

Conversation Contents

FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

Attachments:

/4. FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"/1.1

AgencyName_Sec2_EO13783_WO300.xlsx

/4. FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"/2.1 M-17-24 (3).pdf

/4. FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"/3.1 M-17-24 (3).pdf

/4. FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"/7.1

AgencyName_Sec2_EO13783_WO300_v2.xlsx

/4. FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"/13.1

AgencyName_Sec2_EO13783_WO300_v2.jt.xlsx

/4. FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"/17.1 BLM_Sec2_EO13783.xlsx

Timothy Spisak <tspisak@blm.gov>

From: Timothy Spisak <tspisak@blm.gov>
Sent: Wed May 10 2017 10:40:55 GMT-0600 (MDT)
To: "Tichenor, James C" <jtichenor@blm.gov>, Michael Ford <mmford@blm.gov>
CC: Shelley McGinnis <smcginnis@blm.gov>, "Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven" <s1wells@blm.gov>, Theresa Coleman <tc Coleman@blm.gov>, "Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser <aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth Zimmerman <rmzimmerman@blm.gov>
Subject: FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"
Attachments: AgencyName_Sec2_EO13783_WO300.xlsx

James/Mike:

Please see attached table (and email trail below) that needs to be completed by about 11 am 5/11. It is an OMB exercise that is asking for more information in regards to the items that WO300 identified as potentially impacting energy development opportunities. There are several columns in there looking for cost/cost savings figures at 3%/7% and low/high ranges. Not sure those particularly apply to rescinding policy. Shelley can serve to provide some background and please contact 310/320 staff as needed for specific information on the policies identified.

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Thanks all!
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Timothy 'Tim' R. Spisak
Acting Assistant Director,
Energy, Minerals & Realty Management, WO-300
DOI-Bureau of Land Management
tspisak@blm.gov
(202) 208-4201 office
(202) 251-3079 cell

From: McGinnis, Shelley [mailto:smcginnis@blm.gov]
Sent: Wednesday, May 10, 2017 12:28 PM
To: Timothy Spisak; Lonny Bagley
Cc: Kristin Bail; Karen Kelleher
Subject: Re: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

Tim,

Please use attached version of spreadsheet.

Kristin and Karen - could you let us know if anyone from your team is working on filling in the information for the following:

(b) (5)




Thanks, Shelley

On Wed, May 10, 2017 at 10:00 AM, Stewart, Shannon <sstewar@blm.gov> wrote:
Hi All

We have received a new, short turnaround request from ASLM - see below. I have added the items from our memo on SO 3349 Section C to the spreadsheet to get us started. Rich is clear below that if an entry does not lend itself to the information requested, we should simply put N/A. This is due back to ASLM tomorrow mid-day. Happy to discuss further after you have sometime to digest.

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To: Walter Cruickshank <walter.cruickshank@boem.gov>, Glenda Owens <gowens@osmre.gov>, Margaret Schneider <margaret.schneider@bsee.gov>, "Nedd, Mike" <mnedd@blm.gov>
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Date: Tue, May 9, 2017 at 7:10 AM

Subject: Fwd: Procedural Guidance on Section 2 of Executive Order 13783, “Promoting Energy Independence and Economic Growth”

To: Richard Cardinale <Richard_Cardinale@ios.doi.gov>, Maureen Foster <maureen_foster@ios.doi.gov>, Sarah Walters <sarah_walters@ios.doi.gov>, Kerry Rae <kerry_rae@ios.doi.gov>, Amy Holley <amy_holley@ios.doi.gov>

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Juliette Lillie

Director Executive Secretariat and Regulatory Affairs

Department of the Interior

1849 C St. NW

Washington DC 20240

Email: juliette_lillie@ios.doi.gov

Ph: 202-219-7724

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1849 C Street NW, Room 5625
Washington, DC 20240
Office: 202-208-6551
Cell: 202-578-3010
Email: smcginnis@blm.gov

"McGinnis, Shelley" <smcginnis@blm.gov>

From: "McGinnis, Shelley" <smcginnis@blm.gov>
Sent: Wed May 10 2017 10:43:01 GMT-0600 (MDT)
To: "Tichenor, James C" <jtichenor@blm.gov>, Michael Ford <mmford@blm.gov>
CC: "Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven" <s1wells@blm.gov>, Theresa Coleman <tcoleman@blm.gov>, "Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser <aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth Zimmerman <rmzimmerman@blm.gov>, Timothy Spisak <tspisak@blm.gov>
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Please also see attached pdf that was part of the original email.

