

December 14, 2017

Ms. Neomi Rao  
Administrator, Office of Information and Regulatory Affairs  
Office of Managing and Budget  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

Dear Ms. Rao,

Let me introduce myself. I was the Chief of the US Forest Service during the Reagan/Bush Administrations. I have experienced first-hand the growth and stifling effects of the Regulatory State on the operation of many Federal Agencies.

I read your editorial in today's WSJ on the progress the Trump Administration is making in de-regulating the private sector - - very impressive! You're doing wonderful work! The other half of the job is to de-regulate the Federal Agencies themselves.

I have 2 thoughts that I would like for you to consider to make President Trump's Deregulatory program even more effective:

1. Apply the same strategy and principles to internal Regulations governing the operation of the bureaucracy itself. For example, the Federal Government owns and manages a third of the Nation with the Forest Service and the Bureau of Land Management being the largest Agencies, who are charged with Multiple Use management of Federal lands for the benefit of American people. Both Agencies are so tied up in knots with laws, regulations, policies, and procedures to the point that neither Agency is effective in performing their basic mission of managing Federal Lands to create jobs and sustain viable communities in Rural America. Rural America is counting on President Trump to solve these kinds of problems which deal with a lot of their frustration with the Federal Government. The good news is that, with a few exceptions, most of the problems with over-regulation is caused by the Executive Branch and can be solved by the Executive Branch! However, there are also a few legislative fixes needed as well.
2. The best example that I know of is the National Environmental Policy Act (NEPA). I was there in the beginning when NEPA was passed on 12/31/69 and have seen what a terrible mess that it has evolved into over the past 47 years due to actions taken by the Executive Branch and then further re-enforced by the Courts based on the Regulations! As written by Congress, it is a good law which basically just says that Agencies should consider the environmental side effects, as they go about making decisions affecting the environment. In its enthusiasm for the environment, the Executive Branch actually adopted the NEPA process as its Decision Making Process through Regulations, rather than just dealing with side effects of its decisions on the environment, which is all that is required by NEPA law. There is no better case than NEPA that illustrates where the Executive Branch far and away exceeded the authority and requirements of the law to the point that the ability and reputation of the Federal Government is so screwed up that it can hardly get anything done! Of course, over the years the Judges have interpreted the Administrative Regulations by the Executive Branch to make bad decisions ever worse! This whole mess needs to be untangled and I hope the Trump Administration will take it on! I

suggest you use the untangling of NEPA as an example of how the Trump Administration could greatly improve the effectiveness of the Federal Government.

Sincerely,

F Dale Robertson  
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