



UNITED STATES OF AMERICA
RAILROAD RETIREMENT BOARD
844 NORTH RUSH STREET
CHICAGO, ILLINOIS 60611-1275

BOARD MEMBERS:

ERHARD R. CHORLÉ, CHAIRMAN
JOHN BRAGG, LABOR MEMBER
THOMAS JAYNE, MANAGEMENT MEMBER

April 17, 2026

MEMORANDUM TO: Russell T. Vought
Director, Office of Management and Budget

SUBJECT: Executive Order 14294
Report of Criminal Regulatory Offenses Enforceable by the
Railroad Retirement Board

In accordance with Section 4(a) of Executive Order 14294, *Fighting Overcriminalization in Federal Regulations* (May 9, 2025), the Railroad Retirement Board submits this report containing a list of all criminal regulatory offenses enforceable by the agency or the Department of Justice. The Board undertook a comprehensive review of its regulations in 20 C.F.R. Chapter II and did not identify any criminal regulatory offenses within the meaning of the executive order.

In three instances, Railroad Retirement Board regulations reference a criminal penalty under the Railroad Retirement Act or other applicable law, but in these cases the criminal conduct, range of potential penalties, and mens rea standard are defined by the relevant statute rather than the regulation, and the regulation merely restates the statutory language:

Regulation Referencing Criminal Penalty	Statute Imposing Penalty
20 C.F.R. § 209.2 Duty to furnish information and records.	Section 13(a) of the Railroad Retirement Act, 45 U.S.C. § 231f
20 C.F.R. § 219.9, Evidence, information, and records filed with the Board.	Section 13(a) of the Railroad Retirement Act, 45 U.S.C. § 231f
20 C.F.R. § 369.5 Penalty for misuse of the seal.	18 U.S.C. § 1017, Government seals wrongfully used and instruments wrongfully sealed

In any case where the Board contemplates a criminal referral to the Department of Justice or the Board's Office of Inspector General, the prohibited conduct would therefore be referred or charged as a violation of the underlying statute rather than a violation of the regulation.

In accordance with section 4(c) of Executive Order 14294, this report shall be updated periodically, but not less than once per year.

Sincerely,

Original signed
FOR THE BOARD
Stephanie Hillyard
Secretary to the Board
April 17, 2026