

# **E-Rulemaking**

## **Legal Issues with Internet-Accessible Dockets**

Neil Eisner, Associate General Counsel, USDOT

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- Many of these are hard-copy issues also; exacerbated by putting on internet
  - May further exacerbate by making it easier to note differences in agencies' handling of issue
1. Electronic record as legal record
    - A. Settled?
    - B. Errors in transmission
  2. Anonymous/John Doe comments
    - A. Is "John Doe" really John Doe
    - B. Merits rather than the individual
  3. Obscenity/censorship
    - A. Easier access by kids
    - B. What is obscene
    - C. Obscene term object of rulemaking
    - D. Workload and delay in posting
  4. Copyrighted material
    - A. Easily copied
    - B. Significant public value
  5. Privacy
    - A. Searchable by names
    - B. Personal info
    - C. Solicited vs. unsolicited
    - D. Delay of rulemaking
  6. Illegally obtained info (e.g., transcript based on illegally obtained recording)