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Happy 30th Anniversary OIRA

Regulatory Policy Commentary
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The Office of Information and Regulatory Affairs (OIRA) turned 30 this year. As we prepare to host a [one-day conference](#) in honor of this milestone, featuring former administrators, senior career staff, and other regulatory experts, we pause to reflect on the history and importance of this little-known office.

OIRA's staff of about 50 professionals oversees the regulatory, information collection, and statistical activities of federal executive branch agencies. OIRA operates within the Office of Management and Budget in the Executive Office of the President and provides a function similar to OMB's oversight of department and agency fiscal budgets. Its role, like that of the budget divisions, is to provide the President with a tool to check agencies' natural proclivity to want more (whether it's more budget resources or more regulatory authority). The office scrutinizes agencies' planned regulations and collections of information, along with the analysis supporting them.

With its mission to ensure the benefits of regulations justify their costs, it is institutionally more interested in impacts on society broadly and less susceptible to special interest pressures than line agencies, and provides what President Obama has called "a dispassionate and analytical 'second opinion' on agency actions." Presidents of both parties have relied on it to oversee and coordinate executive branch regulations since its formation in 1981.

The office was created by the Paperwork Reduction Act of 1980, but it was President Ronald Reagan's Executive Order 12291 that first gave OIRA the mandate to analyze regulations. E.O. 12291 required, to the extent permitted by law, that administrative decisions be based on adequate information concerning the need for and consequences of proposed government action, and that regulatory actions maximize net benefits to society.

When President Bill Clinton took office in 1993, he replaced E.O. 12291 with Executive Order 12866, which modified some of the procedures, but reinforced not only OIRA's oversight role, but the philosophy that regulations should be based on an analysis of the costs and benefits of all available alternatives, and that agencies should select regulatory approaches that maximize net benefits to society, unless otherwise constrained by law.

President Bush and President Obama have both continued to operate under E.O. 12866, though each added some elements. President Obama recently issued Executive Order 13563 on

“Improving Regulation and Regulatory Review,” which reaffirms the sound principles and practices that have been in effect since 1981.

While OIRA now can look back on 30 years, its survival was not always clear. Throughout its history, groups have charged OIRA with improperly interfering in agency decisions, and Congress has held numerous hearings regarding the appropriate role of executive branch oversight.

Our conference on May 20 will examine the key regulatory oversight issues, challenges, and developments over the last three decades, and draw lessons for regulatory oversight now and in the future. Distinguished speakers include former administrators Jim Miller, Chris DeMuth, Judge Doug Ginsberg, Wendy Gramm, Judge Jay Plager, Sally Katzen, John Spotila, and Susan Dudley, as well as current OIRA Administrator Cass Sunstein, ACUS Chairman Paul Verkuil, former Congressman David McIntosh, former Ambassador Boyden Gray, and former EPA Deputy Administrator Marcus Peacock. For a complete agenda and list of speakers, and to register for the conference, please visit the [event website here](#).