The Web sites for the Environmental Protection Agency (EPA), the lead agency for the administration’s electronic rulemaking initiative, and the Department of Transportation (DOT) each identified only about 20 percent of the agencies’ proposed rules that were published from February 2003 through April 2003 and that were open for comment on May 1, 2003. However, a Web site for an agency within DOT identified most of the department’s other rules. Neither the EPA nor the DOT systems were originally designed to include rules originating outside of the agencies’ headquarters offices. The Department of Agriculture’s Web site did not identify open proposed rules, but Web sites for agencies within the department collectively identified almost all of the rules. Regulations.gov Web site identified nearly all of these agencies’ open proposed rules, but its design sometimes made finding the rules difficult. Regulations.gov allowed the public to provide electronic comments (e-comments) on about 91 percent of the 411 proposed rules that were published during this 3-month period. In contrast, the rulemaking agencies provided for e-comments in only about 66 percent of the rules. Some agencies (e.g., EPA) did not provide for e-comments in most of their proposed rules. Where agencies permitted e-comments, the methods provided varied. Only 2 of the 411 proposed rules mentioned Regulations.gov as a commenting option. Perhaps, as a result, few comments were submitted via Regulations.gov during this period.

Some agencies permitted the public to access regulatory supporting materials for some of their proposed rules. Although Regulations.gov did not permit access to these materials, EPA officials said such access would be available when the second module of the electronic rulemaking initiative is fully implemented (by the end of 2005).