

DRAFT

INDEX OF TOZZI PAPERS

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VIII	1	1	OMB route slip from Rob Robson, OMB to Joe Hezir, Dave Gibbons, Mike O'Bannon, Morgan Kinghorn, Jim tozzi (all in OMB). Dated: 11/24/76. Subj: Attached issue paper on interagency review.
VIII	2	1-18	Page 1 -- Letter from Stanley E. Morris, OMB. Dated: 11/15/76. Subj: Interagency review of proposed rulemaking. Refers to attached discussion paper which delineates the inconsistencies in the current review process.
		2	<u>The interagency review of federal regulatory activity.</u> Statutory Authority.
		3	Background
		4	Alternative approaches --EPA --DOT
		5	HEW Questions to be addressed by DCRG.
		6	Attachment A: Statutory authority -- P.L. 91-190, the National Environmental Policy Act of 1969, section 102(c)(v), section 205--P.L. 91-596, Occupational Safety & Health Act of 1970. Section 3, section 6(b)(1).
		7	Section 7, section 8 -- P.L. 500, the Federal Water Pollution Control Act Amendments of 1972. Section 304(a)(1).
		8	Section 304(a)(2)(b)(c)(d)(e) Section 306(b)(1)(B)

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		9	Section 312(e) Section 404(c) (42 USC 1857 et seq.) Clean Air Act, section 232(a) -- P.L. 92-532, Marine Protection, Research and Sanctuaries Act. Section 102(a), section 106(c).
		10	Section 302(a)(f) -- P.L. 92-574, the Noise Control Act of 1972, section 4(c)(1)(2) Section 5(a)(1)(2)(b)
VIII	2	11	Section 6(c)(1) Section 17(a)(3)(4)(b) Section 18(a)(3)(4)(b)
		12	-- 49 USC 1431, the Federal Aviation Act of 1958 (as amended by P.L. 92-544, sec. 7), section 611(b)(1) -- P.L. 93-387, the Council on Wage and Price Stability Act, sec. 3(a)(7) (and amended by P.L. 94-78) Section 3(a) --P.L. 94-140, Federal Insecticide, Fungicide, and Rodenticide Act, sec. 6(b)(2)
		13	Section 21(a), 22(b) --P.L. 94-103, the Energy Policy & Conservation Act, sec. 503(f), section 506(e) --P.L. 94-469, Toxic Substances Control Act, sec. 9(d) --P.L. 94, the Resource Conservation & Recovery Act of 1976, sec. 6003.
		14	Attachment B: Summary chart of alternative approaches.

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		15-16	Office of Secretary of Transportation, Dept. of Transportation (Notice No. 76-5) Policies to improve analysis and review of regulations (as listed in Federal Register, vol. 41, no. 75, Friday, April 16, 1976) pages 16200-16201.
		17-18	Attachment E: HEW Federal Register, vol. 41, no. 160 -- Tuesday, August 17, 1976 -- Memo from Sec. of Health, Education & Welfare. Dated: July 25, 1976.
VIII	3	1-2	Memorandum from William W. Lyons, Dep. Under Secretary, Dept. of Interior to Asst. Secretaries, Dept. of Interior. Dated: 8/29/75. Subj: Review & Coordinator of Federal Register Documents; documents are not receiving proper internal vs external review.
VIII	4	1	Criteria and flow process for consultation in proposed regulation (chart).
VIII	5	1-6	<u>OSHA Standard Development Process</u> . Dated: June 1976.

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VIII	6	1	Letter from Larry A. Jole, Asst. Sec. of Commerce to Secretarial Officers, Heads of Department Offices, Heads of Operating Units. Dated: 5/18/72. Subject: Clearance of Proposal Issuances of Other Agencies on Environmental Quality, Consumer Protection, & Occupational & Public Health & Safety.
VIII	7	1-2	Letter from Larry A. Jobe, Asst. Sec. of Commerce to George P. Schultz, Dir., OMB. Dated: 11/10/71. Subject: Your Oct. 5th memorandum to the heads of departments asked each to send you a schedule showing when certain regulations will be announced during the year. The schedule for Commerce is attached. Jobe has some problem with OMB request.
VIII	8	1-4	Department Administrative Order Series, Dept. of Commerce. Dated: 1/17/72. Subject: Interagency Coordination of Issuances on Environmental Quality, Consumer Protection & Occupational & Public Health & Safety. From Larry A. Jobe. Attachment 1--Selected Regulations Scheduled for Announcement, December 1971 - December 1972.
VIII	9	1-11	1-5: Department Administrative Order Series, Dept. of Commerce. Dated: 9/12/75. Subject: Inflationary Impact of Legislative & Regulatory Proposals. From Sec. of Commerce Morton.

