



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

ADMINISTRATOR  
OFFICE OF  
INFORMATION AND  
REGULATORY AFFAIRS

OCT - 9 2008

Dean Richard L. Revesz  
Institute for the Study of Regulation  
New York University School of Law  
Vanderbilt 40 Washington Square South, 406D  
New York, New York 10012

Dear Dean Revesz:

Thank you for your September 5, 2008 letter to Director Nussle and for your continued interest in regulations and a transparent regulatory process. I share those interests and have looked at the concerns you raised. Each of the regulations highlighted in your letter is available on [www.regulations.gov](http://www.regulations.gov), and each is currently accepting electronic comments from the public. We are also working with the issuing agencies to ensure that the public has electronic access to available supporting information. As you know, agencies are not required to hold public hearings for proposed rules, and indeed generally do not. Also, unless a proposal is considered "economically significant" a full regulatory analysis (including an analysis of benefits and costs) is not routinely required.

I also appreciate your support for the May 2008 Memorandum from Chief of Staff Joshua Bolten and the various Executive Orders governing the regulatory review process. However, the Memorandum was not intended to be a moratorium on proposed regulations, and thus excludes from its terms regulations proposed after June 1, 2008 that are not finalized during this Administration. It further contemplates some circumstances in which it would be appropriate for individual regulations to proceed without regard to deadlines if approved by OIRA, working closely with the heads of the President's policy councils.

Thank you again for your interest in the rulemaking process.

Sincerely,

Susan E. Dudley  
Administrator  
Office of Information  
and Regulatory Affairs

cc: Mr. Michael A. Livermore ✓  
Executive Director