

# Appendix: Historical Tables

Part A. *Federal Register* Page History, 1936–2022

Year	Unadjusted Page Count	Jumps/Blanks	Adjusted Page Count
1936	2,620	n/a	2,620
1937	3,450	n/a	3,450
1938	3,194	n/a	3,194
1939	5,007	n/a	5,007
1940	5,307	n/a	5,307
1941	6,877	n/a	6,877
1942	11,134	n/a	11,134
1943	17,553	n/a	17,553
1944	15,194	n/a	15,194
1945	15,508	n/a	15,508
1946	14,736	n/a	14,736
1947	8,902	n/a	8,902
1948	9,608	n/a	9,608
1949	7,952	n/a	7,952
1950	9,562	n/a	9,562
1951	13,175	n/a	13,175
1952	11,896	n/a	11,896
1953	8,912	n/a	8,912
1954	9,910	n/a	9,910
1955	10,196	n/a	10,196
1956	10,528	n/a	10,528
1957	11,156	n/a	11,156
1958	10,579	n/a	10,579
1959	11,116	n/a	11,116
1960	14,479	n/a	14,479
1961	12,792	n/a	12,792
1962	13,226	n/a	13,226
1963	14,842	n/a	14,842
1964	19,304	n/a	19,304
1965	17,206	n/a	17,206
1966	16,850	n/a	16,850
1967	21,088	n/a	21,088
1968	20,072	n/a	20,072
1969	20,466	n/a	20,466
1970	20,036	n/a	20,036
1971	25,447	n/a	25,447
1972	28,924	n/a	28,924
1973	35,592	n/a	35,592

Source: National Archives and Records Administration, Office of the Federal Register.  
Publication of proposed rules was not required before the Administrative Procedure Act of 1946. Preambles to rules were published only to a limited extent before the 1970s.

n/a = not available; TBD = to be determined.

Year	Unadjusted Page Count	Jumps/Blanks	Adjusted Page Count
1974	45,422	n/a	45,422
1975	60,221	n/a	60,221
1976	57,072	6,567	50,505
1977	65,603	7,816	57,787
1978	61,261	5,565	55,696
1979	77,498	6,307	71,191
1980	87,012	13,754	73,258
1981	63,554	5,818	57,736
1982	58,494	5,390	53,104
1983	57,704	4,686	53,018
1984	50,998	2,355	48,643
1985	53,480	2,978	50,502
1986	47,418	2,606	44,812
1987	49,654	2,621	47,033
1988	53,376	2,760	50,616
1989	53,842	3,341	50,501
1990	53,620	3,825	49,795
1991	67,716	9,743	57,973
1992	62,928	5,925	57,003
1993	69,688	8,522	61,166
1994	68,108	3,194	64,914
1995	67,518	4,873	62,645
1996	69,368	4,777	64,591
1997	68,530	3,981	64,549
1998	72,356	3,785	68,571
1999	73,880	2,719	71,161
2000	83,294	9,036	74,258
2001	67,702	3,264	64,438
2002	80,332	4,726	75,606
2003	75,798	4,529	71,269
2004	78,852	3,177	75,675
2005	77,777	3,907	73,870
2006	78,724	3,787	74,937
2007	74,408	2,318	72,090
2008	80,700	1,265	79,435
2009	69,644	1,046	68,598
2010	82,480	1,075	81,405
2011	82,415	1,168	81,247
2012	80,050	1,089	78,961
2013	80,462	1,151	79,311
2014	78,796	1,109	77,687
2015	81,402	1,142	80,260
2016	97,069	1,175	95,894
2017	61,950	642	61,308
2018	68,082	857	67,225
2019	72,564	128	72,436
2020	87,216	1,009	86,207
2021	74,082	761	73,321
<b>2022</b>	<b>80,756</b>	<b>TBD</b>	<b>80,756</b>

## Part B. Number of Documents in the *Federal Register*, 1976–2022

Year	Final Rules	Significant Subset	Proposed Rules	Significant Subset	Other*	Total
1976	7,401		3,875		27,223	38,499
1977	7,031		4,188		28,381	39,600
1978	7,001		4,550		28,705	40,256
1979	7,611		5,824		29,211	42,646
1980	7,745		5,347		33,670	46,762
1981	6,481		3,862		30,090	40,433
1982	6,288		3,729		28,621	38,638
1983	6,049		3,907		27,580	37,536
1984	5,154		3,350		26,047	34,551
1985	4,843		3,381		22,833	31,057
1986	4,589		3,185		21,546	29,320
1987	4,581		3,423		22,052	30,056
1988	4,697		3,240		22,047	29,984
1989	4,714		3,194		22,218	30,126
1990	4,334		3,041		22,999	30,374
1991	4,416		3,099		23,427	30,942
1992	4,155		3,170		24,063	31,388
1993	4,369		3,207		24,017	31,593
1994	4,867		3,372		23,669	31,908
1995	4,713		3,339	222	23,133	31,185
1996	4,937	309	3,208	252	24,485	32,630
1997	4,584	267	2,881	226	26,260	33,725
1998	4,899	242	3,042	264	26,313	34,254
1999	4,684	232	3,281	335	26,074	34,039
2000	4,313	290	2,636	254	24,976	31,925
2001	4,132	297	2,512	206	25,392	32,036
2002	4,167	282	2,638	306	26,250	33,055
2003	4,148	335	2,538	314	25,168	31,854
2004	4,101	320	2,430	296	25,846	32,377
2005	3,943	257	2,257	197	26,020	32,220
2006	3,718	162	2,346	212	25,429	31,493
2007	3,595	180	2,308	308	24,784	30,687
2008	3,830	427	2,475	380	25,708	32,013
2009	3,503	371	2,044	330	25,218	30,765
2010	3,573	424	2,439	448	26,543	32,555
2011	3,807	422	2,898	483	26,296	33,001
2012	3,708	353	2,517	257	24,652	30,877
2013	3,659	331	2,594	316	24,517	30,770
2014	3,554	308	2,383	385	24,257	30,194
2015	3,410	345	2,342	381	24,294	30,046
2016	3,853	486	2,419	380	24,912	31,184
2017	3,281	224	1,834	177	22,132	27,247
2018	3,368	201	2,098	292	22,349	27,815
2019	2,964	261	2,131	379	22,181	27,276
2020	3,038	463	1,993	348	20,784	25,815
2021	4,429	386	1,780	278	17,170	6,209
<b>2022</b>	<b>3,168</b>	<b>265</b>	<b>2,044</b>	<b>267</b>	<b>n/a</b>	<b>5,212</b>

Rules since 1993: 114,821; rules since 1975: 211,911; other since 1975: 1,164,101.

Source: National Archives and Records Administration, Office of the Federal Register.

\* “Other” documents are presidential documents, agency notices, and corrections. n/a = not available at time of writing.

# Part C. Code of Federal Regulations Page Counts and Number of Volumes, 1975–2021

Year	Actual Pages Published (includes text, preliminary pages, and tables)				Unrevised CFR Volumes**	Total Pages Complete CFR	Total CFR Volumes (exclud- ing Index)
	Titles 1–50 (minus Title 3)	Title 3 (POTUS Docs)	Index*	Total Pages Published			
1975	69,704	296	792	70,792	432	71,224	133
1976	71,289	326	693	72,308	432	72,740	139
1977	83,425	288	584	84,297	432	84,729	141
1978	88,562	301	660	89,523	4,628	94,151	142
1979	93,144	438	990	94,572	3,460	98,032	148
1980	95,043	640	1,972	97,655	4,640	102,295	164
1981	103,699	442	1,808	105,949	1,160	107,109	180
1982	102,708	328	920	103,956	982	104,938	177
1983	102,892	354	960	104,206	1,448	105,654	178
1984	110,039	324	998	111,361	469	111,830	186
1985	102,815	336	1,054	104,205	1,730	105,935	175
1986	105,973	512	1,002	107,487	1,922	109,409	175
1987	112,007	374	1,034	113,415	922	114,337	185
1988	114,634	408	1,060	116,102	1,378	117,480	193
1989	118,586	752	1,058	120,396	1,694	122,090	196
1990	121,837	376	1,098	123,311	3,582	126,893	199
1991	119,969	478	1,106	121,553	3,778	125,331	199
1992	124,026	559	1,122	125,707	2,637	128,344	199
1993	129,162	498	1,141	130,801	1,427	132,228	202
1994	129,987	936	1,094	132,017	2,179	134,196	202
1995	134,471	1,170	1,068	136,709	1,477	138,186	205
1996	129,386	622	1,033	131,041	1,071	132,112	204
1997	128,672	429	1,011	130,112	948	131,060	200
1998	132,884	417	1,015	134,316	811	135,127	201
1999	130,457	401	1,022	131,880	3,052	134,932	202
2000	133,208	407	1,019	134,634	3,415	138,049	202
2001	134,582	483	1,041	136,106	5,175	141,281	206
2002	137,373	1,114	1,039	139,526	5,573	145,099	207
2003	139,550	421	1,053	141,024	3,153	144,177	214
2004	143,750	447	1,073	145,270	2,369	147,639	217
2005	146,422	103	1,083	147,608	4,365	151,973	221
2006	149,594	376	1,077	151,047	3,060	154,107	222
2007	149,236	428	1,088	150,752	5,258	156,010	222
2008	151,547	453	1,101	153,101	4,873	157,974	222
2009	158,369	412	1,112	159,893	3,440	163,333	225
2010	152,455	512	1,122	154,089	11,405	165,494	226
2011	159,129	486	1,136	160,751	8,544	169,295	230
2012	164,884	472	1,154	166,510	8,047	174,557	235
2013	166,352	520	1,170	168,042	7,454	175,496	235
2014	165,016	538	1,170	166,724	12,657	179,381	236
2015	170,278	495	1,170	171,943	6,334	178,277	237
2016	174,769	570	1,170	176,509	8,544	185,053	242
2017	178,628	846	1,170	180,644	5,730	186,374	242
2018	170,952	608	1,170	172,730	12,718	185,448	242
2019	172,022	1,092	1,170	174,284	11,700	185,984	242
2020	172,134	575	1,254	173,963	12,682	186,645	242
2021	180,495	789	1,277	182,561	5,785	188,346	243

Source: Chart from National Archives and Records Administration, Office of the Federal Register.  
 \*General Index and Finding Aids volume for 1975 and 1976. \*\* Unrevised CFR volumes page totals include those previous editions for which a cover only was issued during the year or any previous editions for which a supplement was issued.  
 CFR = Code of Federal Regulations; POTUS = president of the United States.

## Part D. Number of Regulatory Reviews at the Office of Information and Regulatory Affairs, 1991–2022

Year	Average Days Review Time										
	Prerule Reviews	Proposed Rule Reviews	Interim Final Rule Reviews	Final Rule Reviews	Notice Reviews	Total Reviews	ES Reviews	Non-ES Reviews	Days ES Reviews	Days Non- ES Reviews	Overall Average Days
1991		1,201		1,322		2,523	142	2,381	39	29	29
1992		970		1,315		2,285	121	2,164	44	39	39
1993	2	976	6	1,155	28	2,167	106	2,061	53	42	43
1994	16	317	68	302	128	831	134	697	33	30	31
1995	8	225	64	270	53	620	74	546	41	35	35
1996	28	160	56	232	31	507	74	433	39	42	42
1997	20	196	64	174	51	505	81	424	47	54	53
1998	15	192	58	182	40	487	73	414	33	50	48
1999	19	247	71	214	36	587	86	501	51	53	53
2000	13	210	66	253	40	582	92	490	60	62	62
2001	9	274	95	285	37	700	111	589	46	60	58
2002	23	261	81	249	55	669	100	569	44	46	46
2003	23	232	92	309	59	715	101	614	42	50	49
2004	26	237	64	241	58	626	85	541	35	55	53
2005	18	221	66	247	59	611	82	529	39	59	57
2006	12	229	43	270	46	600	71	529	34	59	56
2007	22	248	44	250	25	589	85	504	49	64	61
2008	17	276	39	313	28	673	135	538	53	63	61
2009	28	214	67	237	49	595	125	470	33	40	39
2010	36	261	84	232	77	690	138	552	48	51	51
2011	24	317	76	262	61	740	117	623	51	60	58
2012	12	144	33	195	40	424	83	341	69	81	79
2013	11	177	33	160	37	418	104	314	121	143	137
2014	17	201	43	144	46	452	114	338	106	134	127
2015	8	178	29	164	35	415	130	285	84	90	88
2016	14	231	28	303	45	623	156	467	83	79	80
2017	13	84	12	103	24	237	70	167	56	74	68
2018	25	168	11	124	32	360	91	269	63	68	67
2019	26	234	25	147	41	474	117	357	77	80	79
2020	14	213	77	257	104	669	199	470	57	75	70
2021	30	170	58	173	72	503	172	331	58	60	59
2022	18	191	24	147	103	485	161	324	75	72	73

Source: Author search on RegInfo.gov; "Review Counts" database search engine under Regulatory Review heading.  
ES = economically significant.

## Part E. Unified Agenda Rules History, 1983–2022

### Total Number of Rules under Consideration or Enacted

1980s			1990s			2000s		
1983	April	2,863	1990	April	4,332	2000	October	4,699
	October	4,032		October	4,470	2001	October	4,509
1984	April	4,114	1991	April	4,675	2002	October	4,187
	October	4,016		October	4,863	2003	December	4,266
1985	April	4,265	1992	April	4,186	2004	December	4,083
	October	4,131		October	4,909	2005	October	4,062
1986	April	3,961	1993	April	4,933	2006	December	4,052
	October	3,983		October	4,950	2007	December	3,882
1987	April	4,038	1994	April	5,105	2008	December	4,004
	October	4,005		October	5,119	2009	December	4,043
1988	April	3,941	1995	April	5,133			
	October	4,017		October	4,735			
1989	April	4,003	1996	April	4,570			
	October	4,187		October	4,680			
			1997	April	4,417			
				October	4,407			
			1998	April	4,504			
				October	4,560			
			1999	April	4,524			
				October	4,568			
2010s			2020s					
2010	December	4,225	2020	December	3,852			
2011	December	4,128	2021	December	3,772			
2012	Year-End*	4,062	2022	January 4, 2023	3,690			
2013	November	3,305						
2014	November	3,415						
2015	November	3,297						
2016	November	3,318						
2017	December	3,209						
2018	October	3,534						
2019	October	3,752						

Sources: Compiled from “The Regulatory Plan and Unified Agenda of Federal Regulatory and Deregulatory Actions,” *Federal Register*, various years’ editions; also from online edition at <http://www.reginfo.gov>.

\*Spring edition skipped in 2012.

