



ADMINISTRATOR
OFFICE OF
INFORMATION AND
REGULATORY
AFFAIRS

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

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MEMORANDUM FOR THE PRESIDENT'S MANAGEMENT COUNCIL

FROM:

Cass R. Sunstein
Administrator

SUBJECT:

Increasing Openness in the Rulemaking Process – Use of the Regulation Identifier Number (RIN)

On January 21, 2009, the President issued a memorandum calling for the establishment of “a system of transparency, public participation, and collaboration.”¹ The memorandum required an Open Government Directive to be issued by the Director of the Office of Management and Budget (OMB), instructing “executive departments and agencies to take specific actions implementing the principles set forth in this memorandum.”

Implementing the President’s memorandum, OMB’s Open Government Directive requires a series of measures to promote the commitments to transparency, participation, and collaboration.² Section 4 of the Directive specifically instructs the Administrator of the Office of Information and Regulatory Affairs (OIRA) to “review existing OMB policies, such as Paperwork Reduction Act guidance and privacy guidance, to identify impediments to open government and to the use of new technologies and, where necessary, issue clarifying guidance and/or propose revisions to such policies, to promote greater openness in government.”

Pursuant to OMB’s Open Government Directive, we are issuing this Memorandum to promote greater openness in the regulatory process. A regulatory docket includes different information at various stages of the rulemaking process. Currently, regulatory information online is unnecessarily difficult to navigate, and members of the public may have difficulty searching, sorting, finding, or viewing documents at each stage of the process. To increase the transparency of the rulemaking process, agencies should make it easier for members of the public to find and view this online information.

To that end, agencies should use the Regulation Identifier Number (RIN) on all relevant documents throughout the entire “lifecycle” of a rulemaking. In addition to increasing transparency, making it easier for members of the public to find and view all online information relevant to the regulatory docket will help inform their understanding of both the rulemaking

¹ Available at <http://www.gpoaccess.gov/presdocs/2009/DCPD200900010.pdf>

² Available at http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-06.pdf

process and the content of particular rules, thereby promoting public participation in the rulemaking process.

Executive Order 12866, Sec. 4(b) requires each regulatory action in the Unified Regulatory Agenda—a semiannual compendium of all regulations under development or review—to contain, among other things, a RIN. The RIN should be used on documents including, but not limited to, notices of proposed rulemaking, final rules, and (to the extent that they are associated with a rulemaking) notices, guidances, environmental impact statements, regulatory impact analyses, information collections, and supporting materials. The RIN should be carried throughout the process, including in the metadata/text when documents are published in the *Federal Register* and on Regulations.gov.

By using the RIN as the key identifier on all related docket materials, the government will be better able to use technology to assemble electronic dockets and will help the public obtain easier and more comprehensive access to regulatory information.

Please forward this memorandum to the appropriate officials in your agency or department. If you have any questions regarding this memorandum, please direct them to your agency's OIRA Desk Officer.