



# United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240

ADDRESS ONLY THE DIRECTOR  
FISH AND WILDLIFE SERVICE

MAY 5 1995

## Memorandum

To: Service Directorate

From: Deputy Director - Staff


Subject: Unfunded Mandates Reform Act of 1995

Attached are memoranda from the Department's Office of Regulatory Affairs and the Office of Management and Budget on guidance for implementing Title II of S. 1, the "Unfunded Mandates Reform Act of 1995." The Act took effect on Wednesday, March 22, 1995 and you should be preparing all regulations with the requirements of Title II (attached) in mind.

It should be noted that these new requirements apply only to significant regulations or regulations that significantly or uniquely impact small governments. As defined by E.O. 12866, a "significant regulatory action" means any regulatory action that is likely to result in a rule that may:

1. Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local or tribal governments or communities;
2. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
3. Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof, or
4. Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in E.O. 12866.

In addition, Section 204 of the Act provides for limited exemptions from the Federal Advisory Committee Act for meetings with state, local, and tribal governments. If you have any questions or need assistance in determining the applicability of the Act, please contact Policy and Directives Management Staff at (703) 358-1943.

  
Bruce Blanchard

Attachments