

More than 24,000 Public Notices Annually

Public notices in the *Federal Register* include non-rulemaking documents, such as meeting and hearing notices and agency-related organizational material.⁶⁸ But there are tens of thousands of yearly public notices, including memoranda, bulletins, guidance documents, alerts, and other proclamations, many of which may be important to the public. Figure 16 shows the number of notices annually. Notices stood at 24,557 in 2016 and have dipped below 24,000 only twice since 1996 (in 2014 and 2015). There have been 550,489 public notices since 1994 and well over a million since the 1970s.

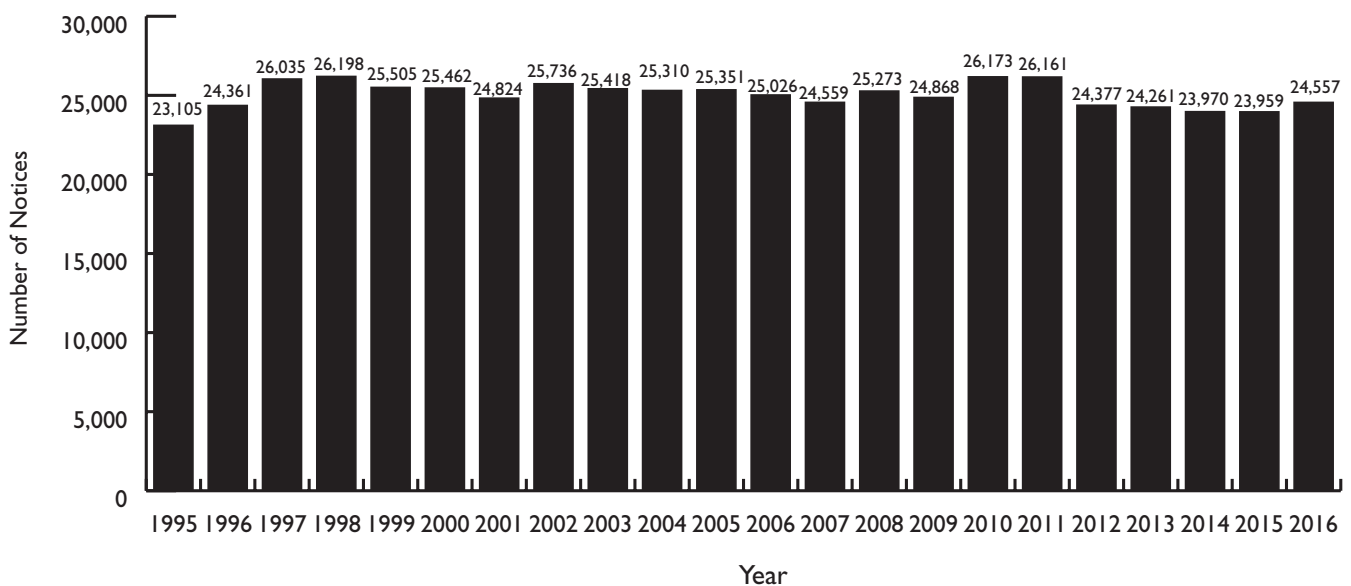
Forty-five notices received OMB review during the 2016 calendar year, and some of those were deemed to have an “economically significant” impact. A history of the number

of rules and notices reviewed annually appears in Appendix: Historical Tables, Part D.

Policy makers should pay more attention to such documents because of the modern executive branch inclination to advance policy by memorandum, notice, bulletin, and even blog post. Most notice-and-comment regulations already lack cost-benefit or other analysis. Increased unilateral executive action will render costs of regulation even less transparent as the federal government expands and increasingly interposes itself in commerce and other realms of private activity. The Unified Agenda, a compilation of information about pending regulations established during the Clinton administration, seems unlikely to help.

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Figure 16. Thousands of “Public Notices” in the *Federal Register*, 1995–2016



Source: National Archives and Records Administration, Office of the Federal Register.