



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 22, 2023

MEMORANDUM FOR: REGULATORY POLICY OFFICERS AT EXECUTIVE DEPARTMENTS AND AGENCIES AND MANAGING AND EXECUTIVE DIRECTORS OF COMMISSIONS AND BOARDS

FROM: Richard L. Revesz, Administrator
Office of Information and Regulatory Affairs

SUBJECT: Spring 2023 Data Call for the *Unified Agenda of Federal Regulatory and Deregulatory Actions*

This memorandum requests information for the compilation of the Spring 2023 Update to the *Unified Agenda of Federal Regulatory and Deregulatory Actions* (“*Agenda*”). Publication of the *Agenda* represents a key component of the regulatory planning mechanism prescribed in Executive Order (“EO”) 12866, “Regulatory Planning and Review,”¹ and reaffirmed in EO 13563, “Improving Regulation and Regulatory Review.”² The *Agenda* provides important public notice and transparency about proposed regulatory actions within the Executive Branch. This process highlights agency priorities, promotes planning and coordination, and encourages public participation in the regulatory process.

Submissions to the Spring 2023 *Agenda* are due by **March 22, 2023**.

Priorities for the Spring 2023 *Agenda*

Agencies can help achieve the objective of open government by making clear, meaningful, and informative contributions to the *Agenda*. An effective *Agenda* submission will indicate how agencies are moving forward with the Administration’s priorities, and will also inform the public of an Agency’s immediate regulatory areas of focus. As you prepare your *Unified Agenda* submissions, please keep in mind the following:

Reflective of Administration Priorities: The Administration has clearly identified key areas of regulatory focus, and as you develop your submissions, carefully consider providing a clear schedule for agency actions that advance the Administration’s stated priorities. These include: (1) actions that advance the country’s economic recovery and

¹ 58 Fed. Reg. 51,735 (Oct. 4, 1993).

² 76 Fed. Reg. 3821 (Jan. 21, 2011).

continue to address any necessary COVID-19 related issues; (2) actions that tackle the climate change emergency; (3) actions that advance equity and support underserved, vulnerable, and marginalized communities; (4) actions that create and sustain good jobs with a free and fair choice to join a union and promote economic resilience in general; and (5) actions that improve service delivery, customer experience, and reduce administrative burdens for those accessing public benefits and services. In particular, we ask that your update of the Unified Agenda reflect the principles and requirements identified in applicable Executive Orders.

Accurate Timelines and Improved Public Notice: The *Agenda* allows the public to anticipate upcoming rulemakings, thus it must contain the most up-to-date and accurate information. Agencies should promote accuracy by removing regulatory actions for which no substantial activity is expected within two years. Regulatory actions listed as “Active” should be finalized within 12 months of *Agenda* publication. “Long-term” actions should be completed between 12 and 24 months. Actions slated beyond 24 months should be included only if it provides meaningful information to the public.

Transparency and Public Engagement: The *Agenda* is most valuable when the entries provide clear, transparent information on rulemakings under development. To that end, agencies should provide the public with the means to track regulatory policy from beginning to end. Abstracts should be easy to understand and inform readers of the reason the rulemaking is under development and what the agency intends to accomplish, while being careful to avoid disclosing pre-decisional information. To help promote accessibility, agencies should provide URLs of websites with more information about a rulemaking whenever available. Once published, we encourage agencies to share the *Agenda* with members of the public, especially with communities that may be affected by regulatory proposals through engagement appropriate to those communities. **We also encourage agencies to use public engagement to inform their regulatory planning. We especially encourage proactive engagement designed to facilitate the participation of underserved communities that have not previously participated in the regulatory process using outreach activities appropriate to those communities.** Finally, while OMB is not asking agencies to provide a separate list of rulemakings specifically designed to address the Administration priorities listed above, we ask that agencies clearly discuss any rulemakings that fit this description in the relevant abstract.

Preparing and Transmitting Unified Agenda Submissions

Detailed instructions for submitting the Spring 2023 *Agenda* are available online at www.rocis.gov. Please follow the procedures carefully and include all required documents. Agencies may direct questions regarding the content of their *Agenda* submissions to the appropriate Office of Information and Regulatory Affairs (OIRA) desk officer. For further information concerning automated production, information requirements, format, or submission of materials, contact the Regulatory Information Service Center at (202) 482-7340.

Consistent with prior practice, the complete *Agenda* will be published online at www.reginfo.gov as well as in the *Federal Register* in a streamlined format.

OIRA appreciates prompt attention to this call for data. All submissions are due by **March 22, 2023**.