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"Ford, Michael" <mmford@blm.gov>

From: "Ford, Michael" <mmford@blm.gov>
Sent: Wed May 10 2017 10:45:41 GMT-0600 (MDT)
To: "Tichenor, James" <jtichenor@blm.gov>
Subject: Fwd: FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"
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Whelp, there goes the day.

(b) (6) but can call when I'm done around 2:30 if that's ok

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Michael M. Ford
Economist
Bureau of Land Management
mmford@blm.gov
w: 202-912-7623
m: 202-774-8530

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CC:
Subject: Re: FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

Hi Tim,

Mike and I will take a look and see what we can provide. I don't think there will be any way to provide numbers for the various IMs listed, at least by tomorrow at 11am. Will likely populate with N/A, unless the programs have numbers on those.

Just an FYI that there are several other cells to populate (not sure cost figures), so we can take a look at that, but it would be helpful to know if others are as well.

Also (b) (5)



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Date: Wed, May 10, 2017 at 12:43 PM
Subject: Re: FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting

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To: "Tichenor, James C" <jtichenor@blm.gov>, Michael Ford <mmford@blm.gov>

Cc: "Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven" <s1wells@blm.gov>, Theresa Coleman <coleman@blm.gov>, "Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser <aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth Zimmerman <rmzimmerman@blm.gov>, Timothy Spisak <tspisak@blm.gov>

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Sent: Wednesday, May 10, 2017 12:28 PM
To: Timothy Spisak; Lonny Bagley
Cc: Kristin Bail; Karen Kelleher
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w: 202-912-7623
m: 202-774-8530

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Bureau of Land Management
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202-573-0536

Michael Ford <mmford@blm.gov>

From: Michael Ford <mmford@blm.gov>
Sent: Wed May 10 2017 11:24:37 GMT-0600 (MDT)
To: "Tichenor, James" <jtichenor@blm.gov>
Subject: Re: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

Yep, sounds good. Gotta love these fire drills

Sent from my iPhone

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Attachments: AgencyName_Sec2_EO13783_WO300_v2.xlsx

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Date: Tue, May 9, 2017 at 7:10 AM

Subject: Fwd: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

To: Richard Cardinale <Richard_Cardinale@ios.doi.gov>, Maureen Foster <maureen_foster@ios.doi.gov>, Sarah Walters <sarah_walters@ios.doi.gov>, Kerry Rae <kerry_rae@ios.doi.gov>, Amy Holley <amy_holley@ios.doi.gov>

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Director Executive Secretariat and Regulatory Affairs

Department of the Interior

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Email: juliette_lillie@ios.doi.gov

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"McGinnis, Shelley" <smcginnis@blm.gov>

From: "McGinnis, Shelley" <smcginnis@blm.gov>
Sent: Wed May 10 2017 12:20:35 GMT-0600 (MDT)
To: "Tichenor, James" <jtichenor@blm.gov>

CC: Michael Ford <mmford@blm.gov>, Timothy Spisak <tspisak@blm.gov>, "Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven" <s1wells@blm.gov>, Theresa Coleman <tcoleman@blm.gov>, "Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser <aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth Zimmerman <rmzimmerman@blm.gov>

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Sent: Wed May 10 2017 14:31:16 GMT-0600 (MDT)
To: "McGinnis, Shelley" <smcginnis@blm.gov>, Richard Estabrook <restabro@blm.gov>
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Energy, Minerals, and Realty Management Directorate WO-300
Bureau of Land Management
jtichenor@blm.gov
202-573-0536

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"Tichenor, James" <jtichenor@blm.gov>

From: "Tichenor, James" <jtichenor@blm.gov>
Sent: Wed May 10 2017 15:00:06 GMT-0600 (MDT)
To: "McGinnis, Shelley" <smcginnis@blm.gov>
Timothy Spisak <tspisak@blm.gov>, Michael Ford
<mmford@blm.gov>, Richard Estabrook <restabro@blm.gov>,
"Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven"
CC: <s1wells@blm.gov>, Theresa Coleman <tcoleman@blm.gov>,
"Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser
<aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth
Zimmerman <rmzimmerman@blm.gov>
Subject: Re: Procedural Guidance on Section 2 of Executive Order 13783,
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Subject: Fwd: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