## Part F. Agenda Rules History by Department and Agency, 2003–2021

	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003
Department of Agriculture	175	164	185	114	114	140	155	160	159	276	265	287	327	374	290	311	292	279	323
Department of Commerce	269	312	294	279	247	231	246	270	250	415	328	296	300	325	303	302	296	273	300
Department of Defense	219	234	253	246	193	115	117	121	104	146	140	150	133	109	131	143	163	126	108
Department of Education	42	23	32	49	38	27	25	26	20	24	18	23	22	17	13	16	9	11	13
Department of Energy	138	153	134	97	87	97	107	105	92	108	96	96	85	54	47	63	61	50	66
Department of Health and Human Services	235	250	241	237	189	197	213	217	200	204	251	312	231	236	259	257	249	233	219
Department of Homeland Security	160	155	154	171	123	123	130	141	139	160	232	230	237	252	267	280	295	314	338
Department of Housing and Urban Development	51	52	51	48	42	47	52	55	52	58	65	65	60	73	86	92	90	103	109
Department of Justice	118	306	86	70	68	94	100	102	95	112	120	137	121	138	140	139	124	125	122
Department of Labor	98	108	98	83	64	94	97	95	84	98	90	99	104	96	94	93	93	88	89
Department of State	70	92	77	75	64	38	44	47	41	63	35	30	18	27	28	28	24	21	15
Department of the Interior	363	71	296	233	183	285	288	324	353	320	325	259	277	287	264	305	303	287	295
Department of Transportation	301	301	295	298	255	240	210	216	220	232	224	223	230	200	199	215	227	301	365
Department of the Treasury	360	394	402	439	444	469	391	426	428	487	497	580	528	521	545	501	514	532	530
Department of Veterans Affairs	85	81	70	79	79	76	80	75	66	85	82	81	78	80	65	77	76	79	87
Advisory Council on Historic Preservation								1						0	0	0		1	1
Agency for International Development	16	17	13	8	9	14	8	7	5	10	14	14	12	7	10	8	10	8	8
American Battle Monuments Commission			1	1	2														
Architectural and Transportation Barriers Compliance Board	5	2	1	1	3	6	6	7	8	8	8	7	6	5	5	4	3	4	4
Broadcasting Board of Governors				3															
Commission on Civil Rights				1	1	1	1	1	1		1	1	1	2	1	1	1	1	1
Commodity Futures Trading Commission	18	42	40	36	32	35	34	26	33	83	68	56	32	25	19	14	11	15	15
Consumer Financial Protection Bureau	9	21	19	22	29	26	23	21	26	34									
Consumer Product Safety Commission	22	21	26	29	29	43	45	37	33	48	38	51	39	31	19	24	18	18	20
Corporation for National and Community Service	11	9	8	7	6	6	7	6	4	5	13	10	7	7	9	11	11	8	9
Council on Environmental Quality	5	3	2	2															
Council of Inspector General on Integrity and Efficiency	1	1	4	1	2	1													
Court Services/Offender Supervision, DC	7	7		5	6	4	4	3	3	3	3	2	2	2	2	1	1	1	3
CPBSD*	9	4	2	2	3	4	2	2	2	2	3	3	3	3	5	6	6	5	0
Defense Nuclear Facilities Safety Board					1														
Environmental Protection Agency	226	232	221	218	220	203	188	186	179	223	318	345	331	330	336	372	400	416	417
Equal Employment Opportunity Commission		15	10	7	8	10	8	8	9	9	7	7	7	5	7	8	6	3	4

	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003
Export-Import Bank of the United States										1									
Farm Credit Administration	14	19	16	14	31	27	27	26	30	30	25	23	25	19	12	19	20	20	21
Farm Credit System Insurance Corporation						2					25		1	1	0	1	1	1	1
Federal Acquisition Regulation	58	61	60	53	43	40	42	36	40	50	51	85	55	44	36	42	44	45	49
Federal Communications Commission	87	79	93	83	106	122	133	132	132	118	103	147	145	143	145	139	143	146	134
Federal Council on the Arts and Humanities														1					
Federal Deposit Insurance Corporation	29	56	42	39	29	19	25	25	17	22	21	21	21	19	18	24	16	20	17
Federal Emergency Management Agency														0	0	0	0	0	0
Federal Energy Regulatory Commission	22	12	19	18	17	21	25	24	29	40	41	36	37	39	41	47	35	23	21
Federal Housing Finance Agency	14	14	12	18	14	20	20	19	20	32	25	27	30	10	3	8	8	9	11
Federal Housing Finance Board														3					
Federal Maritime Commission	5	3	2	2	4	6	8	7	6	4	8	4	6	3	4	3	5	7	11
Federal Mediation and Conciliation Service	5	4	2	1						1	1	2	2	2	1	1	2	2	3
Federal Mine Safety and Health Review Commission	2	2	4																
Federal Permitting Improvement Steering Council	2	3																	
Federal Reserve System	31	46	48	39	29	22	18	23	16	25	29	22	26	18	20	13	17	18	18
Financial Stability Oversight Council										2									
Federal Trade Commission	19	20	19	18	20	18	20	23	20	23	24	19	20	17	14	16	15	14	12
General Services Administration	43	32	27	31	20	23	21	25	18	21	29	34	49	54	26	34	33	27	37
Gulf Coast Ecosystem Restoration Council						2	4	4											
Institute of Museum and Library Services	1	2	4	1	1		1	1	3	3	1	2	1	2	1	1	4	3	6
Inter-American Foundation	2																		
National Aeronautics and Space Administration	5	10	8	10	12	12	14	22	23	37	46	26	32	19	11	15	20	27	34
National Archives and Records Administration	8	9	7	7	8	10	8	10	6	6	4	9	7	10	15	21	17	22	19
National Commission on Military, National, and Public Service				2															
National Council on Disability							1												
National Credit Union Administration	30	32	20	20	23	15	26	22	24	31	28	24	24	22	24	29	27	26	27
National Endowment for the Arts	6	6	6	6	6	5	7	8	7	8			2	3	2	2	2	2	6
National Endowment for the Humanities	7	5	7	5	4	4	4	5	4	3	5	4	3	3	3	3	3	3	8
National Indian Gaming Commission	16	10	6	7	8	9	9	5	5	15	15	9	17	18	19	16	15	14	14
National Labor Relations Board	4	4	6	2	1			1	1	1									
National Mediation Board	1	1	2	1	1														
National Science Foundation	3	1			3	2	1	3	2	3	3	2	3	3	0	2	3	3	2



	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003
National Transportation Safety Board	7	6	6	5	8	17	15	14											
Nuclear Regulatory Commission	61	56	56	51	60	62	65	60	53	73	64	63	61	54	53	45	49	42	45
Office of Federal Housing Enterprise Oversight														10	9	8	6	4	4
Office of Government Ethics	13	13	11	7	6	8	5	6	4	4	5	7	7	6	9	8	7	7	9
Office of Management and Budget	8	9	9	5	4	4	4	2	2	5	8	7	7	2	1	2	2	3	4
Office of National Drug Control Policy	1	2																	
Office of Personnel Management	48	51	37	26	22	38	40	67	54	73	87	77	77	80	75	93	94	103	90
Office of the Trade Representative		2			2	3													
Peace Corps	5	6	5	4	4	4	3	4	4	5	5	1	1	7	6	6	5	4	9
Pension Benefit Guaranty Corporation	10	12	14	16	17	13	12	12	13	13	12	10	10	12	12	13	9	6	4
Postal Regulatory Commission	5	5	5	4	3			2	2	2	1	3	2	2	3	0	0	0	0
Presidio Trust		3	2	4	4									0	0	0	2	2	1
Privacy and Civil Liberties Oversight Board			4		1				1					0	1	0	0	0	0
Railroad Retirement Board	7	7	7	6	4	2	1	1	1	1	1	1	1	3	2	6	5	6	11
Recovery Accountability and Transparency Board								3	3	2		1	3						
Securities and Exchange Commission	74	80	101	99	85	75	69	61	76	89	107	75	74	72	76	71	64	79	71
Selective Service System											1	1	1	1	1	1	1	1	1
Small Business Administration	76	65	40	30	29	30	33	30	30	43	48	51	39	26	28	32	34	29	33
Social Security Administration	22	19	15	31	27	36	42	39	44	49	53	63	58	64	63	53	68	59	64
Special Inspector General for Afghanistan Reconstruction					1	1				4									
Surface Transportation Board	8	10	9	7	10	20	12	8	9	10	11	5	5	6	4	7	3	4	5
Tennessee Valley Authority	1			1	1									0	0	0	0	0	2
U.S. Agency for Global Media	3	4	3																
U.S. Chemical Safety and Hazard Investigation Board			1																
U.S. Commission on Civil Rights	1	1	1																
U.S. International Development Finance Corporation			1																
Udall Institute for Environmental Conflict Resolution														0	0	0	0	0	1
<b>TOTAL</b>	<b>3,777</b>	<b>3,852</b>	<b>3,752</b>	<b>3,534</b>	<b>3,209</b>	<b>3,318</b>	<b>3,297</b>	<b>3,415</b>	<b>3,305</b>	<b>4,062</b>	<b>4,128</b>	<b>4,225</b>	<b>4,043</b>	<b>4,004</b>	<b>3,882</b>	<b>4,052</b>	<b>4,062</b>	<b>4,083</b>	<b>4,266</b>

Sources: Compiled from "The Regulatory Plan and Unified Agenda of Federal Regulatory and Deregulatory Actions," Federal Register, various years' editions; and from online edition at <http://www.reginfo.gov>.

\*Committee for Purchase from People Who Are Blind or Severely Disabled.

## Part G. List of 332 Economically Significant Rules in the Pipeline, Fall 2022

Source: Compiled by Clyde Wayne Crews Jr. from “The Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions,” *Federal Register*, and from online edition at <http://www.reginfo.gov>.

The “Regulation Identifier Number” or RIN appears at the end of each entry. For additional information, see “How to Use the Unified Agenda,” [http://www.reginfo.gov/public/jsp/eAgenda/StaticContent/UA\\_HowTo.jsp](http://www.reginfo.gov/public/jsp/eAgenda/StaticContent/UA_HowTo.jsp).

### ACTIVE RULEMAKINGS (244 Actions)

ties in Accord with Presidential Proclamation 10414, 0625-AB21

#### DEPARTMENT OF AGRICULTURE

1. USDA/AgSEC, Proposed Rule Stage, Partnerships With Faith-Based and Neighborhood Organizations, 0503-AA73
2. USDA/AgSEC, Final Rule Stage, Pandemic Assistance Programs, 0503-AA75
3. USDA/RBS, Final Rule Stage, B&I CARES Act Guaranteed Loan Program—Final Rule 7 CFR 4279, 0570-AB07
4. USDA/APHIS, Proposed Rule Stage, AQI User Fees, 0579-AE71
5. USDA/AMS, Final Rule Stage, Organic Livestock and Poultry Standards (AMS-NOP-21-0073), 0581-AE06
6. USDA/FNS, Proposed Rule Stage, Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions in the WIC Food Packages, 0584-AE82
7. USDA/FNS, Proposed Rule Stage, Child Nutrition Programs: Revisions to Meal Patterns Consistent with the 2020 Dietary Guidelines for Americans, 0584-AE88
8. USDA/FNS, Final Rule Stage, Supplemental Nutrition Assistance Program: Standard Utility Allowances Based on the Receipt of Energy Assistance Payments, 0584-AE43
9. USDA/FNS, Final Rule Stage, Supplemental Nutrition Assistance Program (SNAP): Standardization of State Heating and Cooling Standard Utility Allowances, 0584-AE69
10. USDA/FNS, Final Rule Stage, Supplemental Nutrition Assistance Program Requirement for Interstate Data Matching, 0584-AE75

#### DEPARTMENT OF COMMERCE

11. DOC/ADMIN, Final Rule Stage, Securing the Information and Communications Technology and Services Supply Chain, 0605-AA51
12. DOC/ITA, Final Rule Stage, Procedures Covering Suspension of Liquidation, Duties and Estimated Du-

#### DEPARTMENT OF DEFENSE

13. DOD/COE, Proposed Rule Stage, Revised Definition of “Waters of the United States”—Rule 2, 0710-AB47
14. DOD/COE, Final Rule Stage, Revised Definition of “Waters of the United States”—Rule 1, 0710-AB40
15. DOD/DARC, Proposed Rule Stage, Assessing Contractor Implementation of Cybersecurity Requirements (DFARS Case 2019-D041), 0750-AK81
16. DOD/OS, Proposed Rule Stage, Cybersecurity Maturity Model Certification (CMMC) Program, 0790-AL49
17. DOD/OS, Final Rule Stage, National Industrial Security Program Operating Manual (NISPOM), 0790-AK85

#### DEPARTMENT OF EDUCATION

18. ED/OPE, Prerule Stage, Accreditation and Related Issues, 1840-AD82
19. ED/OPE, Prerule Stage, State Authorization, 1840-AD83
20. ED/OPE, Prerule Stage, Return to Title IV, 1840-AD85
21. ED/OPE, Prerule Stage, Cash Management, 1840-AD86
22. ED/OPE, Prerule Stage, Third-Party Servicers and Related Issues, 1840-AD87
23. ED/OPE, Prerule Stage, Improving Use of Deferments and Forbearances, 1840-AD88
24. ED/OPE, Prerule Stage, Distance Education, 1840-AD92
25. ED/OPE, Proposed Rule Stage, Ability to Benefit, 1840-AD51
26. ED/OPE, Proposed Rule Stage, Gainful Employment, 1840-AD57
27. ED/OPE, Proposed Rule Stage, Factors of Financial Responsibility, 1840-AD64
28. ED/OPE, Proposed Rule Stage, Partnerships with Faith-Based and Neighborhood Organizations, 1840-AD67
29. ED/OPE, Proposed Rule Stage, Improving Income Driven Repayment, 1840-AD81

30. ED/OPE, Proposed Rule Stage, Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program, 1840-AD90
31. ED/OS, Proposed Rule Stage, Debt Collection Practices, 1894-AA12

## DEPARTMENT OF ENERGY

32. DOE/ENDEP, Prerule Stage, Advanced Technology Vehicles Manufacturing Incentive Program, 1901-AB55
33. DOE/ENDEP, Proposed Rule Stage, Loan Guarantees for Clean Energy Projects, 1901-AB54
34. DOE/ENDEP, Final Rule Stage, Loan Guarantees for Clean Energy Projects, 1901-AB59
35. DOE/EE, Prerule Stage, Energy Conservation Standards for Consumer Furnaces, 1904-AF19
36. DOE/EE, Proposed Rule Stage, Energy Conservation Standards for Circulator Pumps and Small Vertical In-Line Pumps, 1904-AD61
37. DOE/EE, Proposed Rule Stage, Energy Conservation Standards for External Power Supplies, 1904-AD87
38. DOE/EE, Proposed Rule Stage, Energy Conservation Standards for Consumer Clothes Washers, 1904-AD98
39. DOE/EE, Proposed Rule Stage, Energy Conservation Standards for Distribution Transformers, 1904-AE12
40. DOE/EE, Proposed Rule Stage, Clean Energy Rule for New Federal Buildings and Major Renovations, 1904-AB96
41. DOE/EE, Final Rule Stage, Energy Conservation Standards for Residential Non-Weatherized Gas Furnaces and Mobile Home Gas Furnaces, 1904-AD20
42. DOE/EE, Final Rule Stage, Energy Conservation Standards for Commercial Water Heating-Equipment, 1904-AD34
43. DOE/EE, Final Rule Stage, Energy Conservation Standards for Pool Heaters, 1904-AD49
44. DOE/EE, Final Rule Stage, Energy Conservation Standards for Room Air Conditioners, 1904-AD97
45. DOE/EE, Final Rule Stage, Energy Conservation Standards for Dedicated-Purpose Pool Pump Motors, 1904-AF27
46. DOE/OGC, Proposed Rule Stage, Convention on Supplementary Compensation for Nuclear Damage Contingent Cost Allocation, 1990-AA39

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

47. HHS/FDA, Proposed Rule Stage, Medication Guide; Patient Medication Information, 0910-AH68
48. HHS/FDA, Proposed Rule Stage, Protection of Human Subjects and Institutional Review Boards, 0910-AI07

