



**PUBLIC.RESOURCE.ORG** ~ *A Nonprofit Corporation*

---

**Open Source “America’s Operating System”**

“It’s Not Just A Good Idea—It’s The Law!”

March 15, 2021

Ms. Clare Martorana  
Chief Information Officer of the United States  
Office of Management and Budget  
The White House  
Washington, D.C. 20500

Mr. V. David Zvenyach  
Director, Technology Transformation Services  
U.S. General Services Administration  
1800 F Street  
Washington, D.C. 20006

Mr. Matt Cutts, Administrator  
U.S. Digital Service  
Office of Management and Budget  
The White House  
Washington, D.C. 20500

Dear Ms. Martorana, Mr. Zvenyach, and Mr. Cutts:

I bring to your attention the attached letter to the Office of Information and Regulatory Affairs (OIRA) and the Office of the Federal Register (OFR) regarding President Biden’s Presidential Memorandum of January 20, 2021 which directs the Biden Administration to “advance regulatory policies that improve the lives of the American people.”

The letter suggests that in order to meet this laudable goal, a necessary but not sufficient condition is to make substantial improvements in how the Code of Federal Regulations (CFR) is created and promulgated. Specifically:

- The CFR contains a large number of images that are low-resolution and inaccessible. We have spent considerable effort rekeying those images and would like to make them available to the government.
- The CFR needs changes in the underlying markup to explicitly support modern standards for tables, formulas, graphics, and certain semantic areas such as incorporation by reference using modern standards.
- The CFR relies heavily a mechanism called incorporation by reference that has resulted in over 50% of the CFR not being available to the public.

We fully understand that your offices have many important tasks to accomplish, including your path-breaking and transformational efforts to reform how information technology is used in government. Likewise, we understand that OIRA’s efforts to reform the regulatory process to be more inclusive, sustainable, and accessible requires a number of efforts that are about the mechanics and policies of rule-making.