To: Richard Cardinale <Richard_Cardinale@ios.doi.gov>, Maureen Foster <maureen_foster@ios.doi.gov>, Sarah Walters <sarah_walters@ios.doi.gov>, Kerry Rae <kerry_rae@ios.doi.gov>, Amy Holley <amy_holley@ios.doi.gov>

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Juliette Lillie

Director Executive Secretariat and Regulatory Affairs

Department of the Interior

1849 C St. NW

Washington DC 20240

Email: juliette_lillie@ios.doi.gov

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Attachments: AgencyName_Sec2_EO13783_WO300_v2.jt.xlsx

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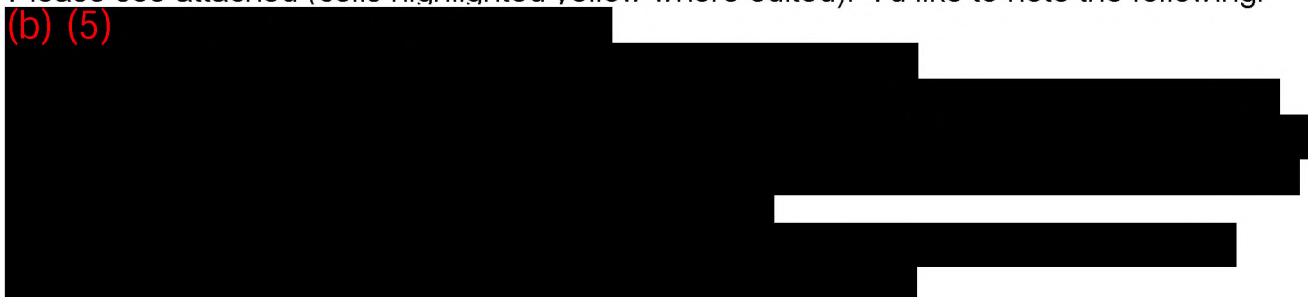
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Rich

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Date: Tue, May 9, 2017 at 7:10 AM

Subject: Fwd: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

To: Richard Cardinale <Richard_Cardinale@ios.doi.gov>, Maureen Foster <maureen_foster@ios.doi.gov>, Sarah Walters <sarah_walters@ios.doi.gov>, Kerry Rae <kerry_rae@ios.doi.gov>, Amy Holley <amy_holley@ios.doi.gov>

Good morning: We received guidance from OMB on the report due for EO 12783 Promoting Energy Independence and Economic Growth. I wanted to pass it on to you because I believe a report is due this week. We did send a copy of this information to Jim Cason.

Julie

Juliette Lillie

Director Executive Secretariat and Regulatory Affairs

Department of the Interior

1849 C St. NW
Washington DC 20240

Email: juliette_lillie@ios.doi.gov

Ph: 202-219-7724

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Shannon Stewart
Acting Chief of Staff
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202-208-4586 (office)
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"Tichenor, James" <jtichenor@blm.gov>

From: "Tichenor, James" <jtichenor@blm.gov>
Sent: Wed May 10 2017 15:25:42 GMT-0600 (MDT)
To: Michael Ford <mmford@blm.gov>
Subject: Re: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

Hey, thanks for the effort today. Have a beer tonight at the Cantina.

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Yep, sounds good. Gotta love these fire drills

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Subject: Re: FW: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"
To: "Tichenor, James C" <jtichenor@blm.gov>, Michael Ford <mmford@blm.gov>
Cc: "Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven" <s1wells@blm.gov>, Theresa Coleman <tc Coleman@blm.gov>, "Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser <aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth Zimmerman <rmzimmerman@blm.gov>, Timothy Spisak <tspisak@blm.gov>

James/Mike:

Please also see attached pdf that was part of the original email.