49. HHS/FDA, Proposed Rule Stage, Institutional Review Boards; Cooperative Research, 0910-AI08
50. HHS/FDA, Proposed Rule Stage, Nutrient Content Claims, Definition of Term: Healthy, 0910-AI13
51. HHS/FDA, Proposed Rule Stage, Investigational New Drug Application Annual Reporting, 0910-AI37
52. HHS/FDA, Proposed Rule Stage, Tobacco Product Standard for Nicotine Level of Certain Tobacco Products, 0910-AI76
53. HHS/FDA, Final Rule Stage, General and Plastic Surgery Devices: Restricted Sale, Distribution, and Use of Sunlamp Products, 0910-AH14
54. HHS/FDA, Final Rule Stage, Tobacco Product Standard for Characterizing Flavors in Cigars, 0910-AI28
55. HHS/FDA, Final Rule Stage, Prohibition of Sale of Tobacco Products to Persons Younger Than 21 Years of Age, 0910-AI51
56. HHS/FDA, Final Rule Stage, Tobacco Product Standard for Menthol in Cigarettes, 0910-AI60
57. HHS/SAMHSA, Proposed Rule Stage, Medications for the Treatment of Opioid Use Disorder, 0930-AA39
58. HHS/CMS, Proposed Rule Stage, Administrative Simplification: Adoption of Standards for Health Care Attachment Transactions and Electronic Signatures, and Modification to Referral Certification and Authorization Standard (CMS-0053), 0938-AT38
59. HHS/CMS, Proposed Rule Stage, Administrative Simplification: Modifications to NCPDP Retail Pharmacy Standards (CMS-0056), 0938-AU19
60. HHS/CMS, Proposed Rule Stage, Misclassification of Drugs, Program Administration and Program Integrity Updates Under the Medicaid Drug Rebate Program (CMS-2434), 0938-AU28
61. HHS/CMS, Proposed Rule Stage, Alternative Payment Model (CMS-5535), 0938-AU51
62. HHS/CMS, Proposed Rule Stage, Medicare Advantage and Medicare Prescription Drug Benefit Program Payment Policy (CMS-4198), 0938-AU59
63. HHS/CMS, Proposed Rule Stage, Short-Term Limited Duration Insurance; Update (CMS-9904), 0938-AU67
64. HHS/CMS, Proposed Rule Stage, Transitional Coverage for Emerging Technologies (CMS-3421), 0938-AU86
65. HHS/CMS, Proposed Rule Stage, Interoperability and Prior Authorization for MA Organizations, Medicaid and CHIP Managed Care and State Agencies, FFE QHP Issuers, MIPS Eligible Clinicians, Eligible Hospitals and CAHs (CMS-0057), 0938-AU87
66. HHS/CMS, Proposed Rule Stage, Medicare and Medicaid Program Integrity (CMS-6084), 0938-AU90
67. HHS/CMS, Proposed Rule Stage, Culturally Competent and Person-Centered Requirements to Increase Ac-

- cess to Care and Improve Quality for All (CMS-3418), 0938-AU91
68. HHS/CMS, Proposed Rule Stage, Contract Year 2024 Changes to the Medicare Advantage, Medicare Prescription Drug Benefit, Medicare Cost Plan Programs, Medicare Overpayment Provisions of the Affordable Care Act, and PACE (CMS-4201), 0938-AU96
  69. HHS/CMS, Proposed Rule Stage, HHS Notice of Benefit and Payment Parameters for 2024 (CMS-9899), 0938-AU97
  70. HHS/CMS, Proposed Rule Stage, Medicaid Managed Care (CMS-2439), 0938-AU99
  71. HHS/CMS, Proposed Rule Stage, FY 2024 Skilled Nursing Facility (SNFs) Prospective Payment System and Consolidated Billing and Updates to the Value-Based Purchasing and Quality Reporting Programs (CMS-1779), 0938-AV02
  72. HHS/CMS, Proposed Rule Stage, CY 2024 Home Health Prospective Payment System Rate Update and Home Infusion Therapy Services Payment Update (CMS-1780), 0938-AV03
  73. HHS/CMS, Proposed Rule Stage, FY 2024 Inpatient Rehabilitation Facility (IRF) Prospective Payment System Rate Update and Quality Reporting Program (CMS-1781), 0938-AV04
  74. HHS/CMS, Proposed Rule Stage, CY 2024 Changes to the End-Stage Renal Disease (ESRD) Prospective Payment System and Quality Incentive Program (CMS-1782), 0938-AV05
  75. HHS/CMS, Proposed Rule Stage, FY 2024 Inpatient Psychiatric Facilities Prospective Payment System Rate and Quality Reporting Updates (CMS-1783), 0938-AV06
  76. HHS/CMS, Proposed Rule Stage, CY 2024 Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Medicare Part B (CMS-1784), 0938-AV07
  77. HHS/CMS, Proposed Rule Stage, Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals; the Long-Term Care Hospital Prospective Payment System; and FY 2024 Rates (CMS-1785), 0938-AV08
  78. HHS/CMS, Proposed Rule Stage, CY 2024 Hospital Outpatient PPS Policy Changes and Payment Rates and Ambulatory Surgical Center Payment System Policy Changes and Payment Rates (CMS-1786), 0938-AV09
  79. HHS/CMS, Proposed Rule Stage, FY 2024 Hospice Wage Index, Payment Rate Update, and Quality Reporting Requirements (CMS-1787), 0938-AV10
  80. HHS/CMS, Proposed Rule Stage, Medicare Disproportionate Share Hospital (DSH) Payments: Counting Days Associated with Section 1115 Demonstrations in the Medicaid Fraction (CMS-1788), 0938-AV17
  81. HHS/CMS, Proposed Rule Stage, Hospital Outpatient Prospective Payment System: Remedy for 340B-Acquired Drugs Purchased in Cost Years 2018–2022 (CMS-1793), 0938-AV18
  82. HHS/CMS, Final Rule Stage, Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs for Contract Year 2020; Risk Adjustment Data Validation (CMS-4185), 0938-AT59
  83. HHS/CMS, Final Rule Stage, Streamlining the Medicaid and CHIP Application, Eligibility Determination, Enrollment, and Renewal Processes (CMS-2421), 0938-AU00
  84. HHS/CMS, Final Rule Stage, Treatment of Medicare Part C Days in the Calculation of a Hospital's Medicare Disproportionate Patient Percentage (CMS-1739), 0938-AU24
  85. HHS/CMS, Final Rule Stage, Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency; Temporary Increase in Federal Medical Assistance Percentage (FMAP) (CMS-9912), 0938-AU35
  86. HHS/CMS, Final Rule Stage, Basic Health Program; Federal Funding Methodology for Program Year 2023 and Proposed Changes to Basic Health Program Regulations (CMS-2441), 0938-AU89
  87. HHS/CMS, Final Rule Stage, CY 2024 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts (CMS-8083), 0938-AV11
  88. HHS/OCR, Proposed Rule Stage, Rulemaking on Discrimination on the Basis of Disability in Health and Human Services Programs or Activities, 0945-AA15
  89. HHS/OCR, Proposed Rule Stage, Rescission of the Regulation Entitled “Protecting Statutory Conscience Rights in Health Care; Delegations of Authority,” 0945-AA18
  90. HHS/OCR, Final Rule Stage, HIPAA Privacy: Changes to Support, and Remove Barriers to, Coordinated Care and Individual Engagement, 0945-AA00
  91. HHS/OCR, Final Rule Stage, Nondiscrimination in Health Programs and Activities, 0945-AA17
  92. HHS/ACF, Proposed Rule Stage, Foster Care Legal Representation, 0970-AC89
  93. HHS/ACF, Final Rule Stage, Mitigating the Spread of COVID-19 in Head Start Programs, 0970-AC90
  94. HHS/OS, Proposed Rule Stage, Partnerships with Faith-Based and Neighborhood Organizations, 0991-AC31

## DEPARTMENT OF HOMELAND SECURITY

95. DHS/OS, Proposed Rule Stage, Partnerships with Faith-Based and Neighborhood Organizations, 1601-AB02



96. DHS/USCIS, Proposed Rule Stage, U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements, 1615-AC68
97. DHS/USCIS, Proposed Rule Stage, Modernizing H-1B Requirements and Oversight and Providing Flexibility in the F-1 Program, 1615-AC70
98. DHS/USCIS, Final Rule Stage, Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers, 1615-AC67
99. DHS/USCIS, Final Rule Stage, Exercise of Time-Limited Authority to Increase the Numerical Limitation for FY 2023 for the H-2B Temporary Nonagricultural Worker Program and Portability Flexibility for H-2B Workers Seeking to Change, 1615-AC82
100. DHS/USCBP, Proposed Rule Stage, 9-11 Response & Biometric Entry-Exit Fees for H-1B and L-1 Visas, 1651-AB48
101. DHS/USCBP, Final Rule Stage, Air Cargo Advance Screening (ACAS), 1651-AB04
102. DHS/USCBP, Final Rule Stage, Mandatory Advance Electronic Information for International Mail Shipments, 1651-AB33
103. DHS/FEMA, Proposed Rule Stage, National Flood Insurance Program: Standard Flood Insurance Policy, Homeowner Flood Form, 1660-AB06
104. DHS/FEMA, Proposed Rule Stage, Individual Assistance Program Equity, 1660-AB07
105. DHS/FEMA, Final Rule Stage, Hermit's Peak/Calf Canyon Fire Assistance, 1660-AB14

## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

106. HUD/HUDSEC, Proposed Rule Stage, Partnerships with Faith-Based and Neighborhood Organizations, 2501-AD98
107. HUD/OH, Final Rule Stage, Increased 40-Year Term for Loan Modifications (FR-6263), 2502-AJ59

## **DEPARTMENT OF THE INTERIOR**

108. DOI/BLM, Proposed Rule Stage, Waste Prevention, Production Subject to Royalties, and Resource Conservation, 1004-AE79
109. DOI/BLM, Final Rule Stage, Helium Contracts, 1004-AE93
110. DOI/BOEM, Proposed Rule Stage, Renewable Energy Modernization Rule, 1010-AE04

111. DOI/BOEM, Proposed Rule Stage, Risk Management and Financial Assurance for OCS Lease and Grant Obligations, 1010-AE14
112. DOI/FWS, Proposed Rule Stage, Migratory Bird Hunting; 2023–24 Migratory Game Bird Hunting Regulations, 1018-BF64
113. DOI/FWS, Proposed Rule Stage, Migratory Bird Hunting; 2024–25 Migratory Game Bird Hunting Regulations, 1018-BG63
114. DOI/ASLM, Proposed Rule Stage, Carbon Sequestration, 1082-AA04

## **DEPARTMENT OF JUSTICE**

115. DOJ/LA, Proposed Rule Stage, Partnerships with Faith-Based and Neighborhood Organizations, 1105-AB64
116. DOJ/DEA, Final Rule Stage, Partial Filling of Prescriptions for Schedule II Controlled Substances, 1117-AB45
117. DOJ/DEA, Final Rule Stage, Implementation of the SUPPORT Act: Dispensing and Administering Controlled Substances for Medication-Assisted Treatment, 1117-AB55
118. DOJ/EOIR, Final Rule Stage, Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal and CAT Protection Claims by Asylum Officers, 1125-AB20
119. DOJ/CRT, Proposed Rule Stage, Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Governments, 1190-AA79

## **DEPARTMENT OF LABOR**

120. DOL/ETA, Proposed Rule Stage, Temporary Employment of H-2B Foreign Workers in the United States, 1205-AB93
121. DOL/ETA, Proposed Rule Stage, Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States, 1205-AC00
122. DOL/ETA, Proposed Rule Stage, Improving Protections for Workers in Temporary Agricultural Employment in the United States, 1205-AC12
123. DOL/EBSA, Proposed Rule Stage, Definition of the Term “Fiduciary,” 1210-AC02
124. DOL/EBSA, Proposed Rule Stage, Short-Term Limited Duration Insurance; Update, 1210-AC12
125. DOL/EBSA, Final Rule Stage, Pension Benefit Statements—Lifetime Income Illustrations, 1210-AB20
126. DOL/EBSA, Final Rule Stage, Implement SECURE Act and Related Revisions to Employee Benefit Plan Annual Reporting on the Form 5500, 1210-AB97

127. DOL/OSHA, Prerule Stage, Process Safety Management and Prevention of Major Chemical Accidents, 1218-AC82
128. DOL/OSHA, Proposed Rule Stage, Infectious Diseases, 1218-AC46
129. DOL/OSHA, Proposed Rule Stage, Emergency Response, 1218-AC91
130. DOL/OSHA, Final Rule Stage, Occupational Exposure to COVID-19 in Healthcare Settings, 1218-AD36
131. DOL/WHd, Proposed Rule Stage, Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees, 1235-AA39
132. DOL/WHd, Proposed Rule Stage, Nondisplacement of Qualified Workers under Service Contracts, 1235-AA42
133. DOL/WHd, Proposed Rule Stage, Employee or Independent Contractor Classification under the Fair Labor Standards Act, 1235-AA43
134. DOL/WHd, Final Rule Stage, Updating the Davis-Bacon and Related Acts Regulations, 1235-AA40
135. DOL/OFCCP, Proposed Rule Stage, Modernizing Affirmative Action and Nondiscrimination Obligations for Federal Contractors and Subcontractors, 1250-AA13
136. DOL/OS, Proposed Rule Stage, Partnerships with Faith-Based and Neighborhood Organizations, 1290-AA45

## DEPARTMENT OF STATE

137. STATE, Final Rule Stage, Schedule of Fees for Consular Services—Nonimmigrant and Special Visa Fees, 1400-AF33

## DEPARTMENT OF TRANSPORTATION

138. DOT/FAA, Proposed Rule Stage, Safety Management System for Parts 21, 91, 135 and 145, 2120-AL60
139. DOT/FMCSA, Proposed Rule Stage, Heavy Vehicle Speed Limiters, 2126-AB63
140. DOT/FMCSA, Proposed Rule Stage, Automatic Emergency Braking Systems, 2126-AC49
141. DOT/NHTSA, Prerule Stage, Advanced Impaired Driving Technology, 2127-AM50
142. DOT/NHTSA, Prerule Stage, Side Underride Guards on Trailers and Semitrailers, 2127-AM54
143. DOT/NHTSA, Proposed Rule Stage, Rear Seat Belt Reminder System, 2127-AL37
144. DOT/NHTSA, Proposed Rule Stage, Heavy Vehicle Automatic Emergency Braking, 2127-AM36
145. DOT/NHTSA, Proposed Rule Stage, Light Vehicle Automatic Emergency Braking (AEB) with Pedestrian AEB, 2127-AM37

146. DOT/NHTSA, Proposed Rule Stage, Fuel Efficiency and Greenhouse Gas Standards for Medium- and Heavy-Duty Engines and Vehicles, 2127-AM39
147. DOT/NHTSA, Proposed Rule Stage, Rear Designated Seating Position Alert, 2127-AM49
148. DOT/NHTSA, Proposed Rule Stage, Light Vehicle CAFE Standards Beyond MY 2026, 2127-AM55
149. DOT/FTA, Proposed Rule Stage, Statewide and Non-metropolitan and Metropolitan Transportation Planning, 2132-AB45
150. DOT/PHMSA, Proposed Rule Stage, Hazardous Materials: Advancing Safety of Highway, Rail, and Vessel Transportation, 2137-AF41
151. DOT/PHMSA, Final Rule Stage, Pipeline Safety: Class Location Requirements, 2137-AF29

