

Federal Regulatory Process

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How the Sausage is Made

- “I have come to the conclusion that the making of laws is like the making of sausages; the less you know about the process, the more you respect the result.”
– Anonymous circa 1870

Federal Regulatory Process

Regulatory Process

- Authorizing legislation
- Unified Agenda
- Draft proposal
- Executive review
 - SBREFA
 - OIRA
- Public comment
- Revisions
- OIRA review
- Final rule published
- Congressional review (CRA)
- Judicial review (lawsuits)

What OIRA looks for:

- Need for regulation (market failure, statutory mandate)
- Alternatives (consistent with statute)
- Problems with assumptions, reality check
- Costs, effectiveness, benefits
- Quality of supporting information
- Unintended consequences
- Distributional effects