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[Redacted]

Thanks, Shelley

On Wed, May 10, 2017 at 10:00 AM, Stewart, Shannon <scstewar@blm.gov> wrote:
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To: Walter Cruickshank <walter.cruickshank@boem.gov>, Glenda Owens <gowens@osmre.gov>, Margaret Schneider <margaret.schneider@bsee.gov>, "Nedd, Mike" <mnedd@blm.gov>
Cc: Katharine Macgregor <kate_macgregor@ios.doi.gov>
Subject: **Fwd: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"**

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"Ford, Michael" <mmford@blm.gov>

From: "Ford, Michael" <mmford@blm.gov>
Sent: Wed May 10 2017 15:26:47 GMT-0600 (MDT)
To: "Tichenor, James" <jtichenor@blm.gov>
Subject: Re: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"

Ha - same to you man. Well handled all-around.

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"McGinnis, Shelley" <smcginnis@blm.gov>

From: "McGinnis, Shelley" <smcginnis@blm.gov>
Sent: Thu May 11 2017 14:33:42 GMT-0600 (MDT)
To: "Tichenor, James" <jtichenor@blm.gov>
Timothy Spisak <tspisak@blm.gov>, Michael Ford <mmford@blm.gov>, Richard Estabrook <restabro@blm.gov>, "Bagley, Lonny R" <lbagley@blm.gov>, "Wells, Steven" <s1wells@blm.gov>, Theresa Coleman <tcoleman@blm.gov>, "Leverette, Mitchell" <mleveret@blm.gov>, Alfred Elser <aelser@blm.gov>, Catherine Cook <ccook@blm.gov>, Ruth Zimmerman <rmzimmerman@blm.gov>
CC:
Subject: Re: Procedural Guidance on Section 2 of Executive Order 13783, "Promoting Energy Independence and Economic Growth"
Attachments: BLM_Sec2_EO13783.xlsx

Hi all,

Attached is the version that WO-100 sent to ASLM. Mike Nedd added timelines in columns H and I that we will want to be aware of. Thanks, Shelley

On Wed, May 10, 2017 at 5:16 PM, Tichenor, James <jtichenor@blm.gov> wrote:
Hi Shelley,

Please see attached (cells highlighted yellow where edited). I'd like to note the following:

(b) (5)



(b) (5)



On Wed, May 10, 2017 at 2:00 PM, Tichenor, James <jtichenor@blm.gov> wrote:
Ok, I'll have something for you shortly.

On Wed, May 10, 2017 at 1:57 PM, McGinnis, Shelley <smcginnis@blm.gov> wrote:
Tim/James/Mike,

Shannon Stewart and I just met with Mike Nedd. (b) (5)

Thanks, Shelley

On Wed, May 10, 2017 at 4:31 PM, Timothy Spisak <tspisak@blm.gov> wrote:

James/Mike: (b) (5)

Does that help?

Thanks

Tim

Sent from my iPad

On May 10, 2017, at 2:20 PM, McGinnis, Shelley <smcginnis@blm.gov> wrote:

OK, thanks. Let's focus on completing the information for the (b) (5)

On Wed, May 10, 2017 at 2:07 PM, Tichenor, James <jtichenor@blm.gov> wrote:

Hi Shelley,

We have enough information to complete columns L-R for the (b) (5)

(b) (5)

(b) (5)

Noted, on the attachment. We will work off of this version.

On Wed, May 10, 2017 at 11:00 AM, McGinnis, Shelley <smcginnis@blm.gov> wrote:

James and Mike,

I have been coordinating with Shannon Stewart (BLM Acting Chief of Staff) on this. (b) (5)

(b) (5)

Could you please add your information to the attached version of the spreadsheet?

Do we have enough information to complete columns L-R for the rules ((b) (5))?

Thanks, Shelley

Thanks, Shelley

On Wed, May 10, 2017 at 12:59 PM, Tichenor, James

<jtichenor@blm.gov> wrote:

Hi Tim,

Mike and I will take a look and see what we can provide. I don't think there will be any way to provide numbers for the various IMs listed, at least by tomorrow at 11am. Will likely populate with N/A, unless the programs have numbers on those.

Just an FYI that there are several other cells to populate (not sure cost figures), so we can take a look at that, but it would be helpful to know if others are as well.