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152. TREAS/DO, Final Rule Stage, Small Business Administration Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Criteria for Seasonal Employers, 1505-AC67
153. TREAS/DO, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Loan Forgiveness, 1505-AC69
154. TREAS/DO, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Loan Forgiveness, 1505-AC70
155. TREAS/DO, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Revisions to Loan Forgiveness and Loan Review Procedures Interim Final Rules, 1505-AC71
156. TREAS/DO, Final Rule Stage, Business Loan Program Temporary Changes; Extension of and Changes to Paycheck Protection Program, 1505-AC74
157. TREAS/DO, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Loan Forgiveness Requirements and Loan Review Procedures as Amended by Economic Aid Act, 1505-AC75
158. TREAS/DO, Final Rule Stage, Emergency Capital Investment Program—Restrictions on Executive Compensation, Share Buybacks, and Dividends, 1505-AC76
159. TREAS/FINCEN, Proposed Rule Stage, Section 6101. Establishment of National Exam and Supervision Priorities, 1506-AB52
160. TREAS/FINCEN, Proposed Rule Stage, Beneficial Ownership Information Access and Safeguards, and Use of FinCEN Identifiers for Entities, 1506-AB59
161. TREAS/CUSTOMS, Final Rule Stage, Automated Commercial Environment (ACE) Required for Elec-

- tronic Entry/Entry Summary (Cargo Release and Related Entry) Filings, 1515-AE03
162. TREAS/IRS, Proposed Rule Stage, Definition of Church Plan, 1545-BO31
  163. TREAS/IRS, Proposed Rule Stage, Guidance Regarding Treatment of Amounts Required to Be Capitalized in Certain Transactions to Which Section 1.263(a)-5 Applies, 1545-BQ19
  164. TREAS/IRS, Proposed Rule Stage, Short-Term Limited Duration Insurance; Update, 1545-BQ28
  165. TREAS/IRS, Final Rule Stage, Rules for Denial of Deduction for Certain Fines, Penalties, and Other Amounts, 1545-BO67
  166. TREAS/IRS, Final Rule Stage, Guidance on the Elimination of Interbank Offered Rates, 1545-BO91
  167. TREAS/IRS, Final Rule Stage, Guidance Under Section 954(b)(4) (Rules for High-Taxed Subpart F Income) and Section 964 (Rules for Determining the Earnings and Profits of a Foreign Corporation), 1545-BP62
  168. TREAS/IRS, Final Rule Stage, Guidance Related to the Foreign Tax Credit, Clarification of Foreign-Derived Intangible Income, 1545-BP70

## DEPARTMENT OF VETERANS AFFAIRS

169. VA, Proposed Rule Stage, Partnerships with Faith-Based And Neighborhood Organizations, 2900-AR23
170. VA, Proposed Rule Stage, Schedule for Rating Disabilities—Neurological Conditions and Convulsive Disorders, 2900-AQ73
171. VA, Proposed Rule Stage, Post-9/11 Improvements, Fry Scholarship, and Interval Payments Amendments, 2900-AQ88
172. VA, Proposed Rule Stage, Updating VA Adjudication Regulations for Disability or Death Benefit Claims Related to Herbicide Exposure, 2900-AR10
173. VA, Proposed Rule Stage, Loan Guaranty: Revisions to VA-Guaranteed or Insured Interest Rate Reduction Refinancing Loans, 2900-AR58
174. VA, Final Rule Stage, Schedule for Rating Disabilities—Ear, Nose, Throat, and Audiology Disabilities; Special Provisions Regarding Evaluation of Respiratory Conditions; Respiratory System, 2900-AQ72
175. VA, Final Rule Stage, Schedule for Rating Disabilities; Mental Disorders, 2900-AQ82
176. VA, Final Rule Stage, Schedule for Rating Disabilities: The Digestive System, 2900-AQ90
177. VA, Final Rule Stage, Presumptive Service Connection for Respiratory Conditions Due to Exposure to Particulate Matter, 2900-AR25
178. VA, Final Rule Stage, Reimbursement for Emergency Treatment, 2900-AQ08

179. VA, Final Rule Stage, Supportive Services for Veterans Families, 2900-AR15

## ENVIRONMENTAL PROTECTION AGENCY

180. EPA/RODENVER, Final Rule Stage, Federal Implementation Plan for Oil and Natural Gas Sources; Uintah and Ouray Indian Reservation in Utah, 2008-AA03
181. EPA/OW, Proposed Rule Stage, Federal Recreational Water Quality Criteria Applicable to Certain Waters in New York, 2040-AG08
182. EPA/OW, Proposed Rule Stage, Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category, 2040-AG23
183. EPA/OW, Proposed Rule Stage, Per- and Polyfluoroalkyl Substances (PFAS) National Primary Drinking Water Regulation Rulemaking, 2040-AG18
184. EPA/OLEM, Final Rule Stage, Accidental Release Prevention Requirements: Risk Management Program Under the Clean Air Act; Safer Communities by Chemical Accident Prevention, 2050-AH22
185. EPA/OLEM, Final Rule Stage, Alternate PCB Extraction Methods and Amendments to PCB Cleanup and Disposal Regulations, 2050-AH08
186. EPA/OLEM, Final Rule Stage, Designating PFOA and PFOS as CERCLA Hazardous Substances, 2050-AH09
187. EPA/OAR, Proposed Rule Stage, National Emission Standards for Hazardous Air Pollutants: Ethylene Oxide Commercial Sterilization and Fumigation Operations, 2060-AU37
188. EPA/OAR, Proposed Rule Stage, Volume Requirements for 2023 and Beyond under the Renewable Fuel Standard Program, 2060-AV14
189. EPA/OAR, Proposed Rule Stage, New Source Performance Standards and Emission Guidelines for Crude Oil and Natural Gas Facilities: Climate Review, 2060-AV16
190. EPA/OAR, Proposed Rule Stage, Phasedown of Hydrofluorocarbons: Allowance Allocation Methodology for 2024 and Later Years, 2060-AV45
191. EPA/OAR, Proposed Rule Stage, Restrictions on Certain Uses of Hydrofluorocarbons Under Subsection (i) of the American Innovation and Manufacturing Act, 2060-AV46
192. EPA/OAR, Proposed Rule Stage, Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles, 2060-AV49
193. EPA/OAR, Proposed Rule Stage, Greenhouse Gas Emissions Standards for Heavy-Duty Engines and Vehicles—Phase 3, 2060-AV50
194. EPA/OAR, Proposed Rule Stage, NESHAP: Coal- and Oil-Fired Electric Utility Steam Generating Units-Review of the Residual Risk and Technology Review, 2060-AV53



195. EPA/OAR, Final Rule Stage, Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards, 2060-AU41
196. EPA/OAR, Final Rule Stage, Federal Implementation Plan Addressing Regional Ozone Transport for the 2015 Ozone National Ambient Air Quality Standards, 2060-AV51
197. EPA/OCSP, Proposed Rule Stage, Reconsideration of the Dust-Lead Hazard Standards and Dust-Lead Post Abatement Clearance Levels, 2070-AK91
198. EPA/OCSP, Final Rule Stage, Asbestos Part 1: Chrysotile Asbestos; Regulation of Certain Conditions of Use Under Section 6(a) of the Toxic Substances Control Act (TSCA), 2070-AK86

## **CONSUMER PRODUCT SAFETY COMMISSION**

199. CPSC, Final Rule Stage, Regulatory Options for Table Saws, 3041-AC31
200. CPSC, Final Rule Stage, Petition for Rulemaking to Eliminate Accessible Cords on Window Covering Products, 3041-AD31
201. CPSC, Final Rule Stage, Furniture Tip Overs: Clothing Storage Units, 3041-AD65

## **FEDERAL ACQUISITION REGULATION**

202. FAR, Proposed Rule Stage, Federal Acquisition Regulation (FAR); FAR Case 2017-016, Controlled Unclassified Information (CUI), 9000-AN56
203. FAR, Proposed Rule Stage, Federal Acquisition Regulation (FAR); FAR Case 2021-015, Disclosure of Greenhouse Gas Emissions and Climate-Related Financial Risk, 9000-AO32
204. FAR, Proposed Rule Stage, Federal Acquisition Regulation (FAR); FAR Case 2021-017, Cyber Threat and Incident Reporting and Information Sharing, 9000-AO34
205. FAR, Final Rule Stage, Federal Acquisition Regulation (FAR); FAR Case 2019-009, Prohibition on Contracting with Entities Using Certain Telecommunications and Video Surveillance Services or Equipment, 9000-AN92
206. FAR, Final Rule Stage, Federal Acquisition Regulation (FAR); FAR Case 2020-011, Implementation of FASC Exclusion Orders, 9000-AO13

## **FEDERAL HOUSING FINANCE ADMINISTRATION**

207. FHFA, Proposed Rule Stage, Enterprise Capital Regulatory Framework Amendments, 2590-AB27

208. FHFA, Final Rule Stage, Prior Approval of Enterprise Products, 2590-AA17

## **NUCLEAR REGULATORY COMMISSION**

209. NRC, Proposed Rule Stage, Revision of Fee Schedules: Fee Recovery for FY 2023 [NRC-2021-0024], 3150-AK58

## **OFFICE OF PERSONNEL MANAGEMENT**

210. OPM, Final Rule Stage, Paid Parental Leave and Miscellaneous Family and Medical Leave Act, 3206-AN96
211. OPM, Final Rule Stage, Postal Service Health Benefits Program, 3206-AO43

## **PENSION BENEFIT GUARANTY CORPORATION**

212. PBGC, Proposed Rule Stage, Actuarial Assumptions for Determining an Employer's Withdrawal Liability, 1212-AB54
213. PBGC, Final Rule Stage, Special Financial Assistance by PBGC, 1212-AB53

## **SMALL BUSINESS ADMINISTRATION**

214. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program, 3245-AH34
215. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program, 3245-AH35
216. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Eligibility Criteria and Requirements for Certain Pledges of Loans, 3245-AH36
217. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Promissory Notes, Authorizations, Affiliation, and Eligibility, 3245-AH37
218. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Disbursements, 3245-AH38
219. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Corporate Groups and Non-Bank and Non-Insured Depository Institution Lenders, 3245-AH39
220. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Non-



- discrimination and Additional Eligibility Criteria, 3245-AH40
221. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Extension of Limited Safe Harbor with Respect to Certification Concerning Need for PPP Loan Request, 3245-AH41
  222. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Loan Increases, 3245-AH42
  223. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Eligibility of Certain Electric Cooperatives, 3245-AH43
  224. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Treatment of Entities with Foreign Affiliates, 3245-AH44
  225. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Second Extension of Limited Safe Harbor with Respect to Certification Concerning Need for PPP Loan and Lender Reporting, 3245-AH45
  226. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Requirements—Loan Forgiveness, 3245-AH46
  227. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—SBA Loan Review Procedures and Related Borrower and Lender Responsibilities, 3245-AH47
  228. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Eligibility of Certain Telephone Cooperatives, 3245-AH48
  229. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Revisions to First Interim Final Rule, 3245-AH49
  230. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Revisions to First Interim Final Rule, 3245-AH50
  231. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Revisions to the Third and Sixth Interim Final Rules, 3245-AH51
  232. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Revisions to Loan Forgiveness and Loan Review Procedures Interim Final Rules, 3245-AH52
  233. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Eligibility Revisions to First Interim Final Rule, 3245-AH53
  234. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Certain Eligible Payroll Costs, 3245-AH54
  235. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Treatment of Owners and Forgiveness of Certain Nonpayroll Costs, 3245-AH56
  236. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Consolidation of Interim Final Rules, 3245-AH58
  237. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Revisions to Loan Forgiveness and Loan Review Procedures Interim Final Rules, 3245-AH59
  238. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program as Amended by Economic Aid Act, 3245-AH62
  239. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program Second Draw Loans, 3245-AH63
  240. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Loan Forgiveness Requirements and Loan Review Procedures as Amended by Economic Aid Act, 3245-AH65
  241. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—Revisions to Loan Amount Calculation and Eligibility, 3245-AH67
  242. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program as Amended by American Rescue Plan Act, 3245-AH77
  243. SBA, Final Rule Stage, Business Loan Program Temporary Changes; Paycheck Protection Program—COVID Revenue Reduction Score, Direct Borrower Forgiveness Process, and Appeals Deferment, 3245-AH79
  244. SBA, Final Rule Stage, Disaster Loan Program Changes, 3245-AH80

## COMPLETED ACTIONS (53 actions)

### DEPARTMENT OF AGRICULTURE

245. USDA/FCIC, Pandemic Cover Crop Program, 0563-AC77
246. USDA/RUS, Rural Broadband Grant, Loan, and Loan Guarantee Program, 0572-AC46
247. USDA/FNS, Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs, 0584-AE67

## DEPARTMENT OF EDUCATION

- 248. ED/OESE, Proposed Priorities, Requirements, and Definitions—Mental Health Service Professional Demonstration Grant Program, 1810-AB67
- 249. ED/OESE, Proposed Priorities, Requirements, and Definitions—School-Based Mental Health Services Grant Program, 1810-AB68
- 250. ED/OPE, Borrower Defense, 1840-AD53
- 251. ED/OPE, Pell Grants for Prison Education Programs, 1840-AD54
- 252. ED/OPE, Determining the Amount of Federal Education Assistance Funds Received by Institutions of Higher Education (90/10), 1840-AD55
- 253. ED/OPE, Improving Discharges for Total and Permanent Disabilities, Closed Schools, and False Certification, 1840-AD59
- 254. ED/OPE, Pell Grants for Prison Education Programs; Determining the Amount of Federal Education Assistance Funds Received by Institutions of Higher Education (90/10); Change in Ownership and Change in Control, 1840-AD69
- 255. ED/OPE, Public Service Loan Forgiveness, 1840-AD70
- 256. ED/OPE, Interest Capitalization, 1840-AD71

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 257. HHS/FDA, Medical Devices; Ear, Nose and Throat Devices; Establishing Over-the-Counter Hearing Aids, 0910-AI21
- 258. HHS/FDA, Requirements for Additional Traceability Records For Certain Foods, 0910-AI44
- 259. HHS/CMS, Radiation Oncology (RO) Model (CMS-5527), 0938-AT89
- 260. HHS/CMS, Requirements Related to Surprise Billing; Part II (CMS-9908), 0938-AU62
- 261. HHS/CMS, CY 2023 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts (CMS-8080), 0938-AU71
- 262. HHS/CMS, CY 2023 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement (CMS-8081), 0938-AU72
- 263. HHS/CMS, Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible Beginning January 1, 2023 (CMS-8082), 0938-AU74
- 264. HHS/CMS, FY 2023 Skilled Nursing Facility (SNFs) Prospective Payment System and Consolidated Billing and Updates to the Value-Based Purchasing and Quality Reporting Programs (CMS-1765), 0938-AU76

- 265. HHS/CMS, CY 2023 Home Health Prospective Payment System Rate Update and Home Infusion Therapy Services Payment Update (CMS-1766), 0938-AU77
- 266. HHS/CMS, FY 2023 Inpatient Rehabilitation Facility (IRF) Prospective Payment System Rate Update and Quality Reporting Program (CMS-1767), 0938-AU78
- 267. HHS/CMS, CY 2023 Changes to the End-Stage Renal Disease (ESRD) Prospective Payment System and Quality Incentive Program (CMS-1768), 0938-AU79
- 268. HHS/CMS, FY 2023 Inpatient Psychiatric Facilities Prospective Payment System Rate (CMS-1769), 0938-AU80
- 269. HHS/CMS, CY 2023 Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Medicare Part B (CMS-1770), 0938-AU81
- 270. HHS/CMS, CY 2023 Hospital Outpatient PPS Policy Changes and Payment Rates and Ambulatory Surgical Center Payment System Policy Changes and Payment Rates (CMS-1772), 0938-AU82
- 271. HHS/CMS, FY 2023 Hospice Wage Index, Payment Rate Update, and Quality Reporting Requirements (CMS-1773), 0938-AU83
- 272. HHS/CMS, Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals; the Long-Term Care Hospital Prospective Payment System; and FY 2023 Rates (CMS-1771), 0938-AU84

