

# Regulatory Studies Center

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## Regulations & Academic Research

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# GW Regulatory Studies Center



Working to improve regulatory policy through research, education, and outreach.

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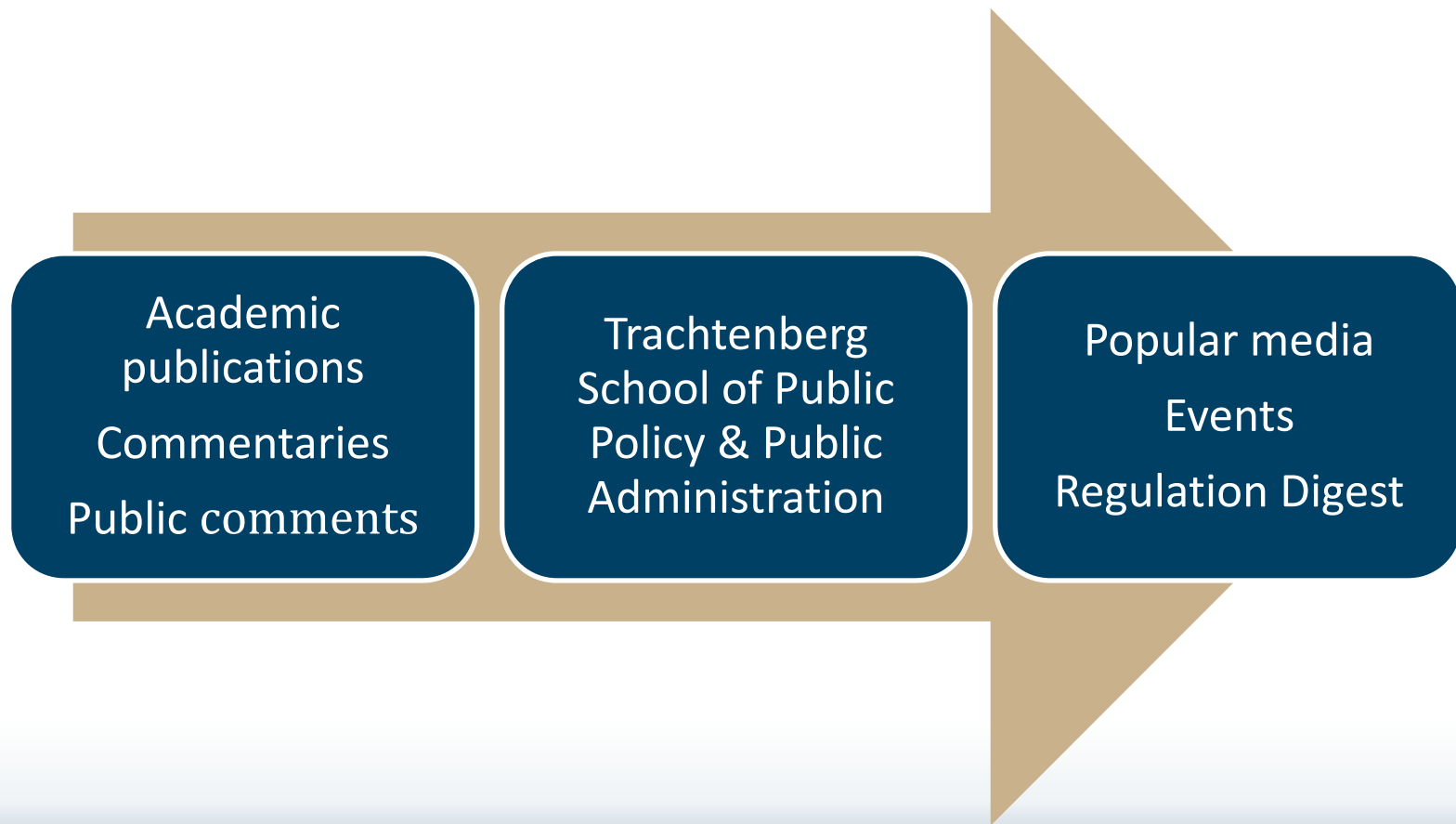
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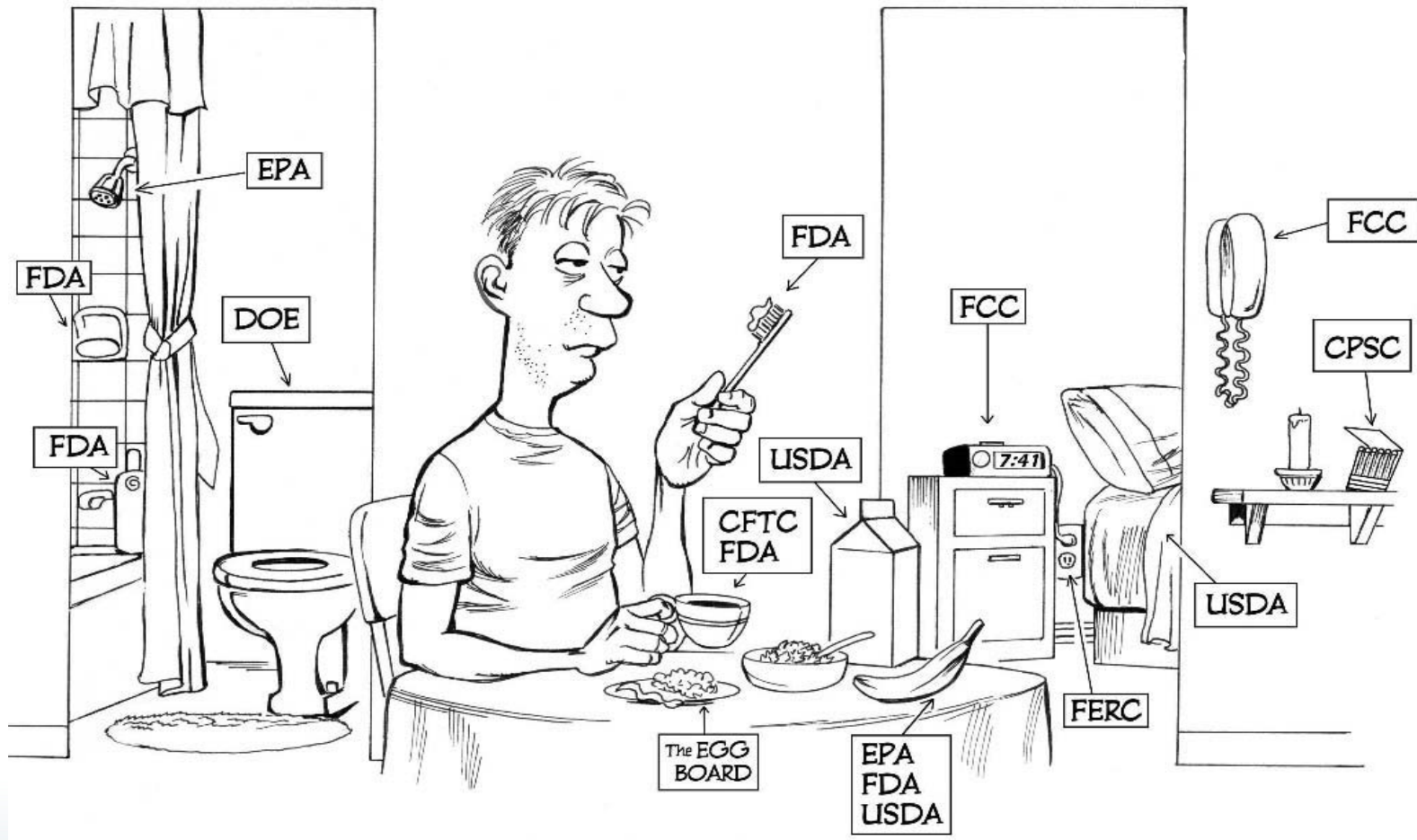
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# Research, Education & Outreach



