



Insight

President Trump's Executive Orders on Regulation: A Progress Check

SAM BATKINS, DAN GOLDBECK | JUNE 13, 2017

Rolling back the regulatory state has been a consistent policy goal for President Trump from [his campaign](#) through his first months in office. There have been some notable achievements for his administration on that front. The initial “regulatory moratorium” [largely succeeded](#) in holding executive agency activity in check. Additionally, President Trump signed a record 14 Congressional Review Act (CRA) “resolutions of disapproval” into law, [repealing \\$3.7 billion worth of regulatory costs](#). His lodestar [Executive Order \(EO\) 13,771](#), establishing a [one-in, two-out framework](#) for regulatory actions, has received the bulk of the attention. However, there are at least a half dozen other executive orders establishing administrative reforms within a specific timeframe that, to date, have seen only limited progress.

The Orders and Their Deadlines

Ranging from more esoteric procedural reforms to specific issue area reviews on such topics as energy, finance, and tax reporting, these lesser-known orders could yield significant results depending on their implementation. Below are the relevant executive orders and their respective deadlines.

- [Executive Order 13772](#) of February 3, 2017 – **Core Principles for Regulating the United States Financial System**
 - “The Secretary of the Treasury shall consult with the heads of the member agencies of the Financial Stability Oversight Council and shall report to the President within 120 days of the date of this order (and periodically thereafter) on the extent to which existing laws, treaties, regulations, guidance, reporting and recordkeeping requirements, and other Government policies promote the Core Principles and what actions have been taken, and are currently being taken, to promote and support the Core Principles.”
 - Deadline: June 3, 2017
- [Executive Order 13777](#) of February 24, 2017 – **Enforcing the Regulatory Reform Agenda**
 - “Within 60 days of the date of this order, the head of each agency, except the heads of agencies receiving waivers under section 5 of this order, shall designate an agency official as its Regulatory Reform Officer (RRO).”
 - Deadline: April 25, 2017
- “Within 90 days of the date of this order, and on a schedule determined by the agency head thereafter, each Regulatory Reform Task Force shall provide a report to the agency head detailing the agency’s progress toward the following goals:

- (i) improving implementation of regulatory reform initiatives and policies pursuant to section 2 of this order; and
 - (ii) identifying regulations for repeal, replacement, or modification.”
- Deadline: May 24, 2017
- **Executive Order 13781 of March 13, 2017 – Comprehensive Plan for Reorganizing the Executive Branch**
 - *“Proposed Plan to Improve the Efficiency, Effectiveness, and Accountability of Federal Agencies, Including, as Appropriate, to Eliminate or Reorganize Unnecessary or Redundant Federal Agencies* . (a) Within 180 days of the date of this order, the head of each agency shall submit to the Director a proposed plan to reorganize the agency, if appropriate, in order to improve the efficiency, effectiveness, and accountability of that agency.”
 - Deadline: Sept 9, 2017
- “(c) Within 180 days after the closing date for the submission of suggestions pursuant to subsection (b) of this section, the Director shall submit to the President a proposed plan to reorganize the executive branch in order to improve the efficiency, effectiveness, and accountability of agencies”
- Deadline: TBD
- **Executive Order 13783 of March 28, 2017 – Promoting Energy Independence and Economic Growth**
 - “(c) Within 45 days of the date of this order, the head of each agency with agency actions described in subsection (a) of this section shall develop and submit to the Director of the Office of Management and Budget (OMB Director) a plan to carry out the review required by subsection (a) of this section.”
 - Deadline: May 12, 2017
- “Within 120 days of the date of this order, the head of each agency shall submit a draft final report detailing the agency actions described in subsection (a) of this section to the Vice President, the OMB Director, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the Council on Environmental Quality.”
- Deadline: July 26, 2017
- “The report shall be finalized within 180 days of the date of this order, unless the OMB Director, in consultation with the other officials who receive the draft final reports, extends that deadline.”
- Deadline: Sept 24, 2017
- **Executive Order 13789 of April 21, 2017 – Identifying and Reducing Tax Regulatory Burdens**
 - *“Addressing Tax Regulatory Burdens.*(a) In furtherance of the policy described in section 1 of this order, the Secretary of the Treasury (Secretary) shall immediately review all significant tax regulations issued by the Department of the Treasury on or after January 1, 2016, and, in

consultation with the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, identify in an interim report to the President all such regulations that:

- (i) impose an undue financial burden on United States taxpayers;
 - (ii) add undue complexity to the Federal tax laws; or
 - (iii) exceed the statutory authority of the Internal Revenue Service.
 - This interim report shall be completed no later than 60 days from the date of this order.”
 - Deadline: June 20, 2017
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- “No later than 150 days from the date of this order, the Secretary shall prepare and submit a report to the President that recommends specific actions to mitigate the burden imposed by regulations identified in the interim report required under subsection (a) of this section.”
 - Deadline: Sept 18, 2017
 - “Should all such actions not be finalized within 180 days following the submission of the report to the President, the Secretary shall submit for publication in the Federal Register an initial report summarizing the actions taken to that point.”
 - Deadline: TBD
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- **Executive Order 13795 of April 28, 2017 – Implementing an America-First Offshore Energy Strategy**
 - “Within 180 days of the date of this order, the Secretary of Commerce, in consultation with the Secretary of Defense and the Secretary of the Interior, shall report the results of the review under this subsection to the Director of the Office of Management and Budget, the Chairman of the Council on Environmental Quality, and the Assistant to the President for Economic Policy.”
 - Deadline: Oct 25, 2017

Progress?

While many of the above deadlines are still far off, there have been some either nearing or past their deadline for which agencies have yet to meet their commitments. For EO 13,772, the Department of Treasury released its [report](#) on June 12 – nine days past its deadline. For EO 13,777, only six executive agencies have designated their Regulatory Reform Officer: [five near the deadline](#) (Commerce, Homeland Security, Treasury, Environmental Protection Agency (EPA), Small Business Administration) and [Transportation](#) roughly a month thereafter. For the EO’s second stage (the “Regulatory Reform Task Force” report), no agency submitted a report prior to the deadline, but [Commerce](#), [EPA](#), and [Transportation](#) have all taken at least some action on that front. For EO 13,783, there does not yet appear to be a required report from any of the presumably relevant agencies: [Energy](#), [EPA](#), and [Interior](#).

Conclusion

Many of the planned reforms detailed above still have plenty of time to meet their stated deadlines. However, the handful of deadlines that have come and passed demonstrate a lack of action thus far. This is likely due in large part to [the difficulties](#) the administration has had in filling sub-Secretary political appointments that would generally carry out these reforms. And while CRA resolutions have had notable impacts, there is still plenty of work left for this administration in the regulatory realm in the future.