## DEPARTMENT OF HOMELAND SECURITY

- 273. DHS/USCIS, Deferred Action for Childhood Arrivals, 1615-AC64
- 274. DHS/USCIS, Inadmissibility on Public Charge Grounds, 1615-AC74

## DEPARTMENT OF THE INTERIOR

- 275. DOI/FWS, Migratory Bird Hunting; 2022–23 Migratory Game Bird Hunting Regulations, 1018-BF07

## DEPARTMENT OF LABOR

- 276. DOL/ETA, Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations, 1205-AC06
- 277. DOL/EBSA, Requirements Related to Surprise Billing, Part 1, 1210-AB99
- 278. DOL/EBSA, Requirements Related to Surprise Billing, Part 2, 1210-AC00
- 279. DOL/EBSA, Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights, 1210-AC03

## DEPARTMENT OF STATE

280. STATE, Visas: Temporary Visitors for Business or Pleasure, 1400-AE95

## DEPARTMENT OF TRANSPORTATION

281. DOT/FAA, Flight Attendant Duty Period Limitations and Rest Requirements, 2120-AL41  
282. DOT/NHTSA, Establish Side Impact Performance Requirements for Child Restraint Systems (MAP-21), 2127-AK95  
283. DOT/NHTSA, Federal Motor Vehicle Safety Standard (FMVSS) 150—Vehicle to Vehicle (V2V) Communication, 2127-AL55

## DEPARTMENT OF THE TREASURY

284. TREAS/FINCEN, Beneficial Ownership Information Reporting Requirements, 1506-AB49  
285. TREAS/IRS, Requirements Related to Surprise Billing, Part 1, 1545-BQ01  
286. TREAS/IRS, Requirements Related to Surprise Billing, Part 2, 1545-BQ02  
287. TREAS/IRS, Requirements Related to Surprise Billing, Part 1 (Temporary Regulation), 1545-BQ04  
288. TREAS/IRS, Requirements Related to Surprise Billing, Part 2 (Temporary Regulation), 1545-BQ05

## DEPARTMENT OF VETERANS AFFAIRS

289. VA, Diseases Associated with Exposure to Certain Herbicide Agents (Bladder Cancer, Parkinsonism, and Hypothyroidism), 2900-AR45  
290. VA, Civilian Health and Medical Program of the Department of Veterans Affairs, 2900-AP02

## ENVIRONMENTAL PROTECTION AGENCY

291. EPA/OAR, National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters: Amendments, 2060-AU20  
292. EPA/OAR, Renewable Fuel Standard (RFS) Program: RFS Annual Rules, 2060-AV11

## FEDERAL COMMUNICATIONS COMMISSION

293. FCC, IP-Enabled Services; WC Docket No. 04-36, 3060-AI48

## FEDERAL ENERGY REGULATORY COMMISSION

294. FERC, Managing Transmission Line Ratings, 1902-AF84

## NUCLEAR REGULATORY COMMISSION

295. NRC, Revision of Fee Schedules: Fee Recovery for FY 2022 [NRC-2020-0031], 3150-AK44

## OFFICE OF PERSONNEL MANAGEMENT

296. OPM, Requirements Related to Surprise Billing; Part I, 3206-AO30  
297. OPM, Requirements Related to Surprise Billing; Part II, 3206-AO29

## LONG-TERM ACTIONS (35 actions)

## DEPARTMENT OF AGRICULTURE

298. USDA/FSIS, Maximum Line Speed under the New Poultry Inspection System, 0583-AD85  
299. USDA/FNS, Modernizing Supplemental Nutrition Assistance Program (SNAP) Benefit Redemption Systems, 0584-AE37  
300. USDA/FNS, Strengthening Integrity and Reducing Retailer Fraud in the Supplemental Nutrition Assistance Program (SNAP), 0584-AE71

## DEPARTMENT OF ENERGY

301. DOE/EE, Energy Conservation Standards for Clothes Dryers, 1904-AD99

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

302. HHS/FDA, Medical Devices; Quality System Regulation Amendments, 0910-AH99  
303. HHS/CMS, Medicare Secondary Payer and Future Medicals (CMS-6047), 0938-AT85  
304. HHS/CMS, Amendments to Rules Governing Organ Procurement Organizations (CMS-3409), 0938-AU54  
305. HHS/CMS, Improving Infection Prevention and Control in Long Term Care Facilities (CMS-3405), 0938-AU58  
306. HHS/CMS, Omnibus COVID-19 Health Care Staff Vaccination (CMS-3415), 0938-AU75

## **DEPARTMENT OF HOMELAND SECURITY**

- 307. DHS/USCIS, Temporary Non-Agricultural Employment of H-2B Nonimmigrants in the United States, 1615-AC06
- 308. DHS/USCIS, Temporary Increase of the Automatic Extension Period of Employment Authorization and Documentation for Certain Renewal Applicants, 1615-AC78
- 309. DHS/USCBP, Importer Security Filing and Additional Carrier Requirements, 1651-AA70
- 310. DHS/USCBP, Western Hemisphere Travel Initiative (WHTI)—Noncompliant Traveler Fee, 1651-AB06
- 311. DHS/USCBP, Collection of Biometric Data from Non-citizens upon Entry to and Exit from the United States, 1651-AB12
- 312. DHS/USCBP, Electronic System for Travel Authorization (ESTA) Operational Fee Change, 1651-AB45
- 313. DHS/FEMA, Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program, 1660-AA99

## **DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

- 314. HUD/CPD, Housing Trust Fund (FR-5246), 2506-AC30

## **DEPARTMENT OF THE INTERIOR**

- 315. DOI/BSEE, Revisions to Decommissioning Requirements on the OCS, 1014-AA53

## **DEPARTMENT OF LABOR**

- 316. DOL/ETA, Temporary Non-Agricultural Employment of H-2B Nonimmigrants in the United States, 1205-AB76
- 317. DOL/EBSA, Improved Fee Disclosure for Welfare Plans, 1210-AB37
- 318. DOL/OSHA, COVID-19 Vaccination and Testing Emergency Temporary Standard Rulemaking, 1218-AD42
- 319. DOL/WHd, High Wage Components of the Labor Value Content Requirements under the United States–Mexico–Canada Agreement Implementation Act, 1235-AA36
- 320. DOL/WHd, Modernizing the McNamara-O’Hara Service Contract Act Regulations, 1235-AA38

## **DEPARTMENT OF TRANSPORTATION**

- 321. DOT/NHTSA, Retroreflective Tape and Underride Guards for Single Unit Trucks, 2127-AL57

## **DEPARTMENT OF THE TREASURY**

- 322. TREAS/IRS, Prescription Drug and Health Care Spending, 1545-BQ27
- 323. TREAS/CDFIF, Interim Rule for the CDFI Bond Guarantee Program, 1559-AA01

## **FEDERAL COMMUNICATIONS COMMISSION**

- 324. FCC, Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions (GN Docket No. 12-268), 3060-AJ82
- 325. FCC, Processing Applications in the Direct Broadcast Satellite (DBS) Service; Feasibility of Reduced Orbital Spacing for Provision of DBS Service in the United States (IB Docket No. 06-160), 3060-AI86
- 326. FCC, Parts 2 and 25 to Enable GSO FSS in the 17.3–17.8 GHz Band, Modernize Rules for 17/24 GHz BSS Space Stations, and Establish Off-Axis Uplink Power Limits for Extended Ka-Band FSS (IB Doc. No. 20-330), 3060-AL28
- 327. FCC, Restoring Internet Freedom (WC Docket No. 17-108); Protecting and Promoting the Open Internet (GN Docket No. 14–28), 3060-AK21
- 328. FCC, Implementation of the National Suicide Improvement Act of 2018, 3060-AL01
- 329. FCC, Establishing a 5G Fund for Rural America; GN Docket No. 20-32, 3060-AL15

## **FEDERAL HOUSING FINANCE ADMINISTRATION**

- 330. FHFA, Enterprise Liquidity Requirements, 2590-AB09

## **NUCLEAR REGULATORY COMMISSION**

- 331. NRC, Revision of Fee Schedules: Fee Recovery for Fiscal Year 2024 [NRC-2022-0046], 3150-AK74

## **OFFICE OF PERSONNEL MANAGEMENT**

- 332. OPM, Prescription Drug and Health Care Spending, 3206-AO27



# Part H. Rules Affecting Small Business, 1999–2020

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999
Dept. of Agriculture	20	30	24	31	46	40	47	45	80	65	84	87	93	73	67	54	52	64	39	56	47	49
Dept. of Commerce	81	85	90	90	94	109	112	103	158	115	98	90	107	112	111	108	79	74	77	89	98	88
Dept. of Defense	8	4		1	1	10	7	12	25	26	16	12	7	13	14	13	12	13	6	8	7	15
Dept. of Education	1	2	2	2		1	2	3		1	1	0	0	0	1	0	0	0	1	0	0	0
Dept. of Energy	7	14	12	15	14	8	4	5	8	6	3	2	1	1	0	0	0	1	0	1	1	0
Dept. of Health and Human Services	62	60	64	67	73	93	103	91	85	100	112	94	93	96	109	112	106	96	92	108	107	75
Dept. of Homeland Security	31	27	28	27	25	22	25	28	27	34	37	35	42	44	43	43	38	33	0	0	0	0
Dept. of Housing and Urban Development		1	1	2	2	1				0	1	0	1	5	4	4	6	11	6	3	0	1
Dept. of the Interior	18	18	13	9	30	35	30	23	24	23	18	17	18	19	29	21	20	26	17	20	18	33
Dept. of Justice	7	4	5	5	12	9	10	10	9	9	5	3	2	5	7	8	8	8	13	15	14	14
Dept. of Labor	24	31	26	12	20	22	24	22	24	23	26	29	29	26	26	19	19	23	22	26	40	38
Dept. of State	31	31	31	25	14	18	21	20	31	21	20	4	3	1	0	1	1	2	6	3	2	0
Dept. of Transportation	37	39	46	47	56	61	53	68	65	56	49	45	41	43	60	63	103	151	216	244	266	246
Dept. of the Treasury	50	36	34	36	41	23	27	29	39	47	56	48	47	45	37	41	38	27	26	27	31	15
Dept. of Veterans Affairs		2		1	1	1	1	2	1	2	3	2	2	0	0	0	0	0	1	1	3	6
Agency for International Development										1	1	0	0	1	1	0	0	1	2	1	0	0
Arch. and Trans. Barriers Compliance Board				1	2	2	1	1	1	1		0	0	0	0	0	0	0	1	1	2	2
Commodity Futures Trading Commission	1	1	2	2	2		1			0		1	1	1	0	1	1	2	0	0	0	0
Consumer Financial Protection Bureau	15	12	10	8	3	4	3	4	8	5												
Consumer Product Safety Commission	4	5	8	5	4	2			2	0			0	0	1	0	0	0	0	0	0	0
Corporation for National and Community Service										0		0	0	0	1	1	0	0	0	0	0	0
Environmental Protection Agency	7	6	3	4	14	12	6	6	49	73	95	89	83	85	95	110	122	135	167	185	205	179
Equal Employment Opportunity Commission	6	5	3	3	2	2	2	2	3	5	5	4	2	3	3	3	0	0	0	2	0	0
Federal Emergency Management Agency														0	0	0	0	0	1	1	1	0

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999
Federal Acquisition Regulation	59	60	53	43	38	22	24	17	15	10	5	4	6	5	5	7	5	5	6	9	13	16
Federal Communications Commission	58	69	61	77	92	99	98	99	89	78	112	110	110	109	108	113	113	104	109	117	105	91
Federal Deposit Insurance Corporation	4	4						4	5	2	1											
Federal Energy Regulatory Commission										0			0	1	0	0	0	0	0	0	0	1
Federal Housing Finance Board	2									0			0	0	0	0	0	0	0	0	0	0
Federal Maritime Commission					3	1	1	1	1	3	3	3	3	2	3	5	7	10	7	6	7	4
Federal Reserve System	2	3	4	2	2	4	7	5	12	17	8	6	5	5	3	6	5	3	7	10	8	2
Federal Trade Commission	18	16	14	18	16	18	21	18	21	22	16	16	13	11	13	12	11	9	9	9	9	10
Federal Mediation and Conciliation Service	1									0			0	0	0	0	0	0	0	1	1	0
General Services Administration	30	24	28	15	13	10	4	2	3	4	5	6	7	3	3	3	1	5	4	1	1	2
National Aeronautics and Space Administration						1	1	2	2	3			0	0	0	0	0	0	0	0	0	0
National Archives and Records Administration										0			0	0	0	1	1	1	0	0	0	0
National Credit Union Administration									2	4	4	7	3	1	4	1	2	0	0	0	0	0
National Endowment for the Arts	2	2	2	2	2	2	2	2	2				0	0	0	0	0	2	2	0	0	0
National Endowment for the Humanities										0			0	0	0	0	0	0	0	0	0	0
National Labor Relations Board		2	1																			
Nuclear Regulatory Commission	3	3	3	3	3	3	4	3	6	3	1	2	1	2	1	1	0	3	5	5	3	5
Office of Management and Budget	2	2	1							0			0	0	0	0	0	0	0	0	1	2

	2020	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999
Pension Benefit Guaranty Corporation					1																	
Railroad Retirement Board										0			0	0	0	0	0	0	0	0	0	0
Resolution Trust Corporation															0	17	0	0	0	0	0	0
Small Business Administration	12	11	15	17	19	28	23	27	38	35	39	20	13	15	21	19	18	24	21	21	24	28
Social Security Administration										1		1	1	1	1	1	1	1	1	0	0	2
Surface Transportation Board	1	1	1	1	2		1															
Securities and Exchange Commission	30	34	20	19	24	11	9	15	19	27	21	21	19	29	16	0	20	25	28	26	40	39
<b>TOTAL</b>	<b>634</b>	<b>644</b>	<b>605</b>	<b>590</b>	<b>671</b>	<b>674</b>	<b>674</b>	<b>669</b>	<b>854</b>	<b>822</b>	<b>845</b>	<b>758</b>	<b>753</b>	<b>757</b>	<b>787</b>	<b>788</b>	<b>789</b>	<b>859</b>	<b>892</b>	<b>996</b>	<b>1054</b>	<b>963</b>

Source: Compiled from "The Regulatory Plan and Unified Agenda of Federal Regulatory and Deregulatory Actions," Federal Register, various years' editions, [www.reginfo.gov](http://www.reginfo.gov).

## Part I. The Unconstitutionality Index, 1993–2022

Year	Final Rules	Public Laws	The Index	Notices	Executive Orders	Executive Memos
1993	4,369	210	21			
1994	4,867	255	19			
1995	4,713	88	54	23,175	40	
1996	4,937	245	20	24,413	50	
1997	4,584	153	30	26,059	38	
1998	4,899	241	20	26,211	38	
1999	4,684	170	28	25,516	35	
2000	4,313	410	11	25,462	39	13
2001	4,132	108	38	24,824	67	12
2002	4,167	269	15	25,736	32	10
2003	4,148	198	21	25,418	41	14
2004	4,101	300	14	25,310	46	21
2005	3,943	161	24	25,351	27	23
2006	3,718	308	12	25,026	26	18
2007	3,595	188	19	24,559	33	16
2008	3,830	285	13	25,273	30	15
2009	3,503	125	28	24,868	44	38
2010	3,573	221	16	26,173	43	42
2011	3,807	118	32	26,161	34	19
2012	3,708	157	24	24,377	39	32
2013	3,659	117	31	24,261	24	32
2014	3,554	224	16	23,970	34	25
2015	3,410	115	30	23,959	29	31
2016	3,853	213	18	24,557	44	36
2017	3,281	98	33	22,137	63	35
2018	3,368	313	11	22,025	35	29
2019	2,964	137	22	21,804	47	24
2020	3,038	177	17	22,480	67	49
2021	4,429	143	31	21,985	93	30
<b>2022</b>	<b>3,168</b>	<b>247</b>	<b>13</b>	<b>22,505</b>	<b>29</b>	<b>46</b>

Sources: Final rules, notices, and executive orders compiled from database at National Archives and Records Administration, Office of the Federal Register, <https://www.federalregister.gov/documents/search#advanced>; Public laws from Government Publishing Office, Public and Private Laws, <https://www.govinfo.gov/app/collection/PLAW/>.



