

UNDERSTANDING FEDERAL REGULATORY ACTIONS

From Executive Orders to agency rules, federal actions vary widely in form, effect, and process. This quick reference breaks down the five most common tools used to shape policy and project delivery.

TYPE OF ACTION	WHAT IS IT?	WHEN DOES IT TAKE EFFECT?	WHAT HAPPENS NEXT?	KEY POINTS
STATUTE	Law passed by Congress and signed by the President	Upon enactment, unless otherwise stated	Agencies implement the law through regulations or guidance	Creates the legal basis for agency regulatory actions
EXECUTIVE ORDER (EO)	Directive from the President to federal agencies	Immediately, but must be carried out by the agencies	Agencies may undertake a rulemaking, issue guidance, or reprioritize programs consistent with the EO	EOs start the process – they don't change policy on their own
REGULATION (RULE)	Legally binding requirement issued by a federal agency	After public comment and final publication	Enforceable by law; often followed by clarifying guidance	Main tool for formal, enforceable policy
GUIDANCE DOCUMENT	Non-binding interpretation or explanation from an agency	Upon publication	Used by agencies to interpret, apply, and enforce rules; should be useful to regulated parties	Not law, but shapes how agencies apply rules, often with inadequate or no public input
ADMINISTRATIVE DECISION	Case-specific agency ruling (e.g., on a permit or grant)	Upon issuance	Applies existing rules to individual projects or cases	Implements policy "on the ground"