



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 26, 2021

M-21-23

MEMORANDIUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Shalanda D. Young
Acting Director

A handwritten signature in black ink that reads "Shalanda D. Young".

SUBJECT: Revocation of OMB Memorandum M-21-01, "Budget and Management Guidance on Updates to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act"

On January 20, 2021, President Biden signed Executive Order 13990 entitled "Protecting Public Health and the Environmental Science to Tackle the Climate Crisis" (EO). Section 1 of the EO set out the public health and environmental policy objectives of the Administration. Section 2 of the EO directed agencies to "immediately review all existing regulations, orders, guidance documents, policies, and any other similar agency actions . . . promulgated, issued, or adopted between January 20, 2017, and January 20, 2021, that are or may be inconsistent with, or present obstacles to, the policy set forth in section 1 of [the EO]."

On June 16, 2020, the Council on Environmental Quality (CEQ) issued a final rule, "Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act," 85 Fed. Reg. 43,304, revising its NEPA regulations, which apply to all Federal agencies. Pursuant to that regulation, agencies were instructed to develop new or revised NEPA procedures, as necessary, including eliminating any inconsistencies with the CEQ regulations by no later than September 14, 2021. Based on the EO, CEQ has identified the updated NEPA regulations for potential review for consistency with the Administration's policies.

On November 2, 2020, OMB issued Memorandum M-21-01, "Budget and Management Guidance on Updates to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act" (NEPA). The memorandum requested agencies to provide to OMB within 30 days a plan outlining the agency's schedule for initiating, proposing, and finalizing new or updated agency NEPA procedures and related materials. Agencies were also requested to provide status reports by March 15, 2021, and August 1, 2021, on their progress in developing and proposing new or revised NEPA procedures.

OMB Memorandum M-21-01 is hereby revoked as it is or may be inconsistent with, or present obstacles to, the Administration's policies. Agencies are no longer expected to submit progress reports regarding implementation of the revised NEPA procedures.