

Guidelines and Procedures for the Spring 2025 Unified Agenda of Federal Regulatory and Deregulatory Actions

Why Publish the Unified Agenda for Regulatory and Deregulatory Actions?

Section 4(b) of EO 12866 requires agencies to publish a regulatory and deregulatory agenda. The *Unified Agenda of Federal Regulatory and Deregulatory Actions* is a compilation of each agency's regulatory agenda. A central goal of the Agenda is to promote transparency and open government.

In addition, the *Agenda* furthers the purposes of the Regulatory Flexibility Act (5 U.S.C. § 601 et seq.) (RFA); EO 14192; EO 13563; EO 13132, "Federalism," [64 FR 43255](#) (August 4, 1999); the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1501–04, 1531–38, 1551–56 (UMRA); and the Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. § 601 note (SBREFA).

What Regulations Should Agencies Include in Their Agendas?

Regulatory agendas should describe all regulations (regulatory and deregulatory) under development or review during the 12 months following publication. Agencies should include, at a minimum, any plans to publish or otherwise implement an advance notice of proposed rulemaking (ANPRM), a notice of proposed rulemaking (NPRM), or a final rule. Agencies may include any plans to conduct a review pursuant to 5 U.S.C. § 610(c) or Section 5 of EO 12866. An agency need not include in its regulatory agenda those rulemaking actions that are excluded by Section 3(d)(1)–(4) of EO 12866.

Agencies have the option of including activities that will result in action beyond 12 months. However, such entries should be limited to rulemakings for which listing in the Unified Agenda will provide a benefit to users. Agency agendas also should include actions or reviews completed or withdrawn since the last *Agenda*.

In addition, agencies should submit preliminary EO 14192 cost estimates for all actions that are expected to be finalized by the end of FY 2025, using the re-launched Regulatory Accounting module, as described below.

In What Format Will the Spring 2025 Unified Agenda Be Published?

The Unified *Agenda* will be available online, in its entirety, at www.reginfo.gov, in a format that offers users the ability to obtain information easily from the Unified *Agenda* database.

- Publication in the *Federal Register* is mandated for the regulatory flexibility agendas required by the RFA, and therefore it will continue. Agency agendas printed in the *Federal Register* will consist of the following:
 - The agency's agenda preamble;
 - Rules that are in the agency's regulatory flexibility agenda, in accordance with the RFA, because they are likely to have a significant economic impact on a substantial number of small entities;
 - Any rules that the agency has identified for periodic review under Section 610 of the RFA;

- The agency’s preliminary EO 14192 designation for each listed rule.

Printing of these entries will largely be limited to fields that contain information required by the RFA’s agenda requirements (5 U.S.C. § 602). Additional information on these entries will be available in the *Agenda* published on the Internet. If an agency has no entries in the printed *Federal Register* version of the *Agenda*, its preamble will not be printed. Under *Federal Register* regulations, GPO Access will have the same content as the printed *Federal Register*.

How Will the Printed Edition of the Unified Agenda Be Organized?

The portion of the *Agenda* that will be printed in the *Federal Register* for Spring 2025 will, in general, follow the organizational pattern of prior publications of the *Agenda*, displaying primarily the information required in the regulatory flexibility agenda, along with agency preambles, and the action’s preliminary EO 14192 designation. Part II of the *Federal Register* on the day of publication will have RISC’s Introduction to the Unified Agenda. The individual agency agendas will then appear in separate parts, organized alphabetically in four groups: Cabinet departments; other Executive agencies; the Federal Acquisition Regulation, a joint authority; and independent regulatory agencies. Departments may be divided into their component agencies. If an agency has no entries in the printed *Federal Register* version of the *Agenda*, its preamble will not be printed, and the agency will not have a separate part in the *Federal Register*.

Each agency's part of the *Agenda* begins with a Preamble, which offers agency-specific information, followed by a comprehensive list of the agency's RIN entries. Agencies should consider including in their *Agenda* preambles a statement indicating that the agency’s complete regulatory agenda is available online at www.reginfo.gov. Each agency presents its entries, divided by sub-agency if applicable, under one of five headings according to the rulemaking stage of the entry. The stages are:

- *Prerule Stage* - actions agencies will undertake to determine whether or how to initiate rulemaking. Such actions occur prior to an NPRM and may include an ANPRM or a review of existing regulations.
- *Proposed Rule Stage* - actions for which agencies plan to publish an NPRM as the next step in their rulemaking process or for which the closing date of the NPRM comment period is the next step.
- *Final Rule Stage* - actions for which agencies plan to publish a final rule or an interim final rule or to take other final action as the next step.
- *Long-Term Actions* - items under development but for which the agency does not expect to have a regulatory action within the 12 months after publication of this update of the *Agenda*. Some of the entries in this section may contain abbreviated information. Actions with no planned publication for over 24 months should be classified as “Inactive” or be removed.
- *Completed Actions* - actions or reviews the agency has completed or withdrawn since publishing its last *Agenda*. This section also includes items the agency began and completed between issues of the *Agenda*.

