

Federal [regulation](#) in the United States is at least nominally a collaborative project between the regulatory agencies and the public. The Administrative Procedure Act of 1946 and Presidential Executive Orders [12866](#) and [13563](#) require agencies to accept public [comments](#) on proposed rules and address them in revisions and final versions of rules. However, the volume of regulation and complicated nature of many regulatory proposals have historically made it difficult for citizens to be involved in the process. This was particularly true when the only access to documents supporting regulations were hard copies of materials stored in agency reading room filing cabinets.

The advent of the Internet offered potential for significant improvements in transparency and public participation across the Federal government, and for over a decade, the federal government has been working to take advantage of new technologies and opportunities. In 2003, an interagency eRulemaking team released [Regulations.gov](#), a centralized, searchable database of executive agencies' regulatory actions that allows the public to submit comments on rules as well as view and respond to other comments. In the ten years since its release, Regulations.gov has won awards from [the American Association of Law Libraries](#), the [American Council for Technology](#), [Adobe](#), and [MeriTalk](#). It has also faced some [constructive criticism](#) regarding its ease of use, data accessibility and completeness, and its speed at adopting Web 2.0 technologies.

Both in response to these criticisms and pursuant to the original goals of eRulemaking, Regulations.gov has been significantly revamped over its ten year life, including a relaunch in February 2012, the addition of an outbound [application programming interface](#) (API) in 2012, and the addition of an export feature in the docket viewer.

In addition to providing a portal through which visitors can search for rules, comments, and supporting documents, Regulations.gov lets them browse by trending rules, rules with comment periods closing soon, and recently posted rules. However, the dockets' comments and supporting documents are not organized in any particular manner, making it difficult to find particular documents or draw connections between different rules or comments. The new API and export features help to alleviate some of the organizational problems.

The export feature allows users to gain metadata on all posted comments (or a selected subset) in a comma-separated value (.csv) file. The download file includes data about the comment submitter, date received, and other information. However, an analysis of several exported dockets from the Department of Energy ([DOE](#)), Department of Health and Human Services ([HHS](#)), Fish and Wildlife Service ([FWS](#)), Food and Drug Administration ([FDA](#)), Environmental Protection Agency ([EPA](#)), and the Animal and Plant Health Inspection Service ([APHIS](#)) suggests that this tool, while helpful, depends on the information agencies choose to provide. In particular,



agencies differ in whether they provide information on comment submitters in usable fields and if they include extra classification information on the docket item. Variation in agencies' approaches to providing information aside, the download feature generally works quickly and efficiently. Overall, the ability to export comments into a searchable format has the potential for significant new areas of research and comparison to understand who comments and when, and potentially to improve the comment flow to get more and better public participation.

APIs are pieces of code that allow different applications to interact in specific ways. The Regulations.gov API lets users program their own apps to pull data off of the site, including specific dockets, documents, or a more customizable advanced search. To use the API, users need to submit a request to obtain an API key. Regulations.gov highlights a few websites that currently use the API: [The Federal Register, Notice and Comment](#), [Bloomberg Government's](#) subscription service, and [The Sunlight Foundation's Docket Wrench](#).

We explored the features of Docket Wrench, which presents creative displays and analyses of public comments by docket. Finding the desired document can be tricky, as the site's search engine operates primarily by keyword, agency, or submitter. Numerous keywords or agencies can be entered simultaneously (though there is no link to an advanced search directly from the home page—a search term needs to be entered before additional fields are available), but RINs and docket numbers deliver hit-or-miss results. Copying and pasting part or all of a rule name into the search field is more often successful, though this too generally requires scrolling through results (that is, the top result is often not the desired rule). Despite this difficulty, the desired rule can generally be found without an excessive amount of trouble.

Search problems aside, Docket Wrench offers impressive, usable tools for comment analysis. The agency actions in the docket are listed with their accompanying comments, allowing for a more precise understanding of what particular action received comments. Supporting documents are included at the bottom of the page. More importantly, Docket Wrench offers a clean, easy-to-understand graphic displaying the comment submission timeline relative to docket actions. Another potentially valuable tool compares the similarity of comments received. While Sunlight notes that there may be some comments not included in the analysis (paper comments scanned in and not converted to text), the vast majority of comments are included. Docket Wrench's analysis looks at the text of each comment and provides an easy-to-understand graphical interface that lists common phrases for each group and lists the comments by submitter, including the full text of each comment and visually highlighting the text shared with other comments in the same group.

Regulatory dockets have changed dramatically over the last decade, changing the way the public engages in rulemaking and bringing greater transparency to the information on which new regulation relies. Recent improvements in Regulations.gov and the [Sunlight Foundation's](#) Docket Wrench tool promise to continue to improve understanding of and participation in the process of federal rulemaking.

