

Acronym Glossary

- AO – Action Officer
- CRM – Coordination Request Memo
- DARS – Defense Federal Acquisition Regulation System
- DoW – Department of War
- DOPSR – Defense Office of Prepublication and Security Review
- E.O. – Executive Order
- FRFA – Final Regulatory Flexibility Analysis
- FRLO – Federal Register Liaison Officer
- GAO – Government Accountability Office
- GC – General Counsel
- IG – Inspector General
- IRFA – Initial Regulatory Flexibility Analysis
- MilDep – Military Department
- ODA&M – Office of the Director of Administration & Management
- OFR – Office of the Federal Register
- OGC LC – Office of the GC Legal Counsel
- OIC – Office of Information Counsel
- OIM – Office of Information Management
- OMB – Office of Management and Budget
- OPR – Office of Primary Responsibility
- OSW – Office of the Secretary of War
- PCLT – Privacy, Civil Liberties, and Transparency
- PRA – Paperwork Reduction Act
- PSA – Principal Staff Assistant
- RD – Regulatory Division within ODA&M(PCLT)
- RIA – Regulatory Impact Analysis
- RPO – Regulatory Policy Officer
- UA – Unified Agenda

Notes

- ¹ Technical amendments are an administrative change and follow a different process.
- ² Durations are approximate.
- ³ For MilDeps, coordination with IG and GC are done at the Service-level.
- ⁴ DARS follows a different process.
- ⁵ Disapprovals are rare after working through questions.
- ⁶ MilDeps, including Corps of Engineers, will have their FRLO send final rule.

Regulatory Compliance Analysis

Executive Orders and regulatory requirements that need to be addressed during the drafting of the regulation. These requirements may have separate approval processes and timelines that need to be considered when determining the regulation's content and timeline.

Regulatory Planning and Review (EO 12866)

Would the rule have a \$100 million annual impact, raise novel issues, and/or have other significant impacts? [If Yes, prepare regulatory impact analysis.]

Unleashing Prosperity Through Deregulation (EO 14192)

Would the rule qualify as an E.O. 14192 action? [If yes, prepare the 10-for-1 requirement.]

Regulatory Flexibility Act (5 U.S.C. 601–612)

Would the rule “have a significant economic impact on a substantial number of small entities ?” [If Yes, prepare regulatory flexibility analysis.]

Paperwork Reduction Act (44 U.S.C. 3501–3520)

Would the rule contain a “collection of information” (reporting, disclosure, or recordkeeping)? [If yes, prepare package for OMB clearance and approval.]

Unfunded Mandates Reform Act (2 U.S.C. Ch 17A, 25)

Would the rule include any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate?

Federalism (EO 13132)

Is the rule a discretionary rule that has federalism implications and imposes substantial unreimbursed direct compliance costs on State and local governments?
Does the rule have federalism implications and preempt State law?

Indian Tribal Governments (EO 13175)

Is the rule a discretionary rule that has tribal implications and imposes substantial unreimbursed direct compliance costs on Indian tribal governments?
Does the rule have tribal implications and preempt tribal law?

DoW Regulatory Process



This trifold provides a DoW regulatory ‘informal’ rule making process overview. Developed by PCLT Regulatory Division.

Round 1: The AO will complete this entire process, Stages 1 through 8, for the proposed rule.

Stage 1 (6 weeks)	Stage 2 (5 weeks)	Stage 3 (8 weeks)	Stage 4 (6 weeks)	Stage 5 (4 weeks)	Stage 6 (12 weeks)	Stage 7 (8 weeks)	Stage 8 (2 weeks)
Rule Development	Pre-Coordination	OPR Coordination	Formal Coordination	RPO Approval	OMB Review	DOPSR & PSA Approvals	Signature & Publication
<ul style="list-style-type: none"> Identify need for rule (i.e. statutory or agency initiatives) AO conducts kick-off meeting with ODA&M (PCLT)/RD and other stakeholders In consultation with GC, AO drafts rule AO prepares RIA/IRFA/UA sheet, which support the rule AO coordinates rule within their respective MilDep or agency and addresses comments/updates rule AO sends draft rule/RIA/IRFA to FRLO for pre-coordination edits 	<ul style="list-style-type: none"> FRLO coordinates with component PRA Liaison/OIM regarding information collection requirements in the rule FRLO provides pre-coordination edits for rule, RIA, IRFA, UA sheet, and template for Coordination Request Memo (CRM) AO revises rule based on FRLO's edits and prepares CRM 	<ul style="list-style-type: none"> AO coordinates rule within component (e.g. USD(P&R)) and addresses comments/updates rule AO has CRM signed by OSW PSA, or MilDep equivalent AO sends coordinated rule and signed copy of CRM to FRLO FRLO reviews rule prior to Formal Coordination 	<ul style="list-style-type: none"> AO coordinates rule with ODA&M (PCLT), DoW IG, and other DoW stakeholders and Federal agencies as needed AO addresses comments, updates rule, and coordinates rule/RIA/IRFA with component GC³ AO drafts coordination summary and comments matrix AO sends updated rule, RIA, IRFA, coordination summary, and comment matrix to FRLO and addresses FRLO comments 	<ul style="list-style-type: none"> ODA&M(PCLT)/RD prepares RPO rule package and coordinates package with OGC LC/OIC OGC LC/OIC provides final legal and compliance reviews AO revises rule and rule documentation based on comments received from OGC(LC)/OIC ODA&M(PCLT)/RD submits RPO package for RPO approval⁴ ODA&M(PCLT)/RD and AO address any RPO comments RPO reviews and approves or disapproves⁵ 	<ul style="list-style-type: none"> ODA&M(PCLT)/RD prepares RPO rule package and coordinates package with OGC LC/OIC OGC LC/OIC provides final legal and compliance reviews AO revises rule and rule documentation based on comments received from OGC(LC)/OIC ODA&M(PCLT)/RD submits RPO package for RPO approval⁴ ODA&M(PCLT)/RD and AO address any RPO comments RPO reviews and approves or disapproves⁵ 	<ul style="list-style-type: none"> ODA&M(PCLT)/RD sends rule to DOPSR and security office for clearance ODA&M(PCLT)/RD provides cleared rule text to FRLO FRLO provides template for approval/cert memo to AO AO prepares action memo and approval/cert memo and requests OSW PSA or MilDep equivalent approval If changes are requested, AO re-coordinates rule, if necessary OSW PSA or MilDep equivalent signs action memo and approval/cert memo 	<ul style="list-style-type: none"> AO sends signed copy of the approval/cert memo to FRLO FRLO digitally signs and submits rule to OFR via the OFR portal OFR editor reviews rule and FRLO/AO adjudicate OFR edits OFR schedules rule for public inspection and publication Rule publishes in Federal Register and public comment period begins

Round 2: Proposed and interim final rules are processed through the stages again after adjudication of public comments in Round 1, Stage 8. Public comments are addressed in the preamble of the final rule. The rulemaking process is fully repeated in order to finalize a rule. At the same time a final rule is sent for publication, the FRLO sends it to Congress and GAO⁶.