Also, (b) (5)

On Wed, May 10, 2017 at 9:40 AM, Timothy Spisak

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Date: Tue, May 9, 2017 at 7:10 AM

Subject: Fwd: Procedural Guidance on Section 2 of Executive Order 13783, “Promoting Energy Independence and Economic Growth”

To: Richard Cardinale <Richard_Cardinale@ios.doi.gov>, Maureen Foster <maureen_foster@ios.doi.gov>, Sarah Walters <sarah_walters@ios.doi.gov>, Kerry Rae <kerry_rae@ios.doi.gov>, Amy Holley <amy_holley@ios.doi.gov>

Good morning: We received guidance from OMB on the report due for EO 12783 Promoting Energy Independence and Economic Growth. I wanted to pass it on to you because I believe a report is due this week. We did send a copy of this information to Jim Cason.

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Agency	Sub-agency	RIN/Agency Identifier (if applicable)	Referenced Recommendation Number	Agency Action Title	Type of Agency Action	Preliminary Summary	Timeframe		Energy Industry Affected	Identified in EO 13771 and/or EO 13777	Costs or Cost Savings (Present Value Monetized \$millions/year in 2016 dollars)			Length of Time that Cost Savings Occur (in years)	How Implementation will be Tracked	Mandated by Law	Necessary for the Public Interest	Consistent with the Policy Set Forth in Section 1 of EO 13783	Required to be Reviewed
							Expected Start Date	Expected Finalization			Primary Estimate	Range, if available							
											Low Estimate	High Estimate							

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May 8, 2017

M-17-24

MEMORANDUM FOR: REGULATORY REFORM OFFICERS AND
REGULATORY POLICY OFFICERS
AT EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Dominic J. Mancini, Acting Administrator
Office of Information and Regulatory Affairs



SUBJECT: Guidance for Section 2 of Executive Order 13783, Titled
“Promoting Energy Independence and Economic Growth”

Section I. Background

This memorandum provides guidance regarding Section 2 of [Executive Order \(EO\) 13783](#), titled “Promoting Energy Independence and Economic Growth,” published on March 28, 2017.

Section 2(a) of EO 13783 requires the head of each Executive Department and Agency (agency) to review all of that agency’s existing regulations, orders, guidance documents, policies, and any other similar agency actions (collectively, agency actions) that potentially burden the development or use of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear energy resources.

Section 2(c) requires the head of each agency to submit to the Director of the Office of Management and Budget (OMB) by May 12, 2017, (*i.e.*, 45 days from the date EO 13783 was issued) a plan to carry out the review of agency actions discussed above. The plan shall also be sent to the Vice President, 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 (CEQ).

An agency that determines that it does not have agency actions described above shall submit a written statement to the OMB Director to that effect and, absent a determination by the OMB Director that such agency has agency actions described in Section 2(a), shall have no further responsibilities under Section 2.

Sections 2(d) requires all agencies that submitted a plan to submit a draft final report by July 26, 2017, (*i.e.*, 120 days from the date EO 13783 was issued) 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 CEQ. The draft final report shall include specific

recommendations that, to the extent permitted by law, could alleviate or eliminate aspects of agency actions that burden domestic energy production.

Section 2(e) requires the report to be finalized by September 24, 2017, (*i.e.*, 180 days from the date EO 13783 was issued) unless the OMB Director, in consultation with other Executive Office of the President officials who receive the draft final report, extends the deadline.

Agencies are encouraged to coordinate their compliance with Section 2 of EO 13783 with their compliance with EO 13777, which directs agencies to establish Regulatory Reform Task Forces to evaluate existing regulations generally and make recommendations to the agency head regarding their repeal, replacement and modification, consistent with applicable law. EO 13777 directs these task forces to seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations, including State, local and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations. As part of this outreach, agencies should seek input specifically regarding existing agency actions that potentially burden the development or use of domestically produced energy resources, and recommendations for actions the agency may take to alleviate or eliminate such burden.

Section II. Application

The requirements in this guidance apply to all Executive Departments and Agencies, except for independent regulatory agencies, as defined in 44 U.S.C. 3502(5). This is the same group of agencies subject to the regulatory review requirements in Section 6 of EO 12866.

Independent regulatory agencies are encouraged to provide a plan and report in response to EO 13783, especially those independent regulatory agencies that directly regulate the development or use of domestically produced energy resources.

