



**NOAA  
FISHERIES**

# Regulatory Reform E.O.'s and Current Regulatory Reviews

Council Coordination Committee

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# Outline

- E.O. 13771 – Reducing Regulation and Controlling Regulatory Costs (January 30, 2017)
  - Guidance (February 2, 2017 and April 5, 2017)
- E.O. 13777 – Regulatory Reform Task Force (February 24, 2017)
- Current NMFS Regulatory Review Processes
- Questions for Discussion
- Next Steps for NMFS and Councils



# Two-for-One – E.O. 13771 and Associated Guidance



- Goal: Eliminate two existing regulatory actions for each new significant regulatory action
- New Regulation (1)
  - For "Significant" Regulations that impose cost
- Deregulatory (2)
  - Do not have to be "significant"
  - Must have total cost less than zero

# Offsets – E.O. 13771 and Associated Guidance

- Goal: Control regulatory costs imposed on society by agencies
- OMB Circular A-4 Guidance
- Bundled Rules: deregulatory and regulatory actions combined
- Cost offset is Agency Wide Requirement
- Geographic/Sector similarity



# Exemptions- – E.O. 13771 and Associated Guidance

- Expressly exempt actions;
- Emergency actions;
- Statutorily or judicially required actions;
- *Routine* Magnuson Stevens-Act fishing regulations that establish annual harvest limits
- Allows the submission of exemption requests to OIRA



# Task Force- E.O. 13777

- Establishes Task Forces at each agency charged with ensuring implementation of EO 13771
- Task Force focus on:
  - Evaluation of existing regulations for their repeal or modification
  - Fostering transparency by seeking input from affected entities



# Existing Regulatory Review Processes

- Council Process
- NMFS has engaged in the periodic review of existing regulations as a matter of longstanding practice and to fulfill statutory requirements -
  - Regulatory Flexibility Act
  - E.O.s 13563 and 13610
  - LAPPs/Catch Shares
  - Listed Species
- Other related reviews (e.g., allocation policy, SBRM rule, etc.)



# Questions for Discussion

- Recognizing existing processes, what are your thoughts on best way to respond to EO 13777?
- How could we set up or adapt a NMFS/Council Process to review existing regulations for what is outdated, or ineffective?
- How can we make sure there is opportunity for public input?



# Next Steps

- Consider CCC responses to discussion questions
- Recognize that continued work with DOC and OMB are needed to clarify uncertainty





# Questions?

