



THE COUNCIL OF STATE GOVERNMENTS

Recommendations to Improve the Federal-State Regulatory Process

- **Update the Unfunded Mandates Reform Act:** Federal agencies, including independent agencies, regularly fail to quantify and assess the impact of federal regulations on state, local and tribal governments. Closing the loopholes to ensure federal agencies fully examine the potential economic costs is important in minimizing any unfunded mandates.
- **Establish State and Local Government Advisory Committees within federal agencies:** Absent the Advisory Commission on Intergovernmental Relations (ACIR), there is no advisory board consistent throughout federal agencies. Establishing a state and local advisory committee within each federal agency would help ensure there is consistent input, consultation, and analysis of proposed rules and regulations.
- **Develop annual or bi-annual sessions between agency staff and association staff:** This would allow all groups to make introductions and facilitate dialogue, including with both political and career federal agency staff. Also exchange rosters of key contacts between senior agency officials, including career and political employees responsible for writing regulations (i.e. Deputy Assistant Secretary) and Big 7 staff.
- **Employ individuals with experience in state and local government:** When vacancies appear, consider hiring employees with knowledge and experience in state and local government affairs. In addition, OIRA can include having experience in state and local government in the job description and application process.
- **Establish oversight reports on federal agency regulatory coordination:** Instruct agency Inspector Generals, Government Accountability Office (GAO), or other oversight agencies to conduct assessments on the agencies outreach and coordination with state and local governments.
- **Offer a 101-type session for agency staff on topics related to state and local government:** These could address some of the basics about the roles and responsibilities of state and local governments, but could also include things like what how county budgets are determined and their budget cycles.
- **Create an internal alert system (or communication) that informs state and local organizations when agencies bypass necessary process requirements:** Have OIRA flag rules that have bypassed standard agency intergovernmental procedures, and communicate those rules to state and local associations. In example, when agencies fail to quantify a major rule that may have a direct effect on state and local governments.
- **Identify best practices for intergovernmental cooperation:** Document and highlight best practices around intergovernmental coordination and outreach from federal agencies. These can be instrumental for continued improvements among federal, state and local governments.