

THE WHITE HOUSE
WASHINGTON

January 29, 1981

MEMORANDUM FOR:

THE SECRETARY OF THE TREASURY
THE ATTORNEY GENERAL
THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF LABOR
THE SECRETARY OF HEALTH
AND HUMAN SERVICES
THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE SECRETARY OF EDUCATION
THE ADMINISTRATOR OF THE
ENVIRONMENTAL PROTECTION AGENCY

SUBJECT:

Postponement of Pending Regulations

Among my priorities as President is the establishment of a new regulatory oversight process that will lead to less burdensome and more rational federal regulation. I am now directing certain measures that will give this Administration, through the Task Force on Regulatory Relief, sufficient time to implement that process, and to subject to full and appropriate review many of the prior Administration's last-minute decisions that would increase rather than relieve the current burden of restrictive regulation. This review is especially necessary in the economic climate we have inherited.

1. Postponement of Pending Final Regulations. To the extent permitted by law, your agency shall, by notice in the Federal Register, postpone for 60 days from the date of this memorandum the effective date of all regulations that your agency has promulgated in final form and that are scheduled to become effective during such 60-day period.
2. Postponement of Proposed Regulations. To the extent permitted by law, your agency shall refrain, for 60 days following the date of this memorandum, from promulgating any final rule.

3. Emergency Regulations and Regulations Subject to Short-Term Deadlines. Your agency shall not postpone regulations that respond to emergency situations or for which a postponement pursuant to this memorandum would conflict with a statutory or judicial deadline.

4. Consultation with the Office of Management and Budget.

(a) Your agency shall report to the Director of the Office of Management and Budget all regulations that cannot legally be postponed under paragraphs 1 and 2 of this memorandum, and all regulations that will not be postponed under paragraph 3 of this memorandum, including a brief explanation of the legal or other reasons why the effective date of any such regulation will not be postponed.

(b) After consultation with the Director, or the Director's designee, your agency may decide to postpone the effective date or promulgation of a regulation for fewer than 60 days from the date of this memorandum, if circumstances warrant a shorter period of postponement.

5. Exemptions. This memorandum shall not apply to:

(a) regulations issued in accordance with the formal rule-making provisions of the Administrative Procedure Act, 5 U.S.C. 556, 557;

(b) regulations issued with respect to a military or foreign affairs function of the United States;

regulations related to Federal government procurement

(d) matters related to agency organization, management, or personnel; or

regulations issued by the Internal Revenue Service.

6. Definition. For purposes of this memorandum, "regulation" or "rule" shall mean an agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the procedure or practice requirements of an agency.

Ronald Reagan