



# E.O. 13563 CHECKLIST FOR RETROSPECTIVE REVIEW OF EXISTING RULES

## SECTION 1: ANNUAL RULE REVIEW BACKGROUND

On January 18, 2011, President Obama issued Executive Order 13563, which seeks to improve regulation and regulatory review. He stated that our "regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation" and it must "use the best, most innovative, and least burdensome tools to achieve regulatory ends."

The Executive Order outlines several guiding principles for Federal agencies to follow in their regulations, such as ensuring that an agency's regulations **(Check all that apply)**:

- Take into account costs and benefits to society
- Are based on the best available science
- Are developed in a manner that allows public participation
- Are accessible, consistent, and written in plain language
- Use the least burdensome methods to achieve regulatory goals

The Department's goal is to create a systematic method for identifying those significant rules that are obsolete or simply no longer make sense. While this review will focus on the elimination of rules that are no longer warranted, DOS will also consider strengthening, complementing, or modernizing rules where necessary or appropriate - including, as relevant, undertaking new rulemakings.

## SECTION 2: GENERAL RULE INFORMATION

Name of the Rule

Docket Number or RIN

Responsible Bureau Office

Date Rule went into Effect (*mm-dd-yyyy*)

Responsible Bureau Representative (*Last, First, MI*)

Requested Action on Rule

## SECTION 3: REVIEW QUESTIONS

Is it your recommendation that the rule be cancelled?  Yes  No If so, please explain your reasons why, how, or what should be done?

Does this rule simply no longer make sense?  Yes  No If so, please explain below.

**If the rule should be cancelled then skip to the last page and sign and date this checklist.**

Is it your recommendation that the rule remain unchanged as is?  Yes  No If yes, please explain below.

To the best of your knowledge, did the creation of the rule include public participation?  Yes  No If yes, how did the public participate?

Were innovative technologies, new approaches, or noteworthy new changes made to establish the regulations when creating the rule?

Yes  No If so, please explain below.

Describe if, what, and how maximum net benefits were considered for the recipient of the rule when the rule was written.

Were any available alternatives considered other than the proposed or final rule?  Yes  No If yes, please explain below.

Were any economic, performance-based incentives considered in developing the rule?  Yes  No If yes, please explain below.

Coordination of rule development/review across agencies performed?  Yes  No If no, please explain below:

Describe any perceived impediments in the rulemaking or rule implementation process.

Does this rule warrant, in the current regulatory environment, improvements consistent with the current regulatory framework?

Yes  No If so, please explain below.

Are the rule's intent and objectives consistent with similar rulemakings?  Yes  No If yes, please explain below.

Is the rule written in plain language?  Yes  No If so, please explain below.

Does the rule use the least burdensome economic and labor-intensive methods to achieve its regulatory goals?

Yes  No If yes, please explain below.

Identify what Bureau/Agency will monitor compliance.

How will the rule be monitored for compliance?

Identify what Bureau/Agency will enforce the rule.

How will the rule be enforced?

Will rule compliance/enforcement activity be available for review?

Yes  No If yes, will the information be contained in a database, spreadsheet, intranet, internet, or other?

Additional Comments

Signature \_\_\_\_\_ Date (mm-dd-yyyy) \_\_\_\_\_