Section 2(a) of EO 13783 states, “[t]he heads of agencies shall review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (collectively, agency actions) that potentially burden the development or use of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear energy resources. Such review shall not include agency actions that are mandated by law, necessary for the public interest, and consistent with the policy set forth in section 1 of this order.”

Section 2(b) of EO 13783 further defines “burden” as actions that “unnecessarily obstruct, delay, curtail, or otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of energy resources.”

The types of agency actions that are covered under Section 2(a) of EO 13783 include, but are not limited to, agency actions that materially:

- (1) Affect the design and/or location of domestic energy production;
- (2) Affect the design and/or location of drilling or mining of energy production resources; and

- (3) Limit the use of certain sources of energy, such that the development of domestically produced energy resources from a certain sector may be negatively affected.

Agencies are not required to review agency actions that meet all of the following requirements:

- (1) Mandated by law;
- (2) Necessary for the public interest; and
- (3) Consistent with the policy set forth in Section 1 of EO 13783.

Agency heads should apply reasonable discretion in assessing which agency actions may rise to the level of potential burden on the development or use of domestically produced energy resources under EO 13783.

Section III. Requirements

A. Plan

As stated above, the heads of all agencies are required to provide a plan by May 12, 2017, to the OMB Director and also provide the plan to the Vice President, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the CEQ. The plan should include, at a minimum, how the agency intends to:

- (1) Identify agency actions or categories of actions that potentially burden the development or use of domestically produced energy resources;
- (2) Seek input from entities significantly affected by those agency actions;
- (3) Classify those agency actions;
- (4) Review those agency actions, including any quantitative analysis (*e.g.*, costs, lost production) the agency plans to perform; and
- (5) Develop recommendations that could alleviate or eliminate the potential burden.

The classification should, at a minimum, identify the energy source potentially affected (*e.g.*, oil, natural gas, coal, nuclear, renewable); the type of agency action (*e.g.*, rule, order, guidance document, policy, or other similar agency actions); and whether the potential effects are direct or indirect. The classification should also identify actions that the agency believes are exempt because they are mandated by law, necessary for the public interest, and consistent with the policy set forth in Section 1 of EO 13783, along with a brief explanation of the basis for this determination.

If an agency does not believe that it has any agency actions that potentially burden the development or use of domestically produced energy resources, then the agency should state that in a written statement to the OMB Director, along with a brief explanation of the basis for this determination.

If an agency has actions that potentially burden the development or use of domestically produced energy resources, but does not believe that these actions are suitable for further review because they are mandated by law, necessary for the public interest, and consistent

with the policy set forth in Section 1 of EO 13783, then the agency should identify those actions in the written statement to the OMB Director, along with a brief explanation of the basis for this determination, no later than May 12, 2017.

If the OMB Director does not provide a determination within 30 days that the agency has agency actions as described in Section 2(a), then the agency will not be required to develop a plan or report.

B. Report

The draft final report due to the OMB Director by July 26, 2017, should, at a minimum, include the following information:

- (1) The identification and classification of agency actions that potentially burden the development or use of domestically produced energy resources;
- (2) How the agency plans to seek input from entities significantly affected by agency actions that potentially burden the development or use of domestically produced energy resources;
- (3) Recommendations, consistent with law, that could alleviate or eliminate aspects of agency actions that burden domestic energy production or use;
- (4) The expected timeframe for when the recommendation would be implemented;
- (5) How the agency will track implementation, including points of contact;
- (6) To the extent feasible, preliminary estimates by agency action of the costs and cost savings, increased production, or other beneficial effects, that may be achieved by implementing each recommended action; and
- (7) Whether those actions have been identified as part of activities undertaken in compliance with [EO 13771](#) or [EO 13777](#).

Agencies should attach the excel spreadsheet template provided with this guidance to the draft final report.

