

## Public Commenting with the New Regulations.gov API

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By: Zhoudan Xie | September 9, 2020

### In brief...

The General Services Administration unveiled a beta version of Regulations.gov, including a new API that became available this week. The API adds a new feature that allows users to submit comments on federal rulemakings through an API. This feature may substantially increase the ease of submitting mass comments.

Since Regulations.gov was launched in 2003, it has become the central portal for the public to comment on federal regulations and participate in the rulemaking process. Recently, the General Services Administration (GSA) unveiled a new version of Regulations.gov—[Regulations.gov Beta](#). When finalized, it will replace the existing Regulations.gov site in October.

The beta site made many [improvements](#). One of them is the [new API](#) (application programming interface) that just became available this Tuesday. As I discussed in a previous [commentary](#), the Regulations.gov API allows researchers to search and collect large amounts of text data on comments and regulations in an automated way. The data offered by Regulations.gov enables empirical research studying public participation and regulatory activities to use advanced text mining and analysis techniques.

According to GSA's [preview](#), the new API retains the features of the existing API and adds more functionalities. The most significant change is the addition of a POST method, which allows users to submit comments through an API. The POST API is new because the existing API only offers a GET method, in which users can search and download documents.

Like submitting comments manually on Regulations.gov Beta, submitters uploading comments using the API must identify themselves as an individual, an organization, or anonymously. However, it is difficult to imagine that an individual from the general public would detour around the easy website navigation to submit a comment using the computing interface API which usually requires some knowledge of programming. Those who would really benefit from the POST API are perhaps the groups that would submit large batches of comments.

While both the current and beta versions of Regulations.gov allow users to upload multiple comments manually, the POST API may substantially increase the ease of submitting bulk comments—days of human work may be reduced to a few lines of computer algorithms. As the GSA noted in its [blog](#),

“advocacy organizations will be able to use this feature to better submit large volumes of comments on behalf of their memberships.”

Large volumes of comments sponsored by advocacy groups and submitted by their members and supporters are not rare in the rulemaking process. [Known](#) as mass comment campaigns, they often involve collections of identical and near-duplicate comments.

While striking numbers of public submissions sometimes [received](#) massive media attention, their impact on rulemakings is not clear. A recent [empirical study](#) found that mass comment campaigns had limited effects on substantive changes agencies make in final rules. Scholars generally [agree](#) that agencies should not treat comments as votes, and court precedents [require](#) agencies to consider the significant issues raised in comments but not the number of comments in favor of or opposed to the regulation. Still, many are [concerned](#) that mass comment campaigns may drown out comments from stakeholders with less resources and express unrepresentative views of the public. These practical and legal issues associated with agencies’ treatment of mass comments remain relevant to [ongoing research](#).

How the availability of the POST API would affect the comment process also depends on many other factors. It is possible that the new API would include a certain rate limit of POST requests, like the one set for GET requests in the existing API. Such a limit may prevent a single group from sending numerous comments within a short time and reduce the possibility of spurring submissions of computer-generated and fraudulent comments.

Nevertheless, the upgraded version of Regulations.gov and its API are supposed to provide the public with a more secure and user-friendly platform and researchers with more efficient functionality. I look forward to seeing more research leveraging the new tools and data from Regulations.gov.