

COMMITTEE ON LEGAL AFFAIRS (JURI)  
PUBLIC HEARING ON:  
“REGULATORY COHERENCE AND THE  
IMPLEMENTATION OF EU LAW IN THE CONTEXT OF THE  
TRANSATLANTIC TRADE AND INVESTMENT  
PARTNERSHIP”

TUESDAY, 11 FEBRUARY 2014  
ALTIERO SPINELLI BUILDING, BRUSSELS  
09:00 – 10:30 ROOM ASP 3G3

PRESENTATION BY JOSEPH T. BURKE  
TRADE AND REGULATORY AFFAIRS OFFICER  
U.S. MISSION TO THE EUROPEAN UNION

# U.S. Rulemaking Process

Legislative Branch

Executive Branch

Judicial Branch

1. Congress passes law authorizing/requiring regulation.

Thomas.go

2. Agency drafts and clears internally a proposed rule.

3. If "significant," OMB reviews and clears draft proposed rule.

4. Agency publishes notice of proposed rulemaking (NPRM)

5. Public reviews NPRM/docket and submits comments to agency.

6. Agency reviews public comments and develops/clears draft final rule.

7. If "significant," OMB reviews and clears draft final rule.

8. Agency publishes final rule.

9. Rule takes effect.

www.RegInfo.gov  
www.Regulations.gov

www.RegInfo.gov

www.FederalRegister.gov  
www.Regulations.gov

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Congress reviews final rule.

Disapproval resolution passed.

Rule takes effect

Rule challenged in court.

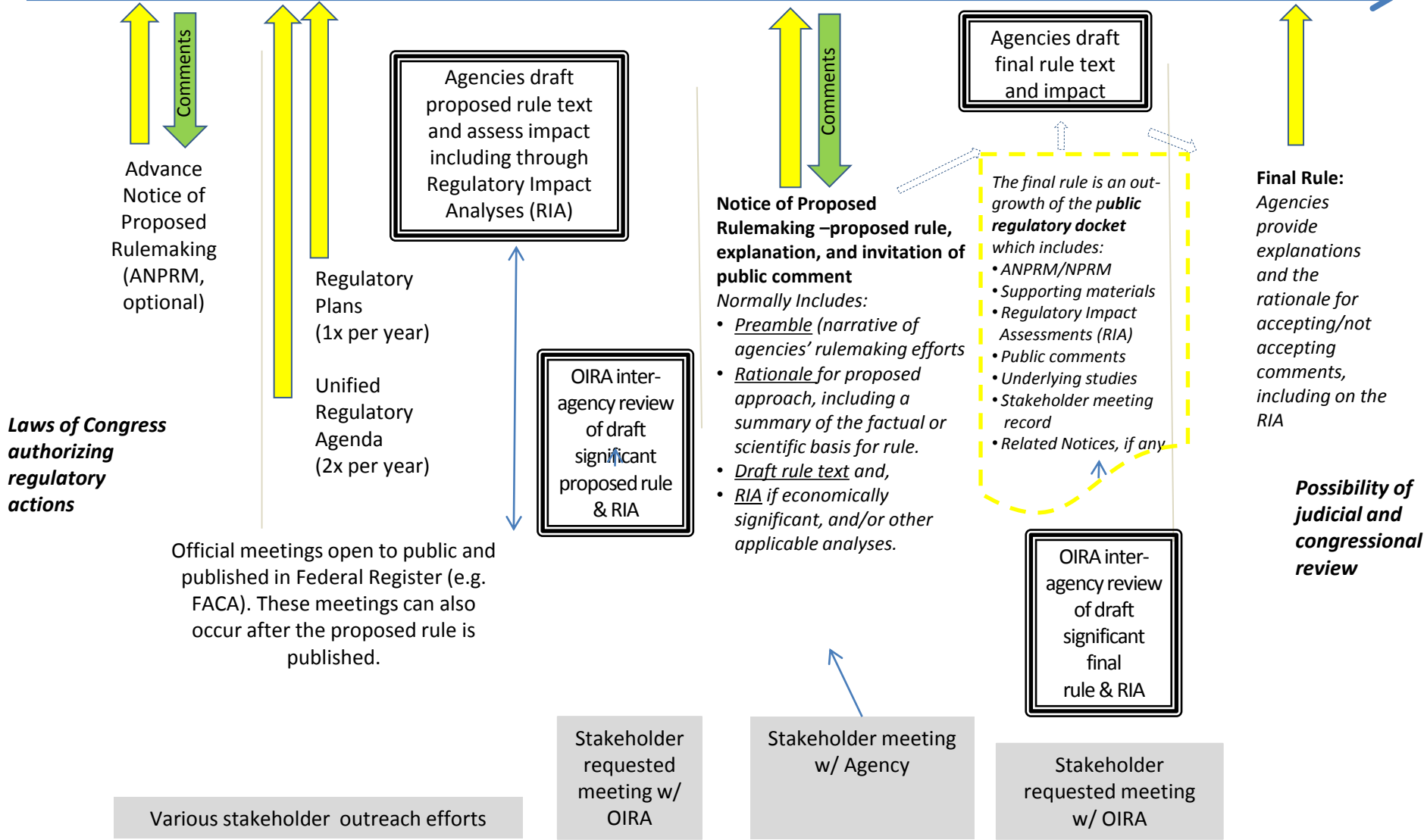
Court "vacates" all or part of rule.

# Public Notice and Input Opportunities (US Executive Branch Regulatory Development)



United States:

## PUBLIC NOTICE AND PARTICIPATION



# References

- Legislative Information from Congress: <http://thomas.loc.gov/home/thomas.php>
- Administrative Procedure Act (APA): <http://www.archives.gov/federal-register/laws/administrative-procedure/>
- Executive Order 12866: <http://www.whitehouse.gov/OMB/inforeg/eo12866.pdf>
- Executive Order 13563: [http://www.whitehouse.gov/sites/default/files/omb/inforeg/eo12866/eo13563\\_01182011.pdf](http://www.whitehouse.gov/sites/default/files/omb/inforeg/eo12866/eo13563_01182011.pdf)
- Office of Information and Regulatory Affairs: [http://www.whitehouse.gov/omb/inforeg\\_default](http://www.whitehouse.gov/omb/inforeg_default)
- Regulatory Review Dashboard: <http://www.reginfo.gov/public/jsp/EO/eoDashboard.jsp>
- Comments on Proposed Regulations: <http://www.regulations.gov/#!/home>
- Federal Register: <https://www.federalregister.gov/>