



Information

MEMORANDUM FOR EDWARD C. HUGLER
Acting Secretary of Labor

FROM: Stephanie Swirsky 
Deputy Assistant Secretary for Policy

Laura Dawkins 
Director, Office of Regulatory and Programmatic Policy

DATE: March 9, 2017

Subject: Implementation of Executive Order, "Enforcing the Regulatory Reform Agenda"

Background

On February 24, 2017, President Trump signed the attached Executive Order entitled, "Enforcing the Regulatory Reform Agenda" (Executive Order). Among other things, the order directs every Federal agency to appoint a Regulatory Reform Officer and to establish a Regulatory Reform Task Force. It also requires the task force to provide a report to the agency head detailing the progress in appointing a Regulatory Reform Officer and identifying regulations for repeal, replacement, or modification. This memo lays out a proposed path forward for implementing this Executive Order.

Appointment of a Regulatory Reform Officer

The Executive Order mandates the appointment of a Regulatory Reform Officer (RRO) within sixty (60) days of the date of the order (i.e., by April 25, 2017). Each RRO is tasked with overseeing the implementation of regulatory reform initiatives and policies, and keeping agency leadership apprised of such activities. Because the Executive Order does not specify whether the RRO is intended to be a political appointee or a career employee, the Office of the Assistant Secretary for Policy (OASP) recommends that the RRO be the Director of the Office of Regulatory and Programmatic Policy (ORPP) within OASP until political leadership is in place and can otherwise designate an RRO, if so desired. This will ensure that the sixty day deadline for appointing an RRO is met, and that progress toward implementing the entire Executive Order begins immediately.

Creation of a Regulatory Reform Task Force

The Executive Order also directs agencies to establish a Regulatory Reform Task Force (RRTF) that is composed of: (1) the agency RRO (who chairs the task force); (2) the agency Regulatory Policy Officer designated under Executive Order 12866; (3) a representative from the agency's central policy office or equivalent central office; and (4) at least three additional senior agency officials as determined by the agency head. The RRTF is tasked with evaluating existing regulations and making recommendations to the agency head regarding their repeal, replacement, or modification. The RRTF must seek input and assistance from entities affected by Federal regulations, including, State, local, and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations. Regulations identified as outdated, unnecessary, or ineffective are to be given priority for repeal, replacement, or modification. The Executive Order specifies that agencies must incorporate in their annual performance plans performance indicators that measure their progress in implementing the Executive Order; the Office of Management and Budget (OMB) will issue guidance regarding implementation by April 25, 2017.

OASP recommends that the RRTF be composed of the following (or their designee):

- (1) RRO (Director, ORPP);
- (2) Deputy Secretary or designee;
- (3) Regulatory Policy Officer (Assistant Secretary for Policy);
- (4) Deputy Assistant Secretary for Policy;
- (5) Assistant Administrator of Policy, WHD;
- (6) Deputy Assistant Secretary for Program Operations, EBSA;
- (7) Director of Standards and Guidance, OSHA;
- (8) Deputy Assistant Secretary for Operations, MSHA;
- (9) Deputy Solicitor for National Operations; and
- (10) Director, Performance Management Center, OASAM

Implementation

Within the next thirty days, OASP will convene meetings of the RRTF to discuss the path forward to ensure compliance with the ninety day reporting requirement. The task force will, among other things, review the current Department's Retrospective Review Plan, develop an approach and structure for public outreach, including leveraging the robust stakeholder meetings each of the RRTF agencies conduct with their stakeholders. The task force will also engage the Performance Management Center to develop performance indicators for use in assessing the performance of the RRTF. Below is a timeline with relevant milestones. After issuance of the initial report, OASP recommends reporting on the task force's progress semi-annually to Departmental leadership, to coincide with the issuance of the Unified Regulatory Agenda.

Action	Date
Executive Order signed	2/24/2017
Initial Task Force Meeting	NLT 3/24/2017
Regulatory Reform Officer appointed	NLT 4/25/2017 (per EO)
Task Force Meetings	Weeks of 3/27- 5/1/2017

Draft Initial Report	Weeks of 5/8 – 5/15/2017
Clearance of Initial Report	5/15 – 5/24/2017
Initial Report to Agency Head Due	5/25/2017 (per EO)

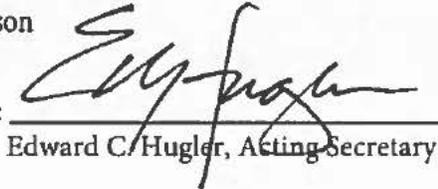
For additional information regarding the Executive Order or this memorandum or if you would like a briefing on the Executive Order or this memorandum, please contact Stephanie Swirsky (b)(6) or Laura Dawkins (b)(6).

Attachment

cc:

Tim Hauser
Mary Ziegler
Sheila McConnell
Susan Harthill
Dennis Johnson

APPROVAL:


Edward C. Hugler, Acting Secretary

DATE:

