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ALERT
MAY 2020



White House Orders Agencies to Provide Regulatory Relief During and After COVID-19

Executive order encourages deregulation to stimulate economic recovery.

The President issued an [executive order](#) directing agencies to address the economic impact of COVID-19 by eliminating regulations, providing reopening guidance to businesses, and recognizing that regulatory compliance can be difficult in these circumstances.

Regulated businesses may benefit from these new directives:

- **Regulatory relief.** Agencies shall consider temporarily or permanently eliminating regulations that inhibit economic recovery and temporary enforcement discretion or extensions of time.
- **Pre-enforcement rulings.** Agencies shall enable businesses to obtain pre-enforcement rulings as to whether proposed conduct in response to COVID-19, including any response to economic stimulus actions, is consistent with law.
- **Enforcement discretion.** Agencies shall consider adopting enforcement discretion policies that decline enforcement against businesses that have attempted in reasonable good faith to comply with law, guidance, and any pre-enforcement ruling.
- **Fairness in enforcement.** Agencies shall consider principles of fairness in administrative enforcement and adjudication, consistent with Executive Order 13892.
- **Regulatory review.** Agencies shall consider permanently rescinding any regulations that were temporarily rescinded in response to COVID-19.

This new executive order builds on prior executive orders directing agencies to ensure transparency and fairness in policymaking and enforcement. See Jones Day's previous [Alert](#).

Businesses in regulated industries should consider seeking regulatory relief to mitigate the economic impact of COVID-19 on their business operations.



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