## Notes

1. Consider President Jimmy Carter's *Economic Report of the President* in 1980: "As more goals are pursued through rules and regulations mandating private outlays rather than through direct government expenditures, the federal budget is an increasingly inadequate measure of the resources directed by government toward social ends." Council of Economic Advisers, *Economic Report of the President*, Executive Office of the President, January 1980, p. 125, [https://fraser.stlouisfed.org/files/docs/publications/ERP/1980/ERP\\_1980.pdf](https://fraser.stlouisfed.org/files/docs/publications/ERP/1980/ERP_1980.pdf).
2. For a survey of corporate tax incidence estimates, see Jennifer C. Gravelle, "Corporate Tax Incidence: A Review of Empirical Estimates and Analysis," Working Paper No. 2011-01, Congressional Budget Office, June 2011, <https://www.cbo.gov/sites/default/files/cbofiles/ftpdocs/122xx/doc12239/06-14-2011-corporatetaxincidence.pdf>.
3. Executive Order 13992 of January 20, 2021, "Revocation of Certain Executive Orders Concerning Federal Regulation," *Federal Register*, Vol. 86, No. 14, January 25, 2021, pp. 7049–7050, <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01767.pdf>.
4. Presidential Memorandum of January 20, 2021, "Modernizing Regulatory Review," *Federal Register*, Vol. 86, No. 15 (January 26, 2021), pp. 7223–7224, <https://www.govinfo.gov/content/pkg/FR-2021-01-26/pdf/2021-01866.pdf>.
5. Clyde Wayne Crews Jr., "A Look at 'Modernizing Regulatory Review,'" *OpenMarket* (blog), Competitive Enterprise Institute, January 21, 2021, <https://cei.org/blog/a-look-at-modernizing-regulatory-review/>.
6. Congressional Budget Office, *The Budget and Economic Outlook: 2023 to 2033*, Table 1-1, "CBO's Baseline Budget Projections, by Category," p. 6, <https://www.cbo.gov/system/files/2023-02/58848-Outlook.pdf>.
7. U.S. Department of the Treasury, Bureau of the Fiscal Service, "The Debt to the Penny and Who Holds It," <https://fiscaldata.treasury.gov/datasets/debt-to-the-penny/debt-to-the-penny>.
8. For documentation, see Clyde Wayne Crews Jr., *Ten Thousand Commandments: An Annual Snapshot of the Federal Regulatory State*, 2022 Edition (Washington, DC: Competitive Enterprise Institute), [https://cei.org/wp-content/uploads/2022/10/10000\\_Commandments\\_2022.pdf](https://cei.org/wp-content/uploads/2022/10/10000_Commandments_2022.pdf).
9. White House, "Fact Sheet: President Biden to Take Action to Advance Racial Equity and Support Underserved Communities," January 26, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/26/fact-sheet-president-biden-to-take-action-to-advance-racial-equity-and-support-underserved-communities/>.
10. Helen Andrews, "The Law That Ate the Constitution," *Claremont Review of Books*, Winter 2020, <https://claremontreviewofbooks.com/the-law-that-ate-the-constitution/>; Christopher Caldwell, "America's Two Constitutions—Since the '60s, Competing Visions of a More Perfect Union," Fox News, January 27, 2020, <https://www.foxnews.com/opinion/christopher-caldwell-americas-two-constitutions-competing-visions-of-a-more-perfect-union>.
11. Regulations with cost estimates presented by OMB typically make up less than 1 percent of the annual flow of over 3,000 rules, based on data compiled from annual editions of the White House Office of Information and Regulatory Affairs' *Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities*, <https://www.whitehouse.gov/omb/information-regulatory-affairs/reports/>.
12. David Schoenbrod, *Power without Responsibility: How Congress Abuses the People through Delegation* (New Haven, CT: Yale University Press, 1993).
13. The regulatory report card proposed in *Ten Thousand Commandments* was also featured in Clyde Wayne Crews Jr., "The Other National Debt Crisis: How and Why Congress Must Quantify Federal Regulation," Issue Analysis 2011 No. 4, Competitive Enterprise Institute, October 2011, <http://cei.org/issue-analysis/other-national-debt-crisis>. Recommended reporting proposals, yet to be enacted, appeared in the Achieving Less Excess in Regulation and Requiring Transparency, or ALERRT, Act (H.R. 2804, 113th Congress, Second Session), <https://beta.congress.gov/bill/113th-congress/house-bill/2804>, and earlier. They had first appeared in Sen. Olympia Snowe's (R-Maine) Restoring Tax and Regulatory Certainty to Small Businesses, or RESTART, Act (S. 3572, 112th Congress, Second Session), <https://www.congress.gov/bill/112th-congress/senate-bill/3572>. Section 213 detailed proposed "regulatory transparency reporting," such as reporting on major rule costs in tiers.
14. The introduction to the fall 2021 Unified Agenda of Federal Regulatory and Deregulatory Actions further captured the shift to an equity agenda activism: "We are proud to shine a light on the regulatory agenda as a way to share with the public how the themes of equity, prosperity and public health cut across everything we do." Regulatory Information Service Center, "Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions—Fall 2021," *Federal Register*, Vol. 87, No. 20 (January 31, 2022), pp. 5002–5008, <https://www.govinfo.gov/content/pkg/FR-2022-01-31/pdf/2022-00702.pdf>.
15. Executive Order 13985 of January 20, 2021, "Advancing Racial Equity and Support for Underserved Communities through the Federal Government," *Federal Register*, Vol. 86, No. 14 (January 25, 2021), pp. 7009–7013, <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01753.pdf>.

16. White House, “Remarks by President Biden before Signing Executive Actions on Tackling Climate Change, Creating Jobs, and Restoring Scientific Integrity,” January 27, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/01/27/remarks-by-president-biden-before-signing-executive-actions-on-tackling-climate-change-creating-jobs-and-restoring-scientific-integrity/>; Executive Order 14008 of January 27, 2021, “Tackling the Climate Crisis at Home and Abroad,” *Federal Register*, Vol. 86, No. 19 (February 1, 2021), pp. 7619–7633, <https://www.govinfo.gov/content/pkg/FR-2021-02-01/pdf/2021-02177.pdf>; Myron Ebell, “Joe Biden’s Climate Nirvana—and Ours,” *The Pipeline*, January 30, 2021, <https://the-pipeline.org/joe-bidens-climate-nirvana/>.

17. Clyde Wayne Crews Jr., “Right Sizing the Federal Trade Commission Is Step One,” Competitive Enterprise Institute, February 3, 2023, <https://cei.org/blog/right-sizing-the-federal-trade-commission-is-step-one/>.

18. White House, “Fact Sheet: The Biden Administration Accelerates Whole-of-Government Effort to Prevent, Detect, and Treat Long COVID,” April 5, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/05/fact-sheet-the-biden-administration-accelerates-whole-of-government-effort-to-prevent-detect-and-treat-long-covid/>.

19. Alondra Nelson and Alexander Macgillivray, “Technical Possibilities for a U.S. Central Bank Digital Currency,” White House Office of Science and Technology (blog), September 16, 2022, <https://www.whitehouse.gov/ostp/news-updates/2022/09/16/technical-possibilities-for-a-u-s-central-bank-digital-currency/>.

20. White House, “Fact Sheet: Biden Administration Combats Super-Pollutants and Bolsters Domestic-Manufacturing with New Programs and Historic Commitments,” September 23, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/23/fact-sheet-biden-administration-combats-super-pollutants-and-bolsters-domestic-manufacturing-with-new-programs-and-historic-commitments/>; see also “The Biden-Harris Administration and EPA Continue Progress Cutting Super-Pollutants, Barring Illegal Imports, and Speeding Transition to Cleaner New Technologies to Fight Climate Change and Save Money,” EPA news release, April 19, 2022, <https://www.epa.gov/newsreleases/biden-harris-administration-and-epa-continue-progress-cutting-super-pollutants-barring>.

21. White House, “Fact Sheet: President Biden to Announce Strategy to Address Our National Mental Health Crisis, As Part of Unity Agenda in His First State of the Union,” March 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/01/fact-sheet-president-biden-to-announce-strategy-to-address-our-national-mental-health-crisis-as-part-of-unity-agenda-in-his-first-state-of-the-union/>.

22. White House, “Executive Summary: Biden-Harris Administration National Strategy on Hunger, Nutrition, and Health,” September 27, 2022, <https://www.whitehouse.gov>

/briefing-room/statements-releases/2022/09/27/executive-summary-biden-harris-administration-national-strategy-on-hunger-nutrition-and-health/.

23. Executive Order 14081 of September 12, 2022, “Advancing Biotechnology and Biomanufacturing Innovation for a Sustainable, Safe, and Secure American Bioeconomy,” *Federal Register*, Vol. 87, No. 178 (September 12, 2022), pp. 56849–56860, <https://www.govinfo.gov/content/pkg/FR-2022-09-15/pdf/2022-20167.pdf>.

24. U.S. Small Business Administration, “Fact: The Federal Government Is the World’s Largest Purchaser of Goods and Services,” February 3, 2020, <https://content.govdelivery.com/accounts/USSBA/bulletins/27934ad>.

25. For example, see Joel Zinberg, “Team Biden’s Extending the COVID Emergency Again—to Expand the Welfare State,” *New York Post*, November 13, 2022, <https://nypost.com/2022/11/13/team-bidens-extending-the-covid-emergency-again-to-expand-the-welfare-state/>.

26. White House, American Rescue Plan website, <https://www.whitehouse.gov/american-rescue-plan/>.

27. White House, “Delivering Results from President Biden’s Bipartisan Infrastructure Law,” <https://www.whitehouse.gov/bipartisan-infrastructure-law/>; White House, “President Biden Delivers Remarks on His Administration’s Response to Recent Wildfires, and How the Investments He Is Proposing in the Bipartisan Infrastructure Deal and Build Back Better Agenda Will Strengthen Our Nation’s Resilience to Climate Change and Extreme Weather Events,” September 13, 2021, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/09/13/remarks-by-president-biden-on-the-administrations-response-to-recent-wildfires/>.

28. Daniel Farber, “The Climate Bill inside the Infrastructure Bill,” Center for Progressive Reform, November 8, 2021, <http://www.progressivereform.org/cpr-blog/climate-bill-inside-infrastructure-bill/>; Gayathri Vaidyanathan, “Scientists Welcome ‘Enormous’ US Climate Bill—But Call for Stronger Action,” *Nature*, August 16, 2022, <https://www.nature.com/articles/d41586-022-02223-8>; Gabriel Debenedetti, “Who’s the Change Agent Now? Joe Biden Is Delivering Breakthroughs That Long Eluded Barack Obama. Who Understands the Presidency Best?,” *Intelligencer*, August 31, 2022, <https://nymag.com/intelligencer/article/gabriel-benedetti-the-long-alliance-book-excerpt.html>.

29. For example, U.S. Department of Agriculture, “USDA Seeking Public Comment on a New Provision to Provide Assistance to Agricultural Producers Who Have Experienced Discrimination,” press release, October 13, 2022, <https://www.usda.gov/media/press-releases/2022/10/13/usda-seeking-public-comment-new-provision-provide-assistance>; see Gabe Kaminsky, “‘Woke Nonsense’: Biden Admin to Shell Out Millions in Grants to Recruit ‘Diverse’ Farmers, Ranchers and

Forest Land Owners,” *Daily Caller*, August 29, 2022, <https://dailycaller.com/2022/08/29/usda-biden-admin-grants-diverse-farmers-ranchers-forest-land-owners/>.

30. White House, “Press Briefing by Press Secretary Karine Jean-Pierre and National Security Advisor Jake Sullivan,” November 10, 2022, <https://www.whitehouse.gov/briefing-room/press-briefings/2022/11/10/press-briefing-by-press-secretary-karine-jean-pierre-and-national-security-advisor-jake-sullivan-november-10-2022/>.

31. Clyde Wayne Crews Jr., “Framing an ‘Abuse-of-Crisis Prevention Act’ to Confine the Federal Government,” *Competitive Enterprise Institute*, September 15, 2022, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4220176](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4220176).

32. Joseph Biden, “Statement on the Fiscal Year 2023 Budget,” *The American Presidency Project*, March 28, 2022, <https://www.presidency.ucsb.edu/documents/statement-the-fiscal-year-2023-budget>.

33. Clyde Wayne Crews Jr., “Universal Basic Income and the Custodial Administrative State,” *Competitive Enterprise Institute*, May, 4, 2021, <https://cei.org/blog/universal-basic-income-and-the-custodial-administrative-state/>.

34. Joel Zinberg and Gary Alexander, “Team Biden’s Latest Welfare Expansion: Medicaid Payments for Housing, Food, Even Furniture,” *New York Post*, October 31, 2022, <https://nypost.com/2022/10/31/bidens-latest-welfare-expansion-medicaid-payments-for-housing-food-furniture/>.

35. Pierre Lemieux, “Dispelling Supply Chain Myths,” *Regulation* (Summer 2022): 22–33, <https://www.cato.org/regulation/summer-2022/dispelling-supply-chain-myths>.

36. White House, “President Biden Delivers Remarks on Oil Companies Record-Setting Profits,” October 31, 2022, <https://www.youtube.com/watch?v=0DbKCP6Mfhs>.

37. Courtney Subramanian, “Biden Accuses Oil Companies of ‘War Profiteering’ as He Warns of Excess Profit Penalties,” *Yahoo! News*, October 31, 2022, <https://news.yahoo.com/biden-accuses-oil-companies-war-201842423.html>. For one reaction, see Western Energy Alliance, “Responding to the White House Blame Game on Leases,” March 4, 2022, <https://www.westernenergyalliance.org/blog/responding-to-the-white-house-blame-game-on-leases>.

38. Office of Senate Minority Leader Mitch McConnell, “Biden Keeps Blaming Everyone Else for the High Energy Prices His Own Policies Created,” news release, October 31, 2022, <https://www.republicanleader.senate.gov/newsroom/research/biden-keeps-blaming-everyone-else-for-the-high-energy-prices-his-own-policies-created>.

39. Alex Marquardt, Natasha Bertrand, and Phil Mattingly, “Inside the White House’s Failed Effort to Dissuade OPEC from Cutting Oil Production to Avoid a ‘Total Disaster,’” *CNN*, October 5, 2022, <https://www.cnn.com/2022/10/04/politics>

[/white-house-lobby-opec-oil-production-cuts-gasoline-prices-midterms/index.html](https://www.whitehouse.gov/briefing-room/press-briefings/2022/10/19/president-biden-delivers-remarks-on-additional-actions-to-strengthen-energy-security-and-lower-costs/); White House, “President Biden Delivers Remarks on Additional Actions to Strengthen Energy Security and Lower Costs,” October 19, 2022, <https://www.youtube.com/watch?v=KV1JM693O-0&t=1758s>.

