Remarks of Michelle Cosby

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For the Modernizing Services for Regulation Management Public Meeting

Of the General Services Administration

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I am Michelle Cosby, President of the American Association of Law Libraries (AALL). Thank you for giving AALL the opportunity to speak today. AALL is the only national association representing nearly 4,000 members who are law librarians and legal information professionals. AALL members range from private law firms, law schools, and government law libraries. We have a unique understanding of how Regulations.gov is used in the legal information industry and we are pleased to have the opportunity to offer our perspective.

As physical libraries have closed in response to the coronavirus (COVID-19) pandemic, law librarians and legal information professionals have rapidly shifted to providing services electronically. Through this transition, online government information and government websites such as Regulations.gov have been essential to supporting the continued legal information needs of attorneys, law students, and the public. In the midst of the current crisis, the value of Regulations.gov clearly extends far beyond providing the public with a means of commenting on proposed rules and learning more about government decisions. Law librarians and legal information professionals are using Regulations.gov to analyze regulatory actions and agencies' rationale in decision making; to study rulemaking trends; and to teach legal research in a new virtual environment, among many other things.

In many law schools, law librarians provide instructions on how to find and use regulations, as well as how to effectively identify and analyze legal issues on Regulations.gov. In law libraries that serve the public, librarians assist users—including researchers, small business owners, and members of the public—to help them learn more about the rulemaking process and to navigate the Regulations.gov website.

AALL offers the following recommendations for improving Regulations.gov and the General Services Administration's (GSA) electronic regulatory management services.

First, we recommend that GSA integrates regulatory information systems and improve collaboration with other agencies, including the Government Publishing Office, and the Office of the Federal Register (OFR). Doing so

would improve data integration, allow smoother tracking of regulations, and promote greater public participation.

We encourage GSA to build on its existing partnership with OFR to explore ways to increase functionality between FederalRegister.gov and Regulations.gov. We believe that agencies and the public would benefit if GSA worked more closely with GPO to examine how to more seamlessly integrate Regulations.gov data with GPO's govinfo.gov, the agency's public access website.

Second, we ask that GSA improves the ability of users to move seamlessly between the various stages of a rulemaking, from law, to regulation, to the *U.S. Code*.

Currently, dockets are very difficult to navigate. Improving dockets search will allow end users to easily see who has made public comments and also allow users to access those comments. We support the recommendations put forth by the Administrative Conference of the United States (ACUS) in its December 2018 report on Regulations.gov and the Federal Docket Management System (FDMS) to develop a revised classification scheme for document and docket types and subtypes and to allow the public to comment on the revised scheme. As ACUS highlighted in the report, agencies sometimes create multiple e-dockets for the same rulemaking, which may make finding a final rule difficult.

Having a system that connects relevant rules—past, current, and proposed—to make it easier to see connections between the regulations and the e-rulemaking would be helpful. We encourage GSA to consider allowing the use of social media, visuals, videos, and charts in dockets, which would help bring the public into the rulemaking process.

AALL recommends that GSA enlists a wide cross-section of government and private sector experts in rulemaking, information technology, and data management, as well as librarians, to contribute to the improvements to the "Advanced Search" feature on Regulations.gov. AALL often offers the expertise of our members to assist federal agencies and organizations to improve their websites and search functions and we believe using AALL members' expertise here would be valuable. AALL members have contributed suggestions that have been incorporated into GPO's public access websites and the Office of Law Revision Counsel's website for the *U.S. Code*.

Finally, AALL encourages GSA to provide additional explanatory materials to Regulations.gov to help users learn more about rulemaking and encourage informed participation. We commend GSA for publishing a guide to rulemaking on the Regulations.gov site. To supplement these resources, AALL also

recommends that GSA link to other authoritative guides about administrative law, such as those produced by many academic and government law libraries. Two excellent examples are online guides produced by the Law Library of Congress and Georgetown Law Library.

Thank you again for the opportunity to provide these comments today. AALL looks forward to future opportunities to engage with GSA as the agency pursues the modernization of its electronic rulemaking management program.