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		6-9	Letter from Roy L. Ash, Dir. OMB to Heads of Executive Departments & Establishments. Dated: 1/18/75. Subject: Evaluation of the Inflationary Impact of Major Proposals for Legislation & for the Promulgation of Regulations or rules.
		10	Executive Order 11821--Inflation Impact Statements.
		11	(cont.) signed Gerald R. Ford 11/27/74 dated.
VIII	10	1-5	<u>Federal Register</u> , vol. 41, no. 228. November 24, 1976. Environmental Protection Agency (FRL 620-3) Public Participation in the Regulatory Process. Invitation to participate in development of major EPA Environmental Regulations (p. 51862-51866).
VIII	11	1	OMB route slip from Mr. Tozzi to Mr. Zafra. Dated: 11/16/76. Subject: OMB opinion on interagency review process.
VIII	12	1	Memorandum from Charles Custard, Health, Education & Welfare. (Office of the Secretary) to James Tozzi, OMB> Dated: 11/9/76. Subject: Liaison contacts regarding PHS proposed rule making.

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VIII	13	1-3	Pages 1-2 -- Memorandum from Alvin L. Alm, Asst. Adm., for Planning and Management, EPA, to Jim Tozzi, OMB. Dated: 11/1/76. Subject: Interagency Review of EPA Regulations. 'differential treatment has caused substantial public & congressional concern and has created some employee morale problems within EPA.
		3	Page 3 -- Attachment -- <u>Proposal Revised Procedures for Development and Intra-agency Review of EPA Regulations.</u>
VIII	14	1-3	Letter from Theodore Cooper, MD, Asst. Sec. for Health, HEW to Russell E. Train, Adm., EPA. Dated: 10/15/76. Subject: 'medical radiation activities (EPA vs. HEW). Presidential Reorganization Plan No. 3 of 1970 <u>did not</u> transfer issues relating to radiation to EPA. 'recommendations...are unacceptable to me.'
VIII	15	1-2	OMB route slip from Vincent Puritano to (see list). Dated: 10/27/7_. Subject: 'Attached is a copy of the President's PMI working book on the inputs of the program divisions...' overview of interagency review process from the perspective of OMB.
		3	<u>Results 3-2 Regulations Burden Reduction Initiative 4 -- Contracting out and holding down overhead costs.</u> <u>Results 4-B-1 More aggressive agency management of overhead costs.</u>

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		4	<u>Presidential Direction:</u> Agency response, action to date, responsiveness/performance, major accomplishments, OMB reaction/recommendations. (Purpose of the above document is to outline how OMB can reduce the burden of regulation.)
VIII	16	1-3	Page 1 -- Letter from James T. Lynn, Dir., OMB to John E. Moss, Chairman, Subcommittee on Oversight & Investigations, Committee on Interstate & Foreign Commerce. Dated: 5/18/76. Subject: Lynn acknowledges Moss' letter of April 30, 1976, inquiring about EPA's Selective Enforcement Auditing Regulation. Mentions concern with EPA's automobile assembly-line testing regulation.
		2-3	<u>Status Report: Assembly-line Auditing Regulations</u> -- major milestones -- potential issues
VIII	17	1-5	Letter from Eric O. Stork, Dep. Asst. Adm., for Mobile Source Air Pollution Control, EPA to John Snow, Adm., National Highway Traffic Safety Administration. Dated: _____. Subject: Stork is unhappy with NHTSA's proposed implementation of §502(d) of the Motor Vehicle Info. and Cost Savings Act.
		2-4	Stork outlines EPA's reasons of concern. Tozzi has written in margins.

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		5	Stork asks that EPA's comments be made public.
VIII	18	1-10	Page 1 -- OMB route slip from D.E. Crabill to Mr. Sasaki, Mr. Tozzi, Mr. Barry. Dated: 10/21/76. Subject: see attached.
		2	Page 2 -- Memo from Phillip D. Larsen, Budget & Management Officer, Executive Office of the President to Wayne L. Smith and James L. Mitchell, II, Assoc. Dir., Natural Resources, Energy, & Science. Dated: 10/12/76. Subject: Revised OMB budget justification for 1978.
		3-10	...Budget justification.
VIII	19	1-2	Letter from John Snow, Adm., NHTSA to Roger Adkins, Dep. Chief of Economics & Government Division, Transportation Branch, OMB. Dated: 7/29/76. Subject: see original--this way is not clear.
VIII	20	1-6	Page 1 -- <u>Regulations in Interagency Review</u> . Corps of Engineers Dept. of Interior
		2	Dept. of Transportation GSA
		3	Housing & Urban Development

