

November 17, 2021

Acting Director Shalanda Young  
White House Office of Management and Budget  
725 17th St., NW  
Washington, DC 20503

cc: Acting Administrator, Sharon Block, White House Office of Information and Regulatory Affairs;  
Deputy Director for Management, Jason Miller, White House Office of Management and Budget

SENT VIA E-MAIL

Re: Implementation of January 20, 2021, Memorandum on Modernizing Regulatory Review

Dear Acting Director Young:

We are a diverse group of sixty-three (63) organizations and individuals representing millions of Americans that support strong and effective regulations to protect the public. During the last several months, we have been pleased to see the Biden administration lay out its ambitious and visionary regulatory agenda while moving aggressively to undo the damage from the harmful “regulatory rollback” agenda of the previous administration. We applaud the Office of Management and Budget (OMB) and the Office of Information and Regulatory Affairs (OIRA) for pledging to play a constructive role in this progress.

We are concerned, however, that the antiquated and biased system of regulatory review, as currently implemented by OMB and OIRA, risks becoming a barrier to continued progress on the administration's future regulatory priorities that are designed to protect the American public. Thus, we encourage you to prioritize implementation of President Biden's memorandum regarding "Modernizing Regulatory Review" issued on Inauguration Day (hereinafter "the Biden memorandum").

We strongly agree with the Biden memorandum's call for fundamental reforms to the OIRA regulatory review process. In particular, as the Biden memorandum points out, the current approach to regulatory review disregards important values like human dignity, equity, and the interests of future generations; fails to account for a wide range of regulatory benefits; is insufficiently attentive to distributional concerns and can thus inappropriately burden disadvantaged or marginalized communities; discourages stronger protections instead of proactively promoting them; and is marked by costly delays and a lack of transparency.

Not only are reforms to fix such flaws long overdue, they will also enhance the quality of the administration's regulatory decision-making and ensure that the OIRA regulatory review process advances regulatory policies that improve the lives of the American people.

We therefore urge the administration to begin this process immediately, as called for in the Biden memorandum.

In implementing the Biden memorandum, we ask that the administration give particular attention to ensuring that the process is as inclusive as possible and offers meaningful opportunities for the public to participate. At a minimum, we encourage the administration to initiate a public engagement process that allows for robust participation, potentially including a comment period that doesn't unduly delay the reform recommendations. We strongly encourage the administration to aggressively reach out to members of historically disadvantaged or marginalized communities to solicit their input.

The Biden administration has a unique opportunity to rebuild the regulatory system to work for the American people. We look forward to working with the administration to see the implementation of the Biden memorandum reach a successful conclusion.

Sincerely,

Organizations:

AFL-CIO

Alliance of Nurses for Healthy Environments

American Atheists

American Federation of State, County & Municipal Employees

American Sustainable Business Council

Americans for Financial Reform Education Fund

Autistic Self Advocacy Network

Center for Auto Safety

Center for Biological Diversity

Center for Digital Democracy

Center for Food Safety  
Center for Progressive Reform  
Center for Science in the Public Interest (CSPI)  
Child Labor Coalition  
Clean Water Action  
Coalition on Human Needs  
Consumer Action  
Consumer Federation of America  
Consumers for Auto Reliability and Safety  
Demand Progress  
Earthjustice  
Empire State Consumer Project, Inc.  
Environmental Defense Fund  
Environmental Working Group  
Farmworker Association of Florida  
Friends of the Earth U.S.  
Government Information Watch  
Greenpeace USA  
Health Forward, LLC  
Institute for Agriculture and Trade Policy  
League of Conservation Voters  
Moms for a Nontoxic New York  
National Center for Health Research  
National Consumer Law Center (on behalf of its low-income clients)  
National Consumers League  
National Employment Law Project  
National Organization for Women  
Natural Resources Defense Council  
New Jersey Association on Correction

Open The Government  
People's Parity Project  
Planned Parenthood Federation of America  
Project On Government Oversight  
PSC CUNY  
Public Citizen  
Public Justice Center  
Revolving Door Project  
Sciencecorps  
Service Employees International Union  
Toxic Free North Carolina  
U.S. PIRG  
Union of Concerned Scientists  
United Steelworkers (USW)  
Utility Workers Union of America  
Waterkeeper Alliance  
Wisconsin Committee on Occupational Safety & Health  
Individuals:  
Dave Arndt  
Eugene C Jacquescoley, PhD, MPH  
Lauri Costello, MD  
Marissa Morello  
Rachel Rubin, MD, MPH  
Tee L. Guidotti  
Tunde M. Akinmoladun, PhD