

Network of Enlightened Women

Keynote Speech

June 21, 2018

It is an honor to receive this award.

NEW is a relatively new organization and yet has grown to involve dozens of college campuses. I admire the energy and initiative of its founders and chapter leaders to participate in dialogue about public policy issues.

- It is wonderful to see so many young woman engaged in making their communities and their country a better place.
- Constructive dialogue can go a long way toward pushing against the vitriol and polarization we sometimes observe on college campuses. In particular, conservatives need to participate in campus debates and share their views about the free market, entrepreneurship, limited government, and social values.
- Sharing different viewpoints within the public sphere, even when that may prove challenging, will improve your education and ultimately our democracy.
- When I was an undergraduate at Yale, now a number of years ago, I greatly enjoyed participating in the debates of that time with my classmates. From what I read in the papers, it appears the terms of discourse may have changed over time.

- Although we often had heated debates about fundamental issues, it was done respectfully
- We engaged in public debates, in writing in various newspapers and magazines, and over dinner in the dining halls
- Speakers of all different perspectives were invited and welcomed on campus—they would face *tough and smart* questions and, on occasion, a silent protest in the back of a lecture hall—but I cannot recall any violence or rude disruptions
- Although students at Yale were disproportionately of a progressive or liberal perspective, I found that my more conservative (sometimes contrarian) perspective was often sought out and treated with respect
- I hope that you can work to create a space for respectful dialogue and exchange of ideas on your campuses.

Deregulation

- I was also asked to speak about my current work as Administrator of OIRA.
- Most of you have never heard of this office, but basically my office reviews all significant regulations from administrative agencies

- I have been focused primarily on serious regulatory reform
 - Cutting regulations that are burdensome and are not working
 - Promoting the rule of law
 - Working to make the administrative state more accountable and serve the needs of the American public
- A problem for our democracy that many consequential policies are set not by Congress, but within administrative agencies
- What are we doing?
- The President made regulatory reform one of his top priorities—he has issued executive orders to revisit and revise specific regulatory burdens involving energy and the environment, healthcare, labor, and tax.
- In addition, he has directed significant structural reform through an Executive Order that required the elimination of two regulations for each new one and imposed a zero regulatory budget for the first year of the administration.
- Across the government, we achieved substantial success—
 - Agencies achieved a ratio of 22 to 1 deregulatory actions to significant regulatory actions
 - And these actions saved over \$8 billion in regulatory costs

- Slowed the imposition of costly new regulations and guidance documents and shifted away from the *inertia that favors a steady expansion of the regulatory state*.
- Tremendous progress in a short period of time
 - In this fiscal year, agencies project continuing to exceed the two for one ratio and to reduce regulatory costs even further as more major deregulatory actions are completed
 - In the Spring Agenda, we focused on deregulation in specific areas, such as infrastructure reforms and the promotion of new technologies
- These reform efforts have spurred job creation and economic growth and promoted innovation.
- Our policies are designed to create confidence that the government will not arbitrarily impose new burdens.
- And our efforts have returned to the American people a little more liberty to pursue their goals unfettered by unnecessary government interference.
- **Deregulation saves the public unnecessary costs, but it is much more than just dollars and cents.**

- Our reforms made government smaller and more effective, which in turn promotes individual liberty and more constitutional government.
 - Say more specifically what we are doing
 - We work closely with agencies to **identify reform ideas** and help them implement those ideas
 - Tremendous effort to get agencies to change their behavior
 - Mechanisms—annual agenda, regular review, working within the EOP to promote a consistent message to reduce regulatory burdens
 - **Rule of law values**
 - In the past administration, there was a lot of regulatory activity, but also a lot of sub-regulatory activity through what is called guidance documents
 - These do not follow the procedures for notice and comment rulemaking
 - But often they can impose significant burdens
 - We are working to change the culture so that agencies do not impose new burdens on the public through guidance—if agencies are going to change regulatory requirements, they need to follow the proper procedures

- Although we are within the Executive Branch, we work closely with agencies to ensure that they do not exceed their authority
 - Agencies can act only because they have authority from Congress
 - Ensure regulatory actions are **consistent with law**—that agencies have authority for their actions
 - In this Administration, we encourage agencies to follow the best interpretation of a statute—not just an interpretation that might receive deference in court.
 - We want to ensure that we respect the lawmaking power of Congress by staying within the authority given to agencies.
- OIRA can help promote **a more unitary executive**
- The “unitary executive” is an understanding that Article II of the Constitution vests all executive power in a single President
 - Accordingly, the entire Executive Branch should be supervised by the President
 - The President has the responsibility for directing the actions of administrative agencies and for being accountable for their actions

- Unitary executive—important principle of within our constitutional structure, it protects separation of powers, and ultimately individual liberty
- See how OIRA relates to the unitary executive by understanding at least a sketch of our process, which provides a mechanism for the EOP to direct and control regulatory policy
 - Agencies provide us with advance notice of their regulatory actions
 - The agency designates which actions may be significant or economically significant
 - OIRA makes the final determination of which rules are significant and should come in for review
 - Once a rule comes in for review—it is shared with the relevant components of the EOP such as—NEC, DPC, WHCO, and others
 - The regulation will also go to other agencies with equities
- **Important step for presidential direction and control of regulatory policy**
 - *OIRA review is really White House and interagency review—*
 - The President’s senior advisors weigh in on the regulatory policy

- It is an essential mechanism for bringing regulatory issues into the White House—not the only one—but one of the few formalized procedures
- Creates stronger political accountability for regulatory actions and promotes essential constitutional checks
- Centralized review allows for more consistent regulatory policy across the government
- Provides a way to resolve conflicting priorities and policies—
 - The centralized process can check agency myopia and capture—
 - As agencies are intently focused on their missions, they might miss other important issues or competing priorities.
- *Review promotes unitariness through coherence and consistency of regulatory policy across agencies*
- We are busy with the practical work of deregulation and also thinking about wider structural regulatory reforms. Let me stop here so that I can leave time for your questions.
- Thank you again for this award and for all the work that you do to promote wider dialogue on college campuses.