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		4-6	EPA Regulations going through interagency review.
VIII	21	1-2	Letter from Russell E. Train, Adm., EPA to Asst. Administrators & Office Directors. Dated: 4/23/76. Subject: Participation in the Development of Regulations.
VIII	22	1-5	Letter from Alvin L. Alm, Asst. Adm., for Planning & Management to Jim Tozzi, Chief, Environment Branch, OMB. Dated: 11/13/76. Subject: Management improvements. Alm summarizes three EPA initiatives. 1) Regulation Development; 2) Grant Management; 3) Automated Dates Systems. PMI - Presidential Management Initiatives.
VIII	23	1-2	Letter from Russell E. Train, Adm., EPA to Asst. Administrators & Staff Office Directors. Dated: 8/28/75. Subject: Development of Standards & Regulations.
		2	Page 2 -- Decision Document -- Standards, Regulations & Guidelines. Not specifically required by statute.
VIII	24	1-3	Dept. of Justice, Dept. of Manual Transmittal Sheet. Dated: 2/13/76. Subject: Consultation on Regulations (Interagency Coordination Process) from Dep. Asst. Secretary of the Interior.

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		2	Consultation on Intergovernmental & Interagency Relations, Part 512 (from Dept. of Interior) Quality of Life Review.
VIII	25	1-26	Department of the Army, Office of the Chief of Engineers Memorandum No. 310-1-4. Dated: 1/12/77. Military Publications--Guidance for Preparation & Processing of Publications within OCE. (The next 25 pages list procedures, charts and applications that explain the preparation and processing of publications within OCE). From Russell J. Lamp, Col. Corps of Engineers.
VIII	26	1-7	Pages 1-3 -- Memorandum from the Department of the Army, Office of the Chief of Engineers. Dated: 3/29/74. Subject: Military Publications.
		4	Publication in the Federal Register.
		5	Appendix A -- Definitions and Examples.
		6	Appendix B -- Example of Summary Statement.
		7	Appendix C -- Example of Transmittal Letter.
VIII	27	1	<u>Environment Reporter</u> Carter sees EPA Image at Low Ebb calls for less interference by OMB. 'EPA says state plan limits schedules violated by more than 1600 major sources.'

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VIII	28	1-2	<u>Federal Register</u> , vol. 41, no. 75. April 16, 1976, pp. 1620-16201. 'Dept. of Transportation Policies to Improve Analysis & Review Regulations by William T. Coleman, Jr., Sec. of Transportation.
VIII	29	1-34	Federal Regulation & Regulatory Reform, Part II -- National Highway Traffic Safety Administration. -- Consumer Product Safety Commission -- Fed. Communications Commission -- Food & Drug Administration. Dated: 10/10/76.
		2	Federal Regulation & Regulatory Reform -- Chapter 5 -- Table of Contents.
		3-34	Chapter 5 -- National Highway Traffic Safety Administration, pp. 157-191.
VIII	30	1-43	This document appears to be a release from EPA pertaining to the promulgation of environmental rulemakings (See Tozzi). Dated: 10/13/76, pp. 1-2, Table of Contents.
VIII	31	1-4	<u>EPA Order</u> 1000.6 -- General policy. <u>Policy with respect to the standards and regulations development process.</u> Dated: 10/14/75. 'the order supersedes EPA and 1000.6 dated 12/10/71.

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VIII	32	1-31	Federal Regulation & Regulatory Reform. Report by the Subcommittee on Oversight and Investigations of the Committee on Interstate and Foreign Commerce (Sept. 1976).
		11	Chapter 1
		12-31	Chapter 4
VIII	33	1-2	Federal Register, vol. 41, no. 160. Tuesday, Aug. 17, 1976, pp. 34811-34812. Regulatory policies -- from John R. Ottine, Asst. Sec. for Administration, HEW.
VIII	34	1-9	Contacts: EPA, NRC, DOL, FPC, HEW, DOD, DOT, USDA, DOC, WRC, DOI, HUD, STATE, NASA, TREASURY, GSA, FTC, CEQ, FEA, ERDA, NSF, CEA, TVA, U.S. Postal Service, FMC, VA, SBA, CWPS, OMB, Contacts for Interagency Review.
VIII	35	1-4	Handwritten notes by Jim Tozzi (See Tozzi for Details).