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March 31, 2020

Via E-mail

The Honorable Russell T. Vought
Acting Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503
E-mail: rvought@omb.eop.gov; Russell.t.vought@omb.eop.gov

Dear Acting Director Vought:

As COVID-19, the disease caused by a novel coronavirus, has spread throughout the United States, the Secretary of Health and Human Services declared a public health emergency on January 31, 2020, and the President declared a national emergency on March 13, 2020. While the federal Government is mobilizing, state and local governments across the country have been wholly dedicated to responding to the emergency and combatting the spread of this deadly virus, and daily life in our communities has been upended by the need to maintain social distancing.

In light of these circumstances, we, the undersigned Attorneys General from New Jersey, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, and Virginia, request that the Office of Management and Budget act now to prioritize regulations that are responsive to the COVID-19 pandemic, including its economic impact, while generally freezing all new and pending regulations other than those that address emergency situations or other urgent circumstances relating to health, safety, financial, or national security matters, or that are required by statutory or judicial deadlines. We also request that you direct the heads of all executive departments and agencies to do the same.

The need to prioritize regulations responsive to the COVID-19 pandemic should be self-evident. Indeed, we understand that you already have given federal agencies a general instruction to "take appropriate steps to prioritize all resources to slow the transmission of COVID-19, while ensuring [the federal Government's] mission-critical activities continue." See Memorandum for



the Heads of Departments and Agencies from Russell T. Vought, Acting Director of OMB, re: Federal Agency Operational Alignment to Slow the Spread of Coronavirus COVID-19 (Mar. 17, 2020).

Our proposed freeze of other non-emergency, non-urgent regulations not required by statutory or judicial deadlines would be substantially identical to the freeze that the Administration adopted on the first day of President Trump's term of office. *See* Memorandum for the Heads of Executive Departments and Agencies from Reince Priebus, Assistant to the President and Chief of Staff, re: Regulatory Freeze Pending Review (Jan. 20, 2017). We appreciate that some federal agencies have already moved in this direction by extending the open comment periods for rule proposals unrelated to COVID-19. Agencies also should consider reopening closed comment periods, at an appropriate time and for an appropriate duration, to enable commenters to provide new information related to the COVID-19 pandemic, including its economic impact.

Taking these steps would help to ensure that all appropriate federal resources are directed towards the present public health and national emergencies and that the federal Government does not unnecessarily take steps that would call for action by state or local governments, by businesses and other organizations affected by the current emergencies, or by our residents, whose ability to meet and communicate with each other has been limited by measures adopted in response to the emergencies.

We appreciate your attention to our request at this difficult time for our country.

Sincerely,



GURBIR S. GREWAL
New Jersey Attorney General



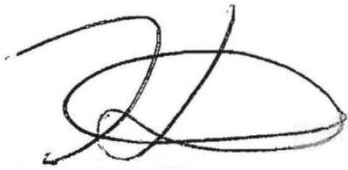
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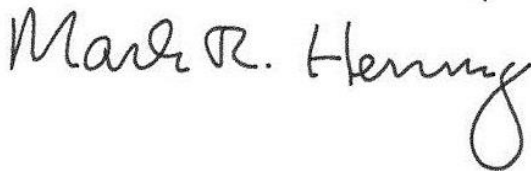
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