40. Department of Energy, “DOE Seeks Applications, Bids for \$6 Billion Civil Nuclear Credit Program,” press release, April 19, 2022, <https://www.energy.gov/articles/doe-seeks-applications-bids-6-billion-civil-nuclear-credit-program>.

41. Geoff Earle and Morgan Phillips, “Biden Administration Urged Saudi Arabia to Wait Until after the Midterms to Cut Oil Production—and Warned Rejecting the Offer Would Be a Clear Sign of Siding with Russia, Report Claims,” *Daily Mail*, October 11, 2022, <https://www.dailymail.co.uk/news/article-11305219/Biden-administration-urged-Saudi-Arabia-wait-midterms-cut-oil-production.html>.

42. Daphne Psadedakis and Marianna Parraga, “Chevron Can Resume Key Role in Venezuela’s Oil Output, Exports,” *Reuters*, November 26, 2011, <https://www.reuters.com/business/energy/us-issues-expanded-license-allow-chevron-import-venezuelan-petroleum-2022-11-26/>.

43. White House, “Fact Sheet: President Biden Calls for a Three-Month Federal Gas Tax Holiday,” June 22, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/22/fact-sheet-president-biden-calls-for-a-three-month-federal-gas-tax-holiday/>.

44. D’Angelo Gore, “Factcheck: U.S. Selling Oil from the Strategic Petroleum Reserve to the Highest Bidding Companies,” *FactCheck.org*, July 16, 2022, [https://www.montrosepress.com/opinion/factcheck-u-s-selling-oil-from-the-strategic-petroleum-reserve-to-the-highest-bidding-companies/article\\_6d5370ec-03d6-11ed-960a-a71015d6a320.html](https://www.montrosepress.com/opinion/factcheck-u-s-selling-oil-from-the-strategic-petroleum-reserve-to-the-highest-bidding-companies/article_6d5370ec-03d6-11ed-960a-a71015d6a320.html).

45. Department of Energy, “DOE Announces Repurchase of Oil for the Strategic Petroleum Reserve,” press release, December 16, 2022, <https://www.energy.gov/articles/doe-announces-repurchase-oil-strategic-petroleum-reserve>.

46. Marquardt, Bertrand, and Mattingly, “Inside the White House’s Failed Effort to Dissuade OPEC.”

47. Krisztina Pusok, “NEPA Revisions Would Undercut Infrastructure Projects,” May 23, 2022, [https://www.realclearenergy.org/articles/2022/05/23/nepa\\_revisions\\_would\\_undercut\\_infrastructure\\_projects\\_833832.html](https://www.realclearenergy.org/articles/2022/05/23/nepa_revisions_would_undercut_infrastructure_projects_833832.html).

48. Ian Schwartz, “Buttigieg: The More Painful the High Price of Gas Becomes, the More Beneficial It Is to Have an Electric Car,” *RealClearPolitics*, July 19, 2022, [https://www.realclearpolitics.com/video/2022/07/19/buttigieg\\_the\\_more\\_painful\\_the\\_high\\_price\\_of\\_gas\\_becomes\\_the\\_more\\_beneficial\\_it\\_is\\_to\\_have\\_an\\_electric\\_car.html](https://www.realclearpolitics.com/video/2022/07/19/buttigieg_the_more_painful_the_high_price_of_gas_becomes_the_more_beneficial_it_is_to_have_an_electric_car.html).

49. Jesse Newman and Annie Gasparro, “Why the Baby-Formula Market Is a Mess: Low Competition, High Regulation,



*Wall Street Journal*, May 20, 2022, <https://www.wsj.com/articles/why-the-baby-formula-market-is-a-mess-low-competition-high-regulation-11653071518>.

50. Memorandum for the Secretary of Health and Human Services, “Delegating Authority under the Defense Production Act to Ensure an Adequate Supply of Infant Formula,” *Federal Register*, Vol. 87, No. 100 (May 24 2022), pp. 31357–31358, <https://www.govinfo.gov/content/pkg/FR-2022-05-24/pdf/2022-11273.pdf>.

51. “Call Them the Biden-Trump Tariffs Now,” *Wall Street Journal*, October 26, 2022, [https://www.wsj.com/articles/call-them-the-biden-trump-tariffs-now-section-232-aluminum-steel-tariffs-beverage-manufacturers-11666721317?mod=opinion\\_lead\\_pos4](https://www.wsj.com/articles/call-them-the-biden-trump-tariffs-now-section-232-aluminum-steel-tariffs-beverage-manufacturers-11666721317?mod=opinion_lead_pos4).

52. Letter from USDA Secretary Thomas J. Vilsack to the National Grain and Feed Association, March 31, 2022, <https://www.politico.com/f/?id=0000017f-efb9-d0cd-a3ff-ffb9e0830000>.

53. P. J. Huffstutter, “U.S. Tweaks Farmland Conservation Deals to Fight Food Crisis,” Reuters, March 26, 2022, <https://www.reuters.com/markets/commodities/farmers-allowed-pull-land-out-federal-conserved-contracts-amid-global-food-2022-05-26/>.

54. Ben Lieberman, “E-15 May Do More Food Price Harm than Gas Price Good,” Competitive Enterprise Institute, April 12, 2022, <https://cei.org/blog/e-15-may-do-more-food-price-harm-than-gas-price-good/>; Timothy Puko, “EPA Will Allow More Ethanol in Gas This Summer in Bid to Tame Prices,” *Wall Street Journal*, April 12, 2022, <https://www.wsj.com/articles/epa-will-allow-more-ethanol-in-gas-this-summer-in-bid-to-tame-prices-11649754000>.

55. Michelle Minton, “Treasury Department Report Endorses Deregulation to Boost the Booze Business,” Competitive Enterprise Institute, February 14, 2022, <https://cei.org/blog/treasury-department-report-endorses-deregulation-to-boost-the-booze-business/>.

56. Ben Baldanza, “The FAA Limits Seats on Airplanes—Seat Sizes Don’t Need Regulation,” *Forbes*, November 14, 2022, <https://www.forbes.com/sites/benbaldanza/2022/11/14/the-faa-limits-seats-on-airplanes---seat-sizes-dont-need-regulation/?sh=fb9588ebfe0a>.

57. White House, “Fact Sheet: The Biden Administration’s Unprecedented Actions to Expand and Improve Trucking Jobs,” April 4, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/04/fact-sheet-the-biden-administrations-unprecedented-actions-to-expand-and-improve-trucking-jobs/>; White House, “Remarks by President Biden on the Trucking Action Plan to Strengthen Our Nation’s Supply Chains,” April 4, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/04/04/remarks-by-president>

-biden-on-the-trucking-action-plan-to-strengthen-our-nations-supply-chains/.

58. Federal Motor Carrier Safety Administration, “Assessment of the Continued Need for COVID-19 Emergency Declaration, Regulatory Relief for Commercial Motor Vehicle Operations,” *Federal Register*, Vol. 87, No. 172 (September 7, 2022), pp. 54630–54632, <https://www.federalregister.gov/documents/2022/09/07/2022-19304/assessment-of-the-continued-need-for-covid-19-emergency-declaration-regulatory-relief-for-commercial>.

59. Jim Crotty, “Ending Telehealth Cuts Off a Vital Tool against Opioid Addiction,” *The Hill*, September 11, 2022, <https://thehill.com/opinion/healthcare/3636356-ending-telehealth-cuts-off-a-vital-tool-against-opioid-addiction/>.

60. Ryan Young, “Amid Hurricane Power Outages, Biden Administration Waives Senseless Jones Act Shipping Restrictions,” Competitive Enterprise Institute, September 29, 2022, [https://cei.org/news\\_releases/amid-hurricane-power-outages-biden-administration-waives-senseless-jones-act-shipping-restrictions-cei-statement/](https://cei.org/news_releases/amid-hurricane-power-outages-biden-administration-waives-senseless-jones-act-shipping-restrictions-cei-statement/).

61. Michelle Lewis, “Biden Administration Slashes Rent by 50% on US Public Land for Wind and Solar,” *Electrek*, June 2, 2022, <https://electrek.co/2022/06/02/us-public-land-wind-solar/>.

62. See, for example, Dave Kolpack, “Biden Cancels Lease Renewals for Proposed Minnesota Mine,” AP, January 26, 2022, <https://apnews.com/article/technology-business-environment-and-nature-minnesota-donald-trump-f918f85f8879d6a45e7aba5cacfab215>; and Rachel Frazin, “Biden Administration Shrinks Area Eligible for Drilling at Arctic Reserve,” *The Hill*, April 25, 2022, <https://thehill.com/policy/energy-environment/3463023-biden-administration-shrinks-area-eligible-for-drilling-at-arctic-reserve/>.

63. Matthew Daly, “EPA Restores Rule to Limit Power-Plant Mercury Emissions,” AP, January 31, 2022, <https://apnews.com/article/business-health-environment-and-nature-donald-trump-environment-3155202c643bbece7e0854a5e13d257c>.

64. Council on Environmental Quality, “Carbon Capture, Utilization, and Sequestration Guidance,” *Federal Register*, Vol. 87, No. 51 (March 16, 2022), p. 1484, <https://www.federalregister.gov/documents/2022/03/16/2022-05569/carbon-capture-utilization-and-sequestration-guidance>.

65. Kelsey Brugger, “White House Releases Latest Regulatory Plans,” E&E News, January 4, 2023, <https://www.eenews.net/articles/white-house-releases-latest-regulatory-plans/>; Maxine Joselow, “Biden Administration to Miss Deadlines on Major Environmental Rules,” *Washington Post*, January 5, 2023, <https://www.washingtonpost.com/politics/2023/01/05/biden-administration-miss-deadlines-major-environmental-rules/>.

66. Executive Order 14008 of January 27, 2021, “Tackling the Climate Crisis at Home and Abroad,” *Federal Register*, Vol. 86, No. 19 (February 1, 2021), pp. 7619–7633, <https://www.govinfo.gov/content/pkg/FR-2021-02-01/pdf/2021-02177.pdf>.

67. White House, “Fact Sheet: Biden Administration Roadmap to Build an Economy Resilient to Climate Change Impacts,” October 14, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/10/15/fact-sheet-bidenadministration-roadmap-to-build-an-economyresilient-to-climate-change-impacts/>.

68. White House, “Fact Sheet: Biden-Harris Administration Releases Equity Action Plans to Advance Equity and Racial Justice across the Federal Government,” April 14, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/14/fact-sheet-biden-harris-administration-releases-agency-equity-action-plans-to-advance-equity-and-racial-justice-across-the-federal-government/>.

69. Environmental Protection Agency, “EPA Seeks Public Input on Inflation Reduction Act Programs to Fight Climate Change, Protect Health, and Advance Environmental Justice,” press release, November 4, 2022, <https://www.epa.gov/newsreleases/epa-seeks-public-input-inflation-reduction-act-programs-fight-climate-change-protect>; see “Biden, Remaking Climate Team, Picks John Podesta to Guide Spending,” *New York Times*, September 2, 2022, <https://www.nytimes.com/2022/09/02/climate/john-podesta-climate-biden.html>.

70. Environmental Protection Agency, “Enforcement Annual Results for Fiscal Year 2021,” <https://www.epa.gov/enforcement/enforcement-annual-results-fiscal-year-2021>.

71. Council on Environmental Quality, “Climate and Economic Justice Screening Tool Beta Version,” *Federal Register*, Vol. 87, No. 36 (February 23, 2022), pp. 10176–10178, <https://www.govinfo.gov/content/pkg/FR-2022-02-23/pdf/2022-03920.pdf>.

72. White House, “The White House Council on Environmental Quality (CEQ) Appoints Dr. Jalonnie L. White-Newsome as Senior Director for Environmental Justice,” May 5, 2022, <https://www.whitehouse.gov/ceq/news-updates/2022/05/05/the-white-house-council-on-environmental-quality-ceq-appoints-dr-jalonnie-l-white-newsome-as-senior-director-for-environmental-justice/>.

73. U.S. Department of Justice, “Attorney General Merrick B. Garland Delivers Remarks Launching Comprehensive Environmental Justice Strategy,” May 5, 2022, <https://www.justice.gov/opa/speech/attorney-general-merrick-b-garland-delivers-remarks-launching-comprehensive-environmental>.

74. Department of Health and Human Services, “Request for Information (RFI): 2022 HHS Environmental Justice Strategy and Implementation Plan Draft Outline,” *Federal Register*, Vol. 87, No. 68 (April 8, 2022), pp. 20876–20878, <https://www>

[.govinfo.gov/content/pkg/FR-2022-04-08/pdf/2022-07514.pdf](https://www.govinfo.gov/content/pkg/FR-2022-04-08/pdf/2022-07514.pdf).

75. David Kelly, “Treasury Creates Racial Equity Committee with Radical Leftist as Vice Chair,” *New American*, October 21, 2022, [https://thenewamerican.com/treasury-creates-racial-equity-committee-with-radical-leftist-as-vice-chair/?pk\\_campaign=feed](https://thenewamerican.com/treasury-creates-racial-equity-committee-with-radical-leftist-as-vice-chair/?pk_campaign=feed).

76. Peter Kasperowicz, “Biden Administration Wants Federal Government to Be Diversity, Equity Model for the Nation,” Fox News, October 4, 2022, <https://www.foxnews.com/politics/biden-administration-wants-federal-government-diversity-equity-model-nation>.

77. Annie Palmer, “Amazon to Conduct Racial-Equity Audit Led by former Attorney General Loretta Lynch,” CNBC, April 18, 2022, <https://www.cnbc.com/2022/04/18/amazon-to-conduct-racial-equity-audit-led-by-former-ag-loretta-lynch.html>; see Citigroup, “Action for Racial Equity,” <https://www.citigroup.com/citi/racial-equity/>.

78. Joseph Simonson, “State AGs Take Aim at \$10 Trillion Investment Giant over Woke Investments,” Washington Free Beacon, August 10, 2022, <https://freebeacon.com/latest-news/republican-ags-allege-blackrock-violating-law-with-woke-investing/>.

79. Aaron Sibarium, “How Business Giants Get Lower Interest Rates for Meeting Diversity Quotas,” Washington Free Beacon, November 7, 2022, <https://freebeacon.com/latest-news/how-business-giants-get-lower-interest-rates-for-meeting-diversity-quotas/>.

80. Federal Reserve, “Community Development Research Seminar Series,” <https://fedcommunities.org/community-development-research-seminar-series/>.

81. Employee Benefits Security Administration, “Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights,” *Federal Register*, Vol. 86, No. 196 (October 14, 2021), pp. 57272–57304, <https://www.govinfo.gov/content/pkg/FR-2021-10-14/pdf/2021-22263.pdf>.

82. Final Rule, Department of Labor, Employee Benefits Security Administration, “Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights,” *Federal Register*, Vol. 87, No. 230 (December 1, 2022), pp. 73822–73886, <https://www.govinfo.gov/content/pkg/FR-2022-12-01/pdf/2022-25783.pdf>. For analysis of the proposed rule, see Richard Morrison, “Comment on Proposed Rule “Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights,” Competitive Enterprise Institute, December 10, 2021, [https://cei.org/regulatory\\_comments/comment-on-proposed-rule-prudence-and-loyalty-in-selecting-plan-investments-and-exercising-shareholder-rights/](https://cei.org/regulatory_comments/comment-on-proposed-rule-prudence-and-loyalty-in-selecting-plan-investments-and-exercising-shareholder-rights/).

83. Federal Register, “Request for Information on Possible Agency Actions to Protect Life Savings and Pensions from

Threats of Climate-Related Financial Risk,” Notice, Employee Benefits Security Administration, February 14, 2022, <https://www.federalregister.gov/documents/2022/02/14/2022-02798/request-for-information-on-possible-agency-actions-to-protect-life-savings-and-pensions-from-threats>.