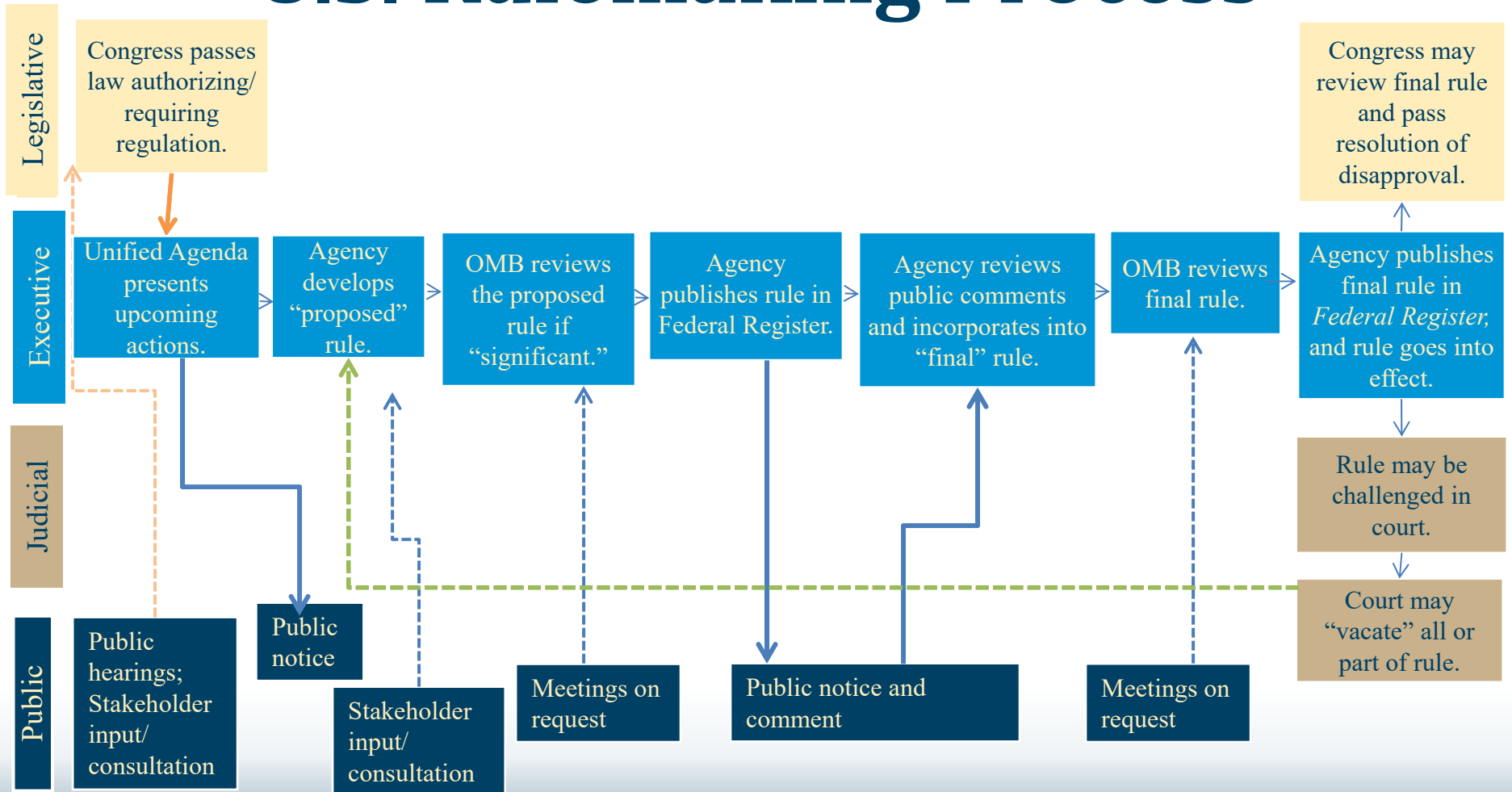


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# U.S. Rulemaking Process



# Executive Review

- EO 12866 (1993)
  - Net benefit test
  - “Significant” rules submitted to OIRA
- EO 13563 (2011)
  - Reaffirmed E.O. 12866
- EO 13610 (2012)
  - Institutionalize retrospective review

# President Trump's EOs

- EO 13771
  - Issue 2 deregulatory actions for every new regulation
  - Offset costs of new regulations by modifying or rescinding old ones
- EO 13777
  - Designate Regulatory Reform Officer
  - Form Regulatory Reform Task Forces

# OIRA's Role

- “Dispassionate and analytical second opinion”
  - Draft regulations & supporting analyses
- Facilitate interagency coordination
  - Other agencies & White House offices
- Paperwork Reduction Act
  - Approve information collections
- Manage EO 13771 process & offsets
  - Guidance to agencies



# OIRA's EO 13771 Guidance

- What counts as “ins” & “outs?”
  - Apples & oranges
- Regulatory budget accounting
- EO 12866 and EO 13563 still apply
  - Maximize net benefits

# Challenges to Retrospective Review for Research Rules

- Definitional
  - APA “rules” v. other binding terms
- Assessing the stock of regulations
  - Measuring the number of “rules” is easy
  - Measuring the number of other actions is harder
  - “Rules” are analyzed differently

# Challenges to Retrospective Review for Research Rules

- Influencing the flow of regulations
  - “Rules” and some “guidance” reviewed by OIRA
  - Many other policy documents are not
  - No single flow-through-point for policy changes that affect academic research
  - Paperwork Reduction Act can be a useful tool

# Opportunities

- Research Policy Board
- Initiatives from OSTP & OIRA
- EO 13771 “deregulatory action” definition
- Leverage PRA
- Proposals for structural change
  - Many prior calls for changes, e.g., ombudsman

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