




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

February 17, 2021

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

FROM: Dominic J. Mancini 
Acting Administrator
Office of Information and Regulatory Affairs

SUBJECT: Spring 2021 Data Call for the *Unified Agenda of Federal Regulatory and Deregulatory Actions*

This memorandum requests information for the compilation of the Spring 2021 *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 and deregulatory 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 2021 *Agenda* are due by **March 17th**.

Priorities for the Spring 2021 *Agenda*

Agencies can further 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 principles and areas of focus. As you prepare your *Agenda* submission, please keep in mind the following:

Reflective of Administration Priorities: The Administration has clearly identified key areas of regulatory focus. It is the policy of the Administration to mobilize the power of the Federal Government to counter the COVID-19 public health emergency and expand access to healthcare; respond to the threat of climate change; promote robust economic relief and recovery; and advance the goals of racial justice, equity, and inclusion. In advancing these priorities, agencies

¹ 58 Fed. Reg. 51,735 (Oct. 4, 1993).

² 76 Fed. Reg. 3821 (Jan. 21, 2011).

should also consider how to prioritize a process for unwinding existing rules and policies that do not align with these priorities.

Responsive to the Recent Executive Action: In the first weeks of the Administration, the President directed agencies to review and reconsider previously published regulations. The President also issued a series of Executive actions directing agencies to take affirmative steps to address climate change,³ promote racial equity and address issues of gender identity, sex discrimination, and immigration,⁴ affirmative measures addressing COVID-19 and access to healthcare,⁵ as well as many other priorities. Agencies should ensure their proposed priorities reflect these directives.

Accurate timelines and improved public notice: The *Agenda* allows the public to anticipate upcoming rulemakings and thus must contain the most up-to-date and accurate information. Agencies should promote accuracy by removing actions for which no substantial activity is expected within two years. 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. Agencies should also consider what interim steps need to be prioritized to advance long-term actions slated for 12–24 months or beyond in a timely fashion. In making decisions regarding designations of actions as “Long-term” or “Active,” we encourage agencies to take a comprehensive assessment of their capacity in light of the priorities noted above and any actions that have statutory- or litigation-related deadlines.

Transparency: The *Agenda* is most valuable when the entries provide clear, transparent information on rulemakings under development. 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.

Preparing and Transmitting *Agenda* Submissions

Detailed instructions for submitting the Spring 2021 *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.

³ Exec. Order No. 13990, 86 Fed. Reg. 7037 (Jan. 25, 2021); Exec. Order No. 14008, 86 Fed. Reg. 7619 (Feb. 1, 2021).

⁴ Exec. Order No. 13985, 86 Fed. Reg. 7009 (Jan. 25, 2021); Exec. Order No. 13988, 86 Fed. Reg. 7023 (Jan. 25, 2021); Exec. Order No. 14010, 86 Fed. Reg. 8267 (Feb. 5, 2021); Exec. Order No. 14012, 86 Fed. Reg. 8277 (Feb. 5, 2021); Presidential Memorandum of January 26, 2021, “Redressing Our Nation’s and the Federal Government’s History of Discriminatory Housing Practices and Policies,” 86 Fed. Reg. 7487 (Jan. 29, 2021).

⁵ Exec. Order No. 13998, 86 Fed. Reg. 7205 (Jan. 26, 2021); Exec. Order No. 14009, 86 Fed. Reg. 7793 (Feb. 2, 2021).

Please ensure that a department or agency head appointed or designated by the President after noon on January 20, 2021, or his or her delegate, has had an opportunity to review the *Agenda* submission before transmission.

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 17th**.