OIRA

- Statutory Office within OMB
- Created by the Paperwork Reduction Act of 1980
- Senate Confirmed Administrator

Functions and Responsibilities:
  - Regulatory Review
  - Paperwork Reduction Act Review
  - Information Policy
  - Statistical and Science Policy
Office of Information and Regulatory Affairs

Administrator
- Presidential appointment
- Senate confirmed

Associate Administrator

Deputy Administrator

Records Management Center

Information Policy

Statistical & Science Policy

Natural Resources & Environment

Transportation & Security

Food, Health & Labor
OIRA Terms

- Desk officer—OIRA analyst with lead responsibility for one or more agencies
- ROCIS—Web module that enables agencies to electronically submit regulations to OMB for review and allows OMB to electronically conclude review
- reginfo.gov—This is the public-facing website of ROCIS. The public can use this site to search the current and past OIRA regulatory reviews
- regulations.gov—The public can find, read, and comment on proposed rules here
- Federal Register (FR)—Publishes daily compilation of official Federal notices to the public, including notices of rulemaking actions
Executive Order 12866

OIRA’s review of regulations is governed by Executive Order 12866.

The Executive Order gives agencies goals and principles for regulation.

- Identify nature and significance of problem
- Identify and assess alternatives
- Assess costs and benefits of each
- Benefits should justify costs
- Maximize net benefits to society (subject to statutory constraints)

These principles guide OIRA’s review.
What else might we be concerned about...

- Effects on Small Businesses [RFA & SBREFA]
- Effects on State, local, and tribal governments or the private sector [UMRA / E.O. 13132: Federalism/ E.O. 13175: Indian Tribal Governments]
- Effects on the quality of the human environment [National Environmental Policy Act]
- Effects of the information collection on the public [Paperwork Reduction Act]
- Effects on Children [E.O. 13045]
- Effects on Energy [E.O. 13211]
- Effects on Property Rights [E.O. 12630]
The Administrative Procedures Act requires that agencies go through a notice and comment process open to all members of the affected public, both US and foreign. Notice of all proposed and final rules is published in the *Federal Register*.

Before agencies can issue a final regulation, they must respond to the public comments, make sure that the final regulation is a logical out-growth of the proposal and the public record, and is not arbitrary or capricious.

The public record is used by the courts in settling any challenge to the regulations.
Disclosure of Information Under Executive Order 12866

- Rules under formal review at OMB and for which review has recently concluded
- Meetings with outside parties on rules under review
  - http://www.whitehouse.gov/omb/oira/meetings.html
- All written information given to us while a rule is under review is sent to the agency, placed in our public docket reading room, and posted on our website.
- Return letters are posted on our website.
Goals of the Paperwork Reduction Act

- Reduce information collection burdens on the public.

- Increase program efficiency and effectiveness.

- Improve the integrity, quality, and utility of information to all users within and outside the Federal government.

- The PRA requires each agency to seek and obtain OMB approval before collecting information from ten or more members of the public.

- Agencies are not to conduct or sponsor the collection of information unless it has been approved by OMB.
References

Regulatory Information: www.whitehouse.gov/omb/inforeg_regmatters

Regulatory Analysis, Circular A–4: www.whitehouse.gov/omb/circulars_a004_a–4

Administrative Procedure Act: www.archives.gov/federal-register/laws/administrative-procedure


Questions and Answers when designing Surveys for Information Collections
http://www.whitehouse.gov/omb/assets/omb/inforeg PMC_survey_guidance_2006.pdf