunity is a right of individuals, businesses and others, and it allows for input to agency decision-makers who will eventually shape the final rule.

WHERE DID THE IDEA FOR eRULEMAKING ORIGINATE?

- ✓ OMB Director Mitchell E. Daniels, Jr. initiated the creation of an interagency E-Government Task Force of federal employees from across the government, to develop an action plan for implementing the President’s E-Government Initiative.
- ✓ An 80-person E-Government Task Force gathered input from government employees conducting over 71 interviews with more than 150 senior government officials and identifying 200 possible project ideas from e-mails sent by federal employees. As a result, the E-Government Task Force found that the federal government could significantly improve customer service over the next 18-24 months by focusing on E-Government initiatives.
- ✓ One of the identified E-Government initiatives to improve citizen service, make government more efficient, and save taxpayer money was the eRulemaking initiative.

HOW DOES THE REGULATIONS.GOV WEBSITE WORK?

- ✓ Through a single website, Regulations.gov will enable the public to search, view, and comment on proposed federal regulations and other documents open for comment. The site allows visitors to search by agency and the “keyword” search enables users to find a listing of documents open for comment, and provides the capability to comment on them. For example, a small business owner affected by environmental issues could search “clean water” and find a list of proposed rules from the Coast Guard, Department of Energy, the Environmental Protection Agency, Fish and Wildlife Service, and other federal agencies.
- ✓ Each rulemaking entry provides a quick link to a comment form, so visitors may easily type in their comment and submit it to the appropriate agency. The website enables visitors to easily move from one rule to another, and to comment on proposed rules and other documents open for comment originating from different agencies.

WHO HELPED CREATE THE WEBSITE REGULATIONS.GOV?

- ✓ Regulations.gov involves the cross-agency coordination of several federal agencies – the Environmental Protection Agency, the Department of Health and Human Services/Food and Drug Administration, the National Archives and Records Administration/Federal Register, and the Government Printing Office.

WHICH AGENCIES ARE WORKING ON THE eRULEMAKING INITIATIVE?

- ✓ The Environmental Protection Agency is the Managing Partner for the eRulemaking Initiative. Others participating are the Department of Transportation, Department of Labor, Department of Agriculture, Federal Communications Commission, Department of Health and Human Services/Food and Drug Administration, General Services Administration, Department of Justice, Department of Housing and Urban Development, and the National Archives and Records Administration/Federal Register.

For more information, please contact:

EPA Office of Media Relations at 202-564-4355
OMB Communications at (202) 395-7254.