

Hello,

I would like to express my strong support for this amendment. This is an issue that has effected me personally on multiple occasions.

I think it is critical that Citizens have open access to the rules and regulations that govern them, especially when the rules and regulations incorporate closed information by reference.

Courts have repeatedly upheld that citizens have legal access to laws, and if laws are written to include private material, that material must also be available.

Specifically

1. Does "reasonably available"

a. Mean that the material should be available:

i. For free and

ii. To anyone online?

Yes, laws and regulations should be available to anyone, for free, online.

b. Create a digital divide by excluding people without Internet access?

No, all laws should be available publicly, online or otherwise

2. Does "class of persons affected" need to be defined? If so, how should it be defined?

Yes, defined as "anyone who is governed by the laws / regulations in question"

3. Should agencies bear the cost of making the material available for free online?

Yes, this is a basic role of government.

4. How would this impact agencies budget and infrastructure, for example?

Not very much, most agencies already have Internet infrastructure, document management systems, etc.

5. How would OFR review of proposed rules for IBR impact agency rulemaking and policy, given the additional time and possibility of denial of an IBR approval request at the final rule stage of the rulemaking?

The IRB approval should be done at an early stage of rulemaking.

6. Should OFR have the authority to deny IBR approval requests if the material is not available online for free?

Yes

7. The Administrative Conference of the United States recently issued a Recommendation on IBR. 77 FR 2257 (January 17, 2012). In light of this recommendation, should we update our guidance on this topic instead of amending our regulations?

Yes

8. Given that the petition raises policy rather than procedural issues, would the Office of Management and Budget be better placed to determine reasonable availability?

No

9. How would an extended IBR review period at both the proposed rule and final rule stages impact agencies?