Some agencies use Agency Sort Codes to arrange the order of their entries in the printed Unified *Agenda*, with the final sort by RIN. OMB has also asked agencies to include RINs in the headings of their final and NPRM documents published in the *Federal Register* to make it easier for the public and agency officials to track the publication history of regulatory actions through their development.

A bullet (•) preceding the title of an entry indicates that the entry is appearing in the Agenda for the first time.

All entries are numbered sequentially from the beginning to the end of the printed publication. The sequence number preceding the title of each entry identifies the location of the entry in this update. The printed *Agenda* will not have any separate indexes.

How Will the Online Unified Agenda Be Organized?

The entire Agenda will be available online at www.reginfo.gov. The *Agenda* will be presented in the form of a searchable database rather than as a single document that is ordered according to a prescribed sequence. Users will be able to view an individual agency's complete agenda. Each individual entry may be viewed in its entirety.

What Information Appears for Each Regulation Included in the Agency *Agenda*?

All entries in the online *Agenda* contain uniform data elements including, at a minimum, the following information:

- *Title of the Regulation* - a brief description of the subject of the regulation.
- *Priority* - An indication of the significance of the regulation. Agencies assign each entry to one of the following five categories of significance:
 - *Economically Significant* - as defined in EO 12866, a rulemaking action that will have an annual effect on the economy of \$100 million or more or will adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, territorial, or tribal governments or communities. The definition of an "economically significant" rule is similar but not identical to the definition of a "major" rule under the Congressional Review Act, 5 U.S.C. § 801 et seq. ("CRA"). (See below.)
 - *Other Significant* - a rulemaking that is not economically significant but is considered significant by the agency. This category includes rules that the agency anticipates will be reviewed under EO 12866 or rules that are a priority of the agency head.
 - *Substantive, Non-significant* - a rulemaking that has substantive impacts but is neither Significant, nor Routine and Frequent, nor Informational/Administrative/Other.
 - *Routine and Frequent* - a rulemaking that is a specific case of a multiple recurring application of a regulatory program in the Code of Federal Regulations and that does not alter the body of the regulation.
 - *Informational/Administrative/Other* - a rulemaking that is primarily informational or pertains to agency matters not central to accomplishing the agency's regulatory mandate but that the agency places in the Agenda to inform the public of the activity.
- *Major* - an indication that a rule may be "major" under the CRA because it has resulted in or is likely to result in an annual effect on the economy of \$100 million or more or meets other criteria specified. The CRA provides that the Administrator of OIRA will make the final determination as to whether a rule is major.

- *Unfunded Mandates* - whether the rule is covered by Section 202 of UMRA. UMRA requires that, before issuing an NPRM likely to result in a mandate that may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector of more than \$100 million in one year, agencies shall prepare a written statement containing an assessment of the anticipated costs and benefits of the Federal mandate. If the agency believes the entry is not subject to UMRA, this data element will not be printed.
- *Legal Authority* - the section(s) of the United States Code or Public Law or the EO that authorize(s) the regulatory action. Agencies may provide popular name references to laws in addition to these citations.
- *CFR Citation* - the part(s) or section(s) of the Code of Federal Regulations that will be affected by the action.
- *Legal Deadline* - whether the action is subject to a statutory or judicial deadline, the date of that deadline, and whether the deadline pertains to a NPRM, a final action, or some other action.
- *Abstract* - a brief description of the problem the regulation will address; the need for a Federal solution; to the extent available, alternatives that the agency is considering to address the problem; potential costs, cost savings, and benefits of the action; and, as practicable and appropriate, any participation and engagement with the public undertaken by the agency in developing the regulatory proposal.
- *Timetable* - the dates and citations (if available) for all past steps and a projected date for at least the next step for the regulatory action. A date printed in the form **mm/00/yyyy** means the agency predicts the month and year the action will take place but not the day it will occur. In some instances, agencies may indicate what the next action will be, but the date of that action is “To Be Determined.” Agencies indicate this by entering a date in the form 00/00/0000. “Next Action Undetermined” indicates the agency does not know what action it will take next. For every entry that is not a completion, it is important that the agency provide in the Timetable section an estimated date for the “Next Action”, the first action scheduled to occur on or after the listed action.
- *EO 14192 Designation* – the preliminary EO 14192 designation as defined by Guidance: “deregulatory,” “regulatory,” “exempt,” “waived,” “other.” A similar menu will accompany Information Collection Request (ICR) submissions (see below for more detail).
- *Regulatory Flexibility Analysis Required* - whether the RFA requires an analysis because the rulemaking action is likely to have a significant economic impact on a substantial number of small entities as defined by the Act.
- *Small Entities Affected* - the types of small entities (businesses, governmental jurisdictions, or organizations) on which the rulemaking action is likely to have an impact as defined by the RFA. Agencies have the option of indicating likely effects on small entities even though they believe that a Regulatory Flexibility Analysis will not be required.
- *Government Levels Affected* - whether the action is expected to affect levels of government and, if so, whether the governments are State, local, tribal, or Federal.
- *International Impacts* - whether the regulation is expected to have international trade and investment effects, or otherwise may be of interest to our international trading partners.
- *Federalism* - whether the action has “federalism implications” as defined in EO 13132. This term refers to actions “that have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” If the action does not have federalism implications, this data element will not be printed.

