**SUBJECT:** ALERT: Federal Register Notice: Evaluation of Existing Coast Guard Regulations, Guidance Documents, Interpretative Documents, and Collections of Information

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**U.S. Coast Guard Request for Comments: Evaluation of Existing Coast Guard Regulations, Guidance Documents, Interpretative Documents, and Collections of Information**

**Docket No. USCG–2017–0480 at** [www.regulations.gov](http://www.regulations.gov)

**Comment deadline: Monday, July 10, 2017**

**BACKGROUND**: Since January, the Trump administration has issued a series of Executive Orders (EO) and memoranda pertaining to federal regulations. The actions are intended to prompt federal agencies to make recommendations for repealing, replacing, or modifying their existing regulations and for reducing regulatory costs. **Links to reference documents are below.**

In response to these directives, the U.S. Coast Guard (USCG) has published a [Federal Register Notice/Request for Comments](https://www.federalregister.gov/d/2017-11930) (**attached**) seeking public input as to regulations, guidance documents and interpretative documents that should be considered for repeal, replacement, or modification based on criteria described in the notice. It is also seeking input on USCG collections of information, whether or not they are associated with a regulation. The purpose of this open comment period is to assist the USCG in its work with the Department of Homeland Security’s Regulatory Reform Task Force, established under the terms of [Executive Order 13777](https://www.federalregister.gov/d/2017-04107).

**NEXT** **STEPS**:

* As with other Federal Register requests for comments on matters related to recreational boating, **NASBLA will formulate an organizational submission**. Since this is a quick turnaround comment period, a draft outline of the submission, at minimum, will be shared within the next 10 days.
* Your review and additional input to the draft will help us develop a more meaningful organizational response to this request. At the same time, we hope that sharing the outline as soon as possible will help you and your state should you wish to submit a separate set of comments. **And we do encourage your state to take advantage of the opportunity to comment.**
* While this comment period will end on July 10, our understanding is that the USCG will be taking additional steps to gather input before wrapping up its internal work on recommendations at year’s end. For example, members of the [**National Boating Safety Advisory Council (NBSAC)**](https://homeport.uscg.mil/NBSAC) **–** seven of whom are state colleagues **–** will soon be embarking on a review process with the hope of emerging from their fall meeting with recommendations.

**CONSIDER THESE THINGS IN YOUR REVIEW:**

* The EOs and memoranda are intimidating at first read. You may wonder just how far into the regulatory “weeds” the comments need to go to be of use, and, bigger picture, how it will be possible to accommodate the directive that for every one new regulation proposed, two will have to be repealed.
* Don’t be intimidated. In reviewing the documents, it’s best to remember that the EOs and memoranda were written to cover the full range of federal agencies and regulatory activity; not everything will apply to the recreational boating safety side of the USCG and the types of regulations, guidance documents, and other items mentioned.
* That means, don’t focus solely on the “repeal” aspect of these directives. The call is also to identify existing regulations that should be modified and updated. Evident over the years--most recently in the case of regulatory matters regarding accident reporting--the need is often for updating provisions that have become obsolete or moving provisions out of regulation and into policy documents. In identifying areas to cover in the comments, NASBLA will be revisiting resolutions and other policy products approved by membership over the years, as well as the content and status of resolutions adopted by the regional BLA organizations and NBSAC.
* This request for comments is not a request for detailed revisions to regulatory language. It isn’t necessary to get into the weeds of sections, paragraphs, and lines. It is important to identify major areas of interest and concern and the rationale for targeting them.
* Last, but definitely not least, this request for comments is another chance to get recreational boating safety regulatory concerns and solutions “on the record” and, perhaps, move them higher up the USCG’s project prioritization scheme. As we’ve seen over the years—as active regulatory projects have stalled out—the higher up the chain in the USCG, the less likely to be familiar with recreational boating issues. This comment opportunity is one more way to try to raise awareness.

If you have any immediate questions about this notice and request for comments, or if you are having any difficulties locating materials that you think would be helpful in your review, please feel free to contact Deb Gona (deb@nasbla.org).

Thank you, in advance.

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**REFERENCE LINKS:**

**J**anuary 20, 2017, [Memorandum for the Heads of Executive Departments and Agencies; Regulatory Freeze Pending Review](https://www.federalregister.gov/d/2017-01766) (https://www.federalregister.gov/d/2017-01766)

January 30, 2017, Executive Order 13771, [Reducing Regulation and Controlling Regulatory Costs](https://www.federalregister.gov/d/2017-02451) (https://www.federalregister.gov/d/2017-02451)

February 24, 2017, Executive Order 13777, [Enforcing the Regulatory Reform Agenda](https://www.federalregister.gov/d/2017-04107) (https://www.federalregister.gov/d/2017-04107)

March 28, 2017, Executive Order 13783, [Promoting Energy Independence](https://www.federalregister.gov/d/2017-06576)

[and Economic Growth](https://www.federalregister.gov/d/2017-06576) (https://www.federalregister.gov/d/2017-06576)

April 28 2017, Memorandum, [Guidance on Regulatory Reform Accountability under Executive Order 13777, titled “Enforcing the Regulatory Reform Agenda”](https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-23.pdf) (https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-23.pdf)

U.S. Coast Guard Regulations: 33 CFR Chapter I (parts 1-199); 46 CFR Chapters I (parts 1-199) and III (parts 400-499); and 49 CFR Chapter IV (parts 400-499). You may view these regulations on [www.ecfr.gov](http://www.ecfr.gov). A list of parts of the Code of Federal Regulations that pertain to Recreational Boating Safety can be found at <http://uscgboating.org/regulations/federal-regulations.php>

[NBSAC Resolution Status Report](https://homeport.uscg.mil/cgi-bin/st/portal/uscg_docs/MyCG/Editorial/20161014/10%20-%20NBSAC%2096%20Resolution%20Status%20Report.pdf?id=25b30b3022f2f82eced32f0a02894bf236097bac&user_id=ef6fa4f05468ce5b2e64cc89c2d4d47d) (October 2016) at https://homeport.uscg.mil/NBSAC