



Institute for
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NEW REPORT OFFERS AGENDA FOR PRIORITIZING EQUITY ACROSS FEDERAL REGULATIONS

To fulfill the Biden administration’s commitments to equity and environmental justice, federal agencies need rigorous guidance on assessing and weighing the distributional impacts of regulation.

Though several presidents have called on agencies to consider equity in general—and environmental justice in particular—when crafting new policies, **it remains rare for federal agencies to accurately measure the distributional impacts of proposed regulations** or cite these considerations as the basis for rulemaking. Agencies often provide inconsistent and opaque analyses of distributional issues, in part because they lack specific guidance on how to assess these impacts and incorporate them into regulatory cost-benefit analyses. This insufficient analysis is an enormous obstacle in the effort to make policies, environmental and otherwise, fair for all communities.

[A new report from the Institute for Policy Integrity at NYU School of Law](#) analyzes this gap and proposes actions that the Office of Management and Budget (OMB) should take to ensure fuller consideration of equity in the rulemaking process. First, OMB should instruct agencies to conduct geographically granular analyses of regulatory impacts that account for subpopulations’ differential vulnerability to environmental harms. This is key to unveiling environmental injustices. To achieve this, **OMB must provide detailed guidance on how to conduct these assessments.**

But mere impact assessment is not enough. **OMB must also tell agencies how to incorporate this information into decisionmaking.** The report explores various ways to do this, from qualitative consideration to quantitative tools such as inequality metrics and weights.

Finally, **OMB should oversee a whole-of-government approach** that coordinates between agencies with different mandates, assesses cumulative distributional effects across regulations, and identifies strategies for addressing them.

The full report, ***Making Regulations Fair: How Cost-Benefit Analysis Can Promote Equity and Advance Environmental Justice*** is available at:

<https://policyintegrity.org/publications/detail/making-regulations-fair>

The authors are available for interviews on these issues.

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