



The Daily Dish

What Next?

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In the aftermath of the shellacking – to use the Barack Obama term for total electoral disaster – the first question on everyone’s lips is: “What’s next?” This is certainly true of the Democrats, but there is even more interest in what the Trump Administration and next Congress will do.

I have no idea.

But I am quite sure that regulatory restraint will be in the mix. One of the most striking regulatory policy contrasts is between the presidency of Donald Trump and the Biden-Harris Administration. The table below – reproduced from this week’s [edition](#) of the Week in Regulation (hat tip to Dan Goldbeck) – lays out the dramatic difference in cost burdens imposed on the private sector from federal rulemakings. To date, for the Biden-Harris Administration: \$1.8 trillion. At the same point in his term, Trump: \$3 billion! That’s “b” and not “t.”

TRACKING THE ADMINISTRATIONS

REGULATORY ACTIVITY FROM INAUGURATION DAY TO NOVEMBER 1ST (Year 4)

	FINAL RULES	FINAL RULE COSTS	PAPERWORK HOURS
BIDEN 2021	1070	\$1.8T	339.5M
TRUMP 2017	1180	\$3B	292.7M
OBAMA 2009	1439	\$490.5B	281.5M

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How was this accomplished? Mechanically, the Office of Information and Regulatory Affairs assigned to each agency a budget for allowable regulatory costs and great effort was devoted to hitting these targets (most of which were zero or a negative number). While this was popularly described as “one in and two out,” the reality was simply that each agency took the time ask industry for lower-cost ways to propose rules and to identify candidates for elimination. Hysterics on the left screamed about the notion of deregulation, but there has been no evidence of reduced safety, massive pollution, or other ills from that era.

Further deregulatory work will reside with the administration. But Congress may get a jumpstart through the use of the Congressional Review Act (CRA). In 2017, Congress and President Trump removed [14 Obama-era rules](#) through the CRA. The [AAF CRA Tracker](#) has been monitoring recent developments. Expect Congress to be busy identifying rules finalized in the final 60 legislative days of this Congress that are targets for removal.

Clearly, there will be a dramatic shift in the tenor and substance of the policy process in 2025. Regulatory restraint will undoubtedly be part of the mix.