

UNITED STATES DEPARTMENT OF AGRICULTURE

Regulatory Review Workplan

WorkPlan _____

OMB Review _____

Date: _____

(Agency Name)

DESIGNATION OF SIGNIFICANCE: (Under/Asst. Sec)

___ NOT SIGNIFICANT

___ SIGNIFICANT

___ ECONOMICALLY SIGNIFICANT

___ MAJOR - (Public Law 103-354) - ORACBA

___ MAJOR - (Public Law 104-121) - SBREFA

Special Handling Requirements:

Cleared OMB:

Classification: _____ Date: _____

SIGNATURE: (Under/Asst. Sec)

Date

RIN #

Workplan # _____ Date: _____

Descriptive Title:

Description of Proposed Action (Need for Government Action, Objectives, Alternatives, Expected Results):

(Attach additional sheet if necessary)

Schedule: (enter dates)

Pre-Notice: _____ Proposal: _____ Hearings/Meetings: _____ Final: _____

Direct Final: _____ Other: _____

Additional Instructions from Under or Assistant Secretary:

(for use at the discretion of policy official)

Required Analysis: (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Cost/Benefit Analysis | <input type="checkbox"/> Regulatory Flexibility Analysis |
| <input type="checkbox"/> Assessment of Alternatives | <input type="checkbox"/> Civil Rights Impact Analysis |
| <input type="checkbox"/> Family Impact Analysis | <input type="checkbox"/> Federalism Assessment |
| <input type="checkbox"/> Risk Assessment | <input type="checkbox"/> Property Rights Assessment |
| <input type="checkbox"/> Unfunded Mandate Analysis and Consultation | |

Agency Contact: (Name, mailing address, phone)

Agency Head Approval:

Signature: _____

Date: _____

Comment:

OBPA Review:

Name: _____

Date: _____

WORKPLAN - INSTRUCTIONS

WORKPLAN FORMAT: The revised form is intended to take advantage of the computer assisted information handling capabilities available to most agencies. Agencies are requested to develop an “on-screen” format for the preparation of the workplans. The format must reasonably conform to the sample provided in order to assure uniformity and consistency of information; and also serve as an important aid in the review process.

PURPOSE OF THE WORKPLAN: The Workplan, when properly completed, provides the agency head, subcabinet official, and other reviewing parties a succinct statement of a contemplated regulatory action. The Workplan is designed to serve five purposes:

1. Summarizes the objectives, possible alternatives, ways to accomplish the objectives, and probable effects of each alternative so that policy officials will have a clear understanding of the contemplated regulatory action early in the development process;
2. Provides information useful for the designation of significant of the regulatory action and designation of the appropriate level of oversight;
3. Provides initial identification of regulatory actions which will be included in the Regulatory Agenda and/or Regulatory Plan;
4. Provides a description of the contemplated regulatory action (side 1 of the Workplan form) that is sufficient for purposes of the OMB classification review; and
5. In the aggregate (both sides of the Workplan form) provides the information necessary for initiating an entry into USDA’s regulatory tracking system.

WHEN TO COMPLETE A WORKPLAN: The Workplan is normally the action that initiates the rulemaking process. The Workplan must be completed sufficiently early in the regulatory development process to permit the Under or Assistant Secretary to provide direction to the development process or, on occasion, terminate the process before substantial resources have been expended. Submission of the Workplan should PRECEDE any drafting of the regulatory action and/or any analysis.

Most of the blocks on the Workplan form are self-explanatory. However a few extra words of instruction may help identify the information which should be included on the Workplan form.

DESIGNATION OF SIGNIFICANCE: This block is for use by the cognizant Under or Assistant Secretary. The agency may want to make a classification recommendation in the “Description” block. Note that a significance designation of major has been added to accommodate the analysis requirements found in section 304 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (P.L. 103-354) and to accommodate the requirements of the Small Business Regulatory Enforcement Fairness Act of 1996 (P.L. 104-121). The definitions of terms found in the designation of significance block can be found in section 3 of this Departmental Regulation.

SPECIAL HANDLING REQUIREMENTS: Indicate any special action that may be necessary as a result of particular sensitivities or time constraints (such as statutory or judicial publication deadline) associated with the regulatory action.

DESCRIPTION OF PROPOSED ACTION: Summarize objectives, i.e., what the regulatory action is intended to achieve and why Government action is necessary to achieve the objectives. Where possible, regulatory alternatives should be examined and the likely economic, budget, and other effects noted. Special effort should be made to identify innovative techniques and flexible alternatives designed to achieve the objectives at a minimum cost and risk. Reasonable alternatives outside the Government's current statutory authority should be included so that possible legislative alternatives can be considered in the overall review context.

ADDITIONAL INSTRUCTIONS: For use by the appropriate Under or Assistant Secretary to provide any additional guidance as necessary. Agency heads will ordinarily clear not significant regulatory actions for publication in the FEDERAL REGISTER. If the reviewing Under or Assistant Secretary has a continuing interest in further reviewing the regulatory action before OMB review or publication, the Under or Assistant Secretary should so indicate in this space on the form.