



TO: OpDiv and StaffDiv Heads

FROM: Brian Harrison, Chief of Staff

SUBJECT: Avoiding Duplicative Regulation

The Department believes that its decision-making ought to be transparent, rational, and well-honed to achieve legitimate government objectives with minimum transaction costs to the affected sector. This Notice furthers those objectives and the objectives of the Richardson Waiver (see 36 Fed. Reg. 2532 (Feb. 5, 1971)), and various Executive Orders by requiring that all regulations issued by this Department are necessary, understandable, and provide clear guidance to the public and regulated entities regarding the standards to be met and procedures to be followed. Redundant, overlapping, or inconsistent regulations undermine these goals by injecting uncertainty, creating potentially conflicting regulatory regimes, and increasing transactions costs with no discernible benefit to the public.

Effective immediately, all agencies and offices of the Department that prepare regulations must ensure that any rule is not inconsistent with, and does not overlap with, any regulation that has already been issued through an agency within the Department. In the event an agency proposing that the Secretary issue a rule discovers that such rule is inconsistent or overlaps with another Department rule, the proposing agency shall not recommend issuance until it also recommends to the Secretary the steps to be taken to avoid duplicative or overlapping regulations.

Brian Harrison