84. Notice, Employee Benefits Security Administration, “Request for Information on Possible Agency Actions to Protect Life Savings and Pensions from Threats of Climate-Related Financial Risk,” *Federal Register*, Vol. 87, No. 30 (February 14, 2022), pp. 8289–8292, <https://www.govinfo.gov/content/pkg/FR-2022-02-14/pdf/2022-02798.pdf>.

85. “Yellen: ‘We Must Redouble Our Efforts to Decarbonize Our Economies,’” Grabien, April 13, 2022, <https://grabien.com/story.php?id=374507>.

86. Board of Governors of the Federal Reserve System, “Climate Change and Financial Stability,” March 19, 2021, <https://www.federalreserve.gov/econres/notes/feds-notes/climate-change-and-financial-stability-20210319.htm>; Christopher Rugaber, “Powell Defends Fed’s Consideration of Climate Change Risks,” Associated Press, April 14, 2021, <https://apnews.com/article/climate-climate-change-jerome-powell-63b95c7276e2db7346f52eb90bca94b6>.

87. Marlo Lewis Jr., “The Fed Is Not a Climate Regulator,” Competitive Enterprise Institute, January 14, 2022, <https://cei.org/blog/the-fed-is-not-a-climate-regulator/>; see “The Greening of the Federal Reserve,” editorial, *Wall Street Journal*, January 11, 2022, [https://www.wsj.com/articles/the-greening-of-the-federal-reserve-jerome-powell-climate-11641941000?mod=hp\\_opin\\_pos\\_1](https://www.wsj.com/articles/the-greening-of-the-federal-reserve-jerome-powell-climate-11641941000?mod=hp_opin_pos_1); Lael Brainard, “Building Climate Scenario Analysis on the Foundations of Economic Research,” October 7, 2021, <https://www.federalreserve.gov/newsevents/speech/brainard20211007a.htm>.

88. Emma Newburger, “Powell Reiterates Fed Is Not Going to Become a ‘Climate Policymaker,’” CNBC, January 10, 2023, <https://www.cnbc.com/2023/01/10/powell-reiterates-fed-is-not-going-to-become-a-climate-policymaker.html>.

89. Board of Governors of the Federal Reserve System, “Federal Reserve Board Announces That Six of the Nation’s Largest Banks Will Participate in a Pilot Climate Scenario Analysis Exercise Designed to Enhance the Ability of Supervisors and Firms to Measure and Manage Climate-Related Financial Risks,” press release, September 29, 2022, <https://www.federalreserve.gov/newsevents/pressreleases/other/20220929a.htm>; and see Ryan Young, “Federal Reserve Declines to Become Climate Regulator,” Competitive Enterprise Institute, January 1, 2023, <https://cei.org/blog/federal-reserves-declines-to-become-climate-regulator/>.

90. Securities and Exchange Commission, “The Enhancement and Standardization of Climate-Related Disclosures for Investors,” *Federal Register*, Vol. 87, No. 69 (April 11, 2022), pp. 21334–21473, <https://www.govinfo.gov>

[/content/pkg/FR-2022-04-11/pdf/2022-06342.pdf](https://www.federalregister.gov/documents/2022/04/11/2022-06342/the-enhancement-and-standardization-of-climate-related-disclosures-for-investors), <https://www.federalregister.gov/documents/2022/04/11/2022-06342/the-enhancement-and-standardization-of-climate-related-disclosures-for-investors>. For a response, see comment letter submitted by the Competitive Enterprise Institute et al., “In the matter of the proposed rule ‘The Enhancement and Standardization of Climate-Related Disclosures for Investors’ Securities and Exchange Commission, 87 FR 29059; RIN 3235-AM87,” June 2022, <https://www.sec.gov/comments/s7-10-22/s71022-20131635-302011.pdf>.

91. Federal Deposit Insurance Corporation, “Statement of Principles for Climate-Related Financial Risk Management for Large Financial Institutions,” *Federal Register*, Vol. 87, No. 64 (April 4, 2022), pp. 19507–19512, <https://www.govinfo.gov/content/pkg/FR-2022-04-04/pdf/2022-07065.pdf>.

92. Tyler Durden, “SEC’s New ESG Rule Hurts America’s Small Farms and Ranches,” *Zero Hedge* (blog), July 1, 2022, <https://www.zerohedge.com/political/secs-new-esg-rule-hurts-americas-small-farms-ranches>.

93. Andy Puzder, “Check Your 401(k)’s Fine Print! Because Now Biden Wants to Raid Yours to Fund Net Zero and ‘Diversity,’” *Daily Mail*, November 30, 2022, <https://www.dailymail.co.uk/news/article-11485913/Why-Bidens-woke-agenda-retirement-risk-demands-ANDY-PUZDER.html>.

94. Department of Energy, “DOE Releases Energy-Saving Rules for Federal Buildings and Proposes New Standards for Consumer Appliances,” News Release, March 30, 2022, <https://www.energy.gov/articles/doe-releases-energy-saving-rules-federal-buildings-and-proposes-new-standards-consumer>. White House, “Fact Sheet: The Biden-Harris Action Plan for Building Better School Infrastructure,” April 4, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/04/fact-sheet-the-biden-harris-action-plan-for-building-better-school-infrastructure/>; see “Vice President Harris Makes a School Infrastructure Announcement,” YouTube, [https://www.youtube.com/watch?v=4uZ\\_GBZGDYk](https://www.youtube.com/watch?v=4uZ_GBZGDYk).

95. General Services Administration and National Aeronautics and Space Administration, “Federal Acquisition Regulation: Disclosure of Greenhouse Gas Emissions and Climate-Related Financial Risk,” *Federal Register*, Vol. 87, No. 218 (November 14, 2022), pp. 68312–68334, <https://www.govinfo.gov/content/pkg/FR-2022-11-14/pdf/2022-24569.pdf>; see, for example, Jonathan H. Adler, “Biden Administration to Require Federal Contractors to Report and Reduce Greenhouse Gas Emissions,” *Volokh Conspiracy* (blog), November 11, 2022, <https://reason.com/volokh/2022/11/11/biden-administration-to-require-federal-contractors-to-report-and-reduce-greenhouse-gas-emissions/>.

96. Department of Defense, General Services Administration, and National Aeronautics and Space Administration, “Federal Acquisition Regulation: Increasing the Minimum Wage for Contractors,” *Federal Register*, Vol. 87, No. 17 (January 26,



2022), pp. 4117–4124, <https://www.govinfo.gov/content/pkg/FR-2022-01-26/pdf/2022-01507.pdf>.

97. Executive Order 14069, “Advancing Economy, Efficiency, and Effectiveness in Federal Contracting by Promoting Pay Equity and Transparency,” *Federal Register*, Vol. 87, No. 53 (March 18, 2022), pp. 15315–15316, <https://www.govinfo.gov/content/pkg/FR-2022-03-18/pdf/2022-05949.pdf>.

98. Department of Defense, General Services Administration, and National Aeronautics and Space Administration, “Federal Acquisition Regulation: Applicability of Small Business Regulations Outside the United States,” *Federal Register*, Vol. 87, No. 80 (April 26, 2022), pp. 24836–24843, <https://www.govinfo.gov/content/pkg/FR-2022-04-26/pdf/2022-08577.pdf>.

99. Federal Highway Administration, “National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure,” *Federal Register*, Vol. 87, No. 135 (July 15, 2022), pp. 42401–42422, <https://www.govinfo.gov/content/pkg/FR-2022-07-15/pdf/2022-14679.pdf>; Zack Budryk, “Biden Administration Proposes Rule Requiring States, Cities to Set Transportation Climate Targets,” *The Hill*, July 7, 2022, <https://thehill.com/policy/energy-environment/3549197-biden-administration-proposes-rule-requiring-states-cities-to-set-transportation-climate-targets/>.

100. Sen. Ed Markey (D-Mass.), “Senators Push Biden to Build on Inflation Reduction Act, Declare Climate Emergency,” press release, October 4, 2022, <https://www.markey.senate.gov/news/press-releases/senators-push-biden-to-build-on-inflation-reduction-act-declare-climate-emergency>.

101. Fatima Hussein, “Yellen Calls for Crypto Regulation to Reduce Risks, Frau,” Associated Press, April 7, 2022, <https://apnews.com/article/cryptocurrency-biden-technology-business-police-260dda0d6423e3f9dee06a2621c8f323>.

102. H.R. 2543, “Federal Reserve Racial and Economic Equity Act,” <https://www.billsponsor.com/bills/34362/house-bill-2543-congress-117/text/ih#section=H6D9FD596847F472EA4E58828AF87D6D0>; see, “A Woke Mandate for the Federal Reserve,” *Wall Street Journal*, June 21, 2022, <https://www.wsj.com/articles/a-woke-mandate-for-the-federal-reserve-racial-equity-congress-house-joe-biden-11655659047>.

103. Office of Science and Technology Policy, “Request for Information: Sustainable Chemistry,” *Federal Register*, Vol. 87, No. 64 (April 4, 2022), pp. 19539–19541, <https://www.federalregister.gov/documents/2022/04/04/2022-07043/request-for-information-sustainable-chemistry>.

104. Office of Science and Technology, “Request for Information on the Energy and Climate Implications of Digital Assets,” *Federal Register*, Vol. 87, No. 58 (March 25, 2022), pp. 17105–17107, <https://www.govinfo.gov/content/pkg/FR-2022-03-25/pdf/2022-06284.pdf>.

105. Executive Order 14067 of March 9, 2022, “Ensuring Responsible Development of Digital Assets,” *Federal Register*, Vol. 87, No. 49 (March 14, 2022), pp. 14143–14152, <https://www.govinfo.gov/content/pkg/FR-2022-03-14/pdf/2022-05471.pdf>.

106. See John Berlau, “‘Choke Point’ Is Frightening Precedent for Bank Regulatory Abuse,” *Forbes*, October 31, 2018, <https://www.forbes.com/sites/johnberlau/2018/10/31/choke-point-is-frightening-precedent-for-bank-regulatory-abuse/?sh=2d8dea0042b7>; Iain Murray, “Operation Choke Point: What It Is and Why It Matters,” Competitive Enterprise Institute, July 31, 2014, <https://cei.org/studies/operation-choke-point/>.

107. Davey Alba, “The Surgeon General Calls on Big Tech to Turn Over Covid-19 Misinformation Data,” *New York Times*, March 3, 2022, <https://archive.ph/jwgdf#selection-305.0-305.80>.

108. Mike Benz, “Biden’s National Science Foundation Has Pumped Nearly \$40 Million into Social Media Censorship Grants and Contracts,” Foundation for Freedom Online, November 22, 2022, <https://report.foundationforfreedomonline.com/11-22-22.htm>.

109. Baxter Dmitry, “Biden’s HHS and CDC Paid Screen Writers and Comedians to Mock the Unvaccinated,” NewsPunch, October 8, 2022, <https://newspunch.com/bidens-hhs-and-cdc-paid-screen-writers-and-comedians-to-mock-the-unvaccinated/>.

110. Aaron Gordon and Joseph Cox, “Post Office Cops Used Social Media Surveillance Program Illegally,” *Vice*, March 31, 2022, <https://www.vice.com/en/article/n7nmaz/post-office-cops-used-social-media-surveillance-program-illegally>.

111. Department of Homeland Security, National Terrorism Advisory System Bulletin, June 7, 2022, <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-june-7-2022>; Department of Homeland Security, National Terrorism Advisory System Bulletin, February 7, 2022, <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-february-07-2022>.

112. Ken Klippenstein and Lee Fang, “Truth Cops: Leaked Documents Outline DHS’s Plans to Police Disinformation,” *The Intercept*, October 31, 2022, <https://theintercept.com/2022/10/31/social-media-disinformation-dhs/>.

113. Brittany Bernstein, “FBI Internal Memo Warns against ‘Radical Traditionalist Catholic Ideology,’” *National Review*, February 8, 2023, <https://www.nationalreview.com/news/fbi-internal-memo-warns-against-radical-traditionalist-catholic-ideology/>.

114. Diana Glebova, “IRS Deletes Job Posting Seeking Applicants Willing to ‘Use Deadly Force,’” *National Review*, August 10, 2022, <https://www.nationalreview.com/news/irs-deletes-job-posting-seeking-applicants-willing-to-use-deadly>

-force/; see Andrew White, “IRS Report Shows Heavily Armed Agents Simulate Assault on Suburban Home,” Valiant News, August 11, 2022, <https://valiantnews.com/2022/08/irs-report-shows-heavily-armed-agents-simulate-assault-on-suburban-home/>.

115. These recent episodes are covered in the 2021 edition of *Ten Thousand Commandments*.

116. White House, “Remarks of President Joe Biden—State of the Union Address as Prepared for Delivery,” February 7, 2023, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/02/07/remarks-of-president-joe-biden-state-of-the-union-address-as-prepared-for-delivery/>.

117. Clyde Wayne Crews Jr., ““The Problems with the White House Competition Council,” Competitive Enterprise Institute, September 28, 2022, <https://cei.org/blog/the-problems-with-the-white-house-competition-council/>.

118. White House, State of the Union Address, February 7, 2023.

119. White House, “Remarks by President Biden on the CHIPS and Science Act at IBM Poughkeepsie,” October 6, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/10/06/remarks-by-president-biden-on-the-chips-and-science-act-at-ibm-poughkeepsie/>.

120. Ibid.

121. White House, “Remarks by President Biden on the Passage of H.R. 5376, the Inflation Reduction Act of 2022,” September 13, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/09/13/remarks-by-president-biden-on-the-passage-of-h-r-5376-the-inflation-reduction-act-of-2022/>.

122. “Biden Starts a Climate Trade War,” *Wall Street Journal*, December 5, 2022, <https://www.wsj.com/articles/biden-starts-a-climate-trade-war-electric-vehicles-ira-batteries-minerals-north-america-protectionsim-11670169459>.

123. Sean Higgins, “Biden Administration Seeks to Redefine Word ‘Prevailing,’” Competitive Enterprise Institute, March 16, 2022, <https://cei.org/blog/biden-administration-seeks-to-redefine-word-prevailing/>.

124. White House, “Remarks by President Biden on the Bipartisan Infrastructure Law,” January 31, 2023, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/01/31/remarks-by-president-biden-on-the-bipartisan-infrastructure-law-8/>.

125. Josh Wingrove and Jordan Fabian, “Biden Warns Amazon ‘Here We Come’ after New York Union Vote,” MSN, April 6, 2022, <https://www.msn.com/en-us/news/world/biden-warns-amazon-e2-80-98here-we-come-e2-80-99-after-new-york-union-vote/ar-AAVVLmP>.

126. White House, “Remarks by President Biden on the Bipartisan Infrastructure Law,” October 19, 2022, <https://www>

[whitehouse.gov/briefing-room/speeches-remarks/2022/10/19/remarks-by-president-biden-on-the-bipartisan-infrastructure-law-6/](https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/10/19/remarks-by-president-biden-on-the-bipartisan-infrastructure-law-6/).

127. Executive Order 14087 of October 14, 2022, “Lowering Prescription Drug Costs for Americans,” *Federal Register*, Vol. 87, No. 201 (October 19, 2022), pp. 63399–63400, <https://www.govinfo.gov/content/pkg/FR-2022-10-19/pdf/2022-22834.pdf>.

128. White House, “Readout of the Fourth Meeting of the White House Competition Council,” February 1, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/01/readout-of-the-fourth-meeting-of-the-white-