- *Agency Contact* - the name and phone number of at least one person in the agency who is knowledgeable about the rulemaking action. The agency may also provide the title, address, fax number, e-mail address, and TDD for each agency contact.

Some agencies have provided the following optional information:

- *Additional Information* - any information that the agency wants to provide for which there is not a specific data element.
- *Agency Sort Codes* - alternative or additional criteria for the order in which RINs are published within an agency's agenda, as requested and specified by the agency.
- *Compliance Cost to the Public* - the estimated gross compliance cost of the action.
- *Affected Sectors* - the industrial sectors that the action may most affect, either directly or indirectly. Please use the North American Industry Classification System (NAICS) codes to identify the affected sectors.
- *Energy Effects* - an indication of whether the agency plans to prepare or has prepared a Statement of Energy Effects for significant energy actions, as required by EO 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use," 66 FR 28355 (May 18, 2001).
- *Related RINs* - one or more past or current RIN(s) associated with activity related to this action, such as merged RINs, split RINs, new activity for previously completed RINs, or duplicate RINs.
- *Related Agencies* - any other agencies participating in this action if it is a joint rulemaking or common rule.
- *RFA Section 610 Review* - an indication that the agency has selected the rule for its periodic review of existing rules under the RFA (5 U.S.C. § 610(c)). Some agencies have indicated completions of Section 610 reviews or rulemaking actions resulting from completed Section 610 reviews.
- *URLs or Web Address* - if available, please enter a URL for a website to provide the public with more information about the rulemaking and a URL for a website on which the public can submit comments on the rulemaking. If the agency does not provide its own specific website for submission of comments, then you should enter the Government-wide e-rulemaking address: <http://www.regulations.gov>.

How Can an Agency Preliminarily Designate an Action as an EO 14192 Action?

Agencies are required to provide a preliminary EO 14192 designation for each action submitted in the Agenda. These designations, defined by Guidance, will be made via a new drop down menu in the ROCIS system. Designations follow:

- *Deregulatory* - when finalized, the action is expected to have total costs less than zero;
- *Regulatory* - the action is either a significant regulatory action as defined in Section 3(f) of EO 12866, or a significant guidance document (e.g., significant interpretive guidance) reviewed by OIRA under the procedures of EO 12866 that, when finalized, is expected to impose total costs greater than zero;
- *Fully or Partially Exempt* - the action has been granted, or is expected to be granted, a full or partial waiver under one or more of the following circumstances: (i) it is expressly

exempt (issued with respect to a “military, national security, homeland security, foreign affairs, or immigration-related function of the United States”; or related to “agency organization, management, or personnel”); or (ii) it addresses an emergency such as critical health, safety, financial, or non-exempt national security matters (offset requirements may be exempted or delayed); or (iii) it is required to meet a statutory or judicial deadline (offset requirements may be exempted or delayed); or (iv) it is expected to generate *de minimis* costs;

- *Not subject to, not significant* - is a NPRM or final rule AND is neither an EO 14192 regulatory action nor an EO 14192 deregulatory action. PLEASE NOTE: this menu option does NOT appear in the EO 14192 Primary Worksheet.
- *Other* - at the time of designation, either the available information is too preliminary to determine EO 14192 status or other circumstances reasonably preclude a preliminary EO 14192 designation. This category can also be used for actions that do not fall within the other categories (e.g., ANPRM or RFI).

Please note that OIRA has developed a similar process for ICR requests, which will allow the agencies and us to track potential deregulatory actions that take the form of paperwork burden reductions. Although not part of the Agenda, agencies will be able to provide an EO 14192 designation for ICRs submitted in ROCIS. This designation, defined by Guidance, will be made via a new drop down menu in the ROCIS system.

In ROCIS, the new dropdown menu will be preceded by the following text: Is this ICR an EO 14192 deregulatory action (as defined by M-25-20)? “Deregulatory” generally means the ICR has been finalized and has total costs less than zero due to a substantive change, not a simple burden adjustment.

Which Agenda Entries Require Submission of Additional EO 14192 Information via the Regulatory Accounting ROCIS Module?