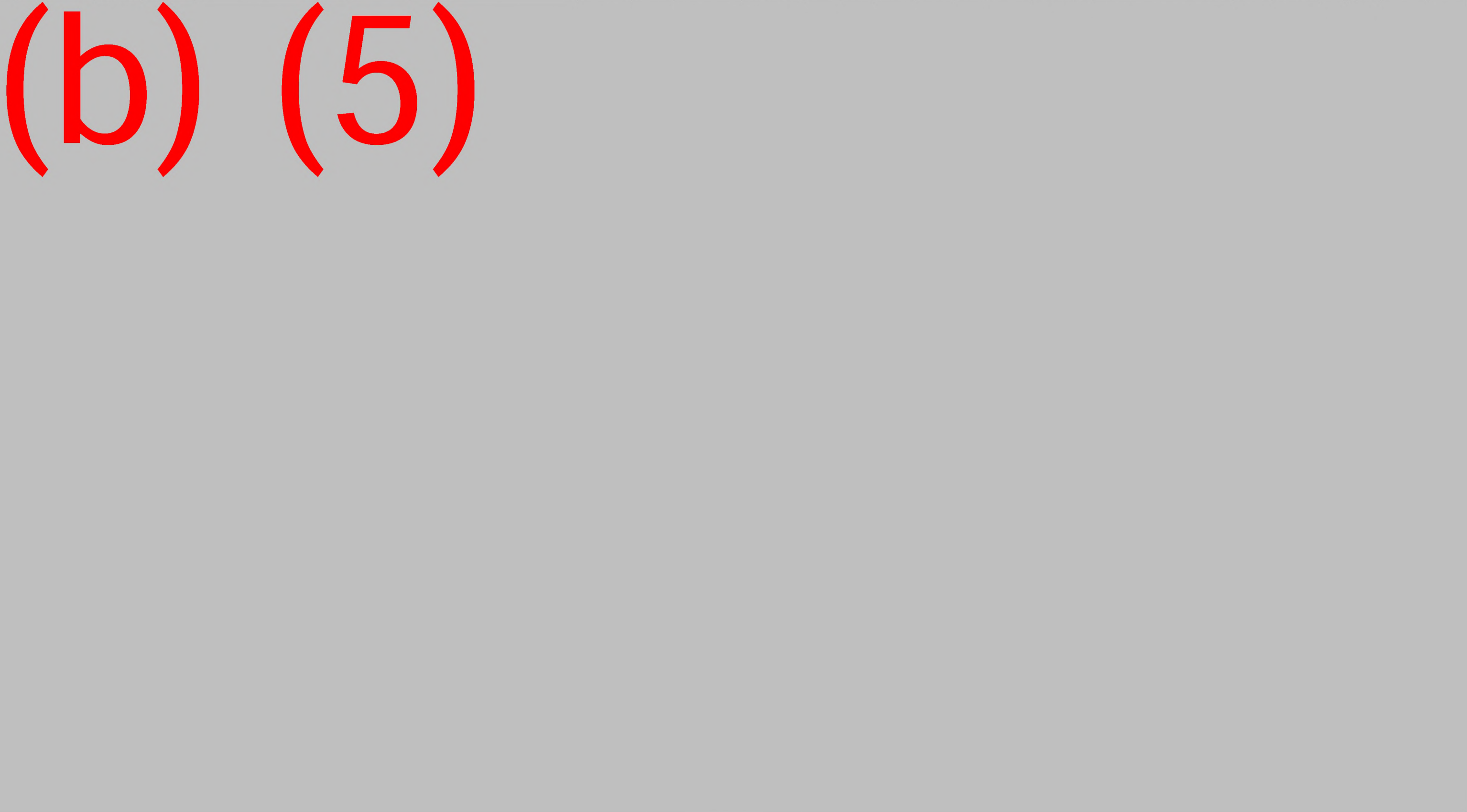
When estimating cost savings, agencies should use the guidance provided for EO 13771 and OMB Circular A-4. If an agency is unable to monetize the cost savings of a recommended agency action, the agency should describe qualitatively and include any planned future actions to determine the cost savings.

Agency recommendations are to be accomplished using existing resources.

The draft final report should be submitted by July 26, 2017, to the OMB Director and concurrently sent to the Vice President, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the CEQ. A copy of the draft final report should also be sent to the Administrator of the Office of Information and Regulatory Affairs, who will coordinate Executive Office of the President review, in consultation with the Assistant to the President for Economic Policy. Agencies should consider seeking public input on the draft final report, and should consult with OMB on appropriate means for doing so.

Agencies shall publish their final reports in the *Federal Register* and on the agency website, as well as submit copies to the OMB Director, the Vice President, the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the CEQ.

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												Low Estimate	High Estimate												



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