

I support the petition to make IBR material more open and available.

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1. Does “reasonably available”

a. Mean that the material should be available:

i. For free and

ii. To anyone online?

Yes.

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

No. Public libraries should be able to support the needs of people without Internet access.

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

Yes. It should be available to anyone who could possibly be affected

by the law or code. i.e. Everyone.

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

No, but they should not be able to make copyright claims on or prohibit those who do make the material available for free online.

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

None.

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?

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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?

No, the amendment is still needed for clarity.

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?

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