Agencies should use the new Regulatory Accounting Module to submit preliminary EO 14192 information for all regulations that they anticipate finalizing by the end of FY 2025 (September 30, 2025), including preliminary EO 14192 designations that match those provided in the Agenda (whether the action is regulatory, deregulatory, or exempt), as well as preliminary estimates of anticipated costs or cost savings (these estimates will not publish as part of the Agenda and are for planning purposes only).

No information is needed at this time regarding proposed cost allowances for FY 2026 or year-end final accounting for FY 2025. Additional guidance will be provided in these areas in the data call for the *Fall 2025 Regulatory Plan and Unified Agenda*.

How Should an Agency Prepare Its Data for Publication in the Unified Agenda?

Agencies participating in the Unified Agenda should submit their respective portions in the uniform format specified in the instructions of RISC. RISC edits and compiles the Agenda on behalf of OIRA. Agencies have three alternative methods to prepare data on individual entries for publication in the Agenda:

- *Direct Entry* - The agency establishes a connection to the RISC/OIRA Consolidated Information System (ROCIS) from one or more of its own computer terminals, through an Internet browser. Agency personnel should enter data directly into the ROCIS database.
- *Data File* - An agency that stores its Agenda data in its own database may choose to transmit to ROCIS all of its data in electronic files prepared according to the specific file format prescribed by RISC. Please note that to allow sufficient time for editing, it is especially important to submit data files prior to the deadline. If you are interested in data file submission, contact RISC for further information.
- *Paper Forms* - **The use of the paper form for submitting your Unified Agenda retired in the Fall 2021 cycle.** The RISC staff will be available to assist you in retrieving a user id and password for access to ROCIS and to input your Agency's RINs. **A training class is required for new users to gain ROCIS access and to obtain a user id and password for ROCIS.** Contact your RISC Analyst for enrolling in the next training class.
- *Reports* - ROCIS provides agencies with multiple reports to assist you with your data quality check before submitting your final agenda. Three main reports are: The **Agenda Review Report**, which is a printout of the agency's entries; the **Error Report**, which lists inaccurate or missing data; and the **Timetable Report**, which lists the Timetable for each RIN. Please take time and run these **Reports** and review the content of your submission, to correct any errors, supply any missing data, and update your agency's RINs. These reports may be run for all of an agency's entries, for entries updated since a specified date, or for a particular RIN or set of RINs.
- *Preambles* - All agencies are required to submit an updated Preamble. **Paper ink signed copies are no longer required.** If you are designating Section 610 reviews in the Agenda, your preamble should include a reference to Section 610 reviews. You must download/save a copy of your previous Preamble, located in ROCIS, to your agency's computer system for updating. Use this downloaded/saved Preamble to make any changes, revisions, deletions, or updates prior to uploading to ROCIS for this cycle. If you have questions and for further information about these procedures, please contact your RISC Analyst.

What Documents and Information Should an Agency Submit?

Each agency should submit the following documents and information to RISC:

- When the agency is satisfied that its entries are complete, accurate, and represent what the agency wishes to publish, a designated person at the agency will be able to submit the entries to RISC electronically through ROCIS.
- **DIGITAL SIGNATURE:** If your agency is submitting **Reg Flex** or **Section 610 Review** RINs, you will be required to ascertain a Digital Signature on the Preamble document. The document will be provided to you by your RISC Analyst after publication on RegInfo.gov. Detailed INSTRUCTIONS on the Digital Signing procedures will be sent in a separate email.

What Are Inactive Actions, and Where Are They Located?

An agency can temporarily designate an active RIN to inactive status if it does not plan to undertake the action in the coming calendar year. Inactive actions assist internal agency tracking of past actions and allow an agency to retain the same RIN for an action over its lifetime as they

further consider policy. Inactive actions are not published in the current *Agenda*; however, you can find a list of these actions along with the latest *Agenda* on the Reginfo.gov website.

When and How Should Agencies Submit Their Agendas?

The deadline for submission of all completed *Agenda* materials date is **Monday, April 21st**. This is a firm deadline.

Agencies submission of their agenda is done electronically through ROCIS to RISC. RISC will then assemble the entire *Agenda* and arrange for online publication at www.reginfo.gov. RISC forwards and compiles all agency regulatory flexibility agendas to GPO for printing in a single day's issue of the *Federal Register*. GPO will bill each agency for the cost of printing its portions of the *Agenda* that appear in the *Federal Register*.

How Can Agencies Obtain Further Information?

For further information concerning the content requirements of agency agendas, contact your agency's OIRA desk officer. For further information concerning automated agenda production, specific data requirements, format, completion, or submission of agency agendas, contact the Regulatory Information Service Center, 1800 F Street NW, Washington, DC 20405-0001; or your agency's RISC Analyst:

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