



Scott Pruitt, Administrator,
United States Environmental Protection Agency
1200 Pennsylvania Avenue N.W., Washington, DC, 20460

May 15, 2017

RE: Comment on Executive Order 13777: Enforcing the Regulatory Reform Agenda, Docket ID: EPA-HQ-OA-2017-0190: **The existing regulatory assessment framework serves the American people well.**

Dear Administrator Pruitt:

The goal of President Trump's EO 13777 is "to reduce regulatory burdens agencies place on the American people".¹ This goal echoes the objective of EO 12866 which in 1993 created "a regulatory system that.... improves the performance of the economy" by implementing the Regulatory Impact Analysis/Assessments (RIA's) protocol.² The Office of Information and Regulatory Affairs (OIRA) located within the Office of Management and Budget (OMB), implements the RIA assessments. So why is the Trump administration proposing an Executive Order on regulations, given that a similar one has already been in effect for 20 years?

There is a key difference between these orders: the 1993 RIA protocol is a tool for legislators to bring down regulatory cost "*without imposing unacceptable or unreasonable costs on society*"-- a goal that President Trump's Regulatory Reform Task Force does not include.²

The RIA protocol has been a staple across Democratic and Republican leadership for over 20 years and has saved taxpayers money by preventing over-regulation of industry, *while creating an environment where private citizens and society's costs are lowered because their environment is safer.*

Unlike Pruitt's Task Force, the RIA asks hard hitting bipartisan questions to evaluate proposed legislation so that only efficient *and* safe laws are passed. For instance:

- What are the regulatory alternatives to proposed regulation, including the alternative of not regulating?
- Have existing regulations caused the problem that a new piece of regulation is attempting to solve?

¹ https://www.epa.gov/sites/production/files/2017-04/documents/regulatory_reform_agenda.pdf

² <https://www.archives.gov/files/federal-register/executive-orders/pdf/12866.pdf>

- How can we make this legislation cost-effective by creating incentives and minimizing enforcement and compliance costs?
- Do the benefits of the intended regulation justify its costs? Have we ensured that proposed regulations are not inconsistent, incompatible, or duplicative of other regulations or those of other Federal agencies?
- Is this decision based on the best reasonably obtainable scientific, technical, economic, and other information concerning the need for, and consequences of, the intended regulation?

The RIA questions provide excellent guidance for the administration's EO 13777, and we anticipate that the administration will be consulting the science-based regulatory impact analyses conducted for existing protections. To fail to do so would be a serious mistake. For instance, the RIA developed for the Clean Power Plan (CPP) shows on Page ES-22 that the net benefits range from \$1 billion dollars to \$43 billion dollars, based on varying economic assumptions. So the most conservative economic projection is that taxpayers would save \$1 billion by moving forward with the CPP.³

We don't need a Regulatory Reform Task Force because we already have one - it's existed since 1993. The OIRA has largely done a scientifically defensible job "evaluating existing regulations and making recommendations." We will be watching closely to determine if the new efforts to overturn existing regulations contradict OIRA findings and tie up agencies in duplicative procedures that waste taxpayers' money.

Respectfully Submitted,

Ollie Schwartz
Partnership for Policy Integrity

³ https://www3.epa.gov/ttn/ecas/docs/ria/utilities_ria_final-clean-power-plan-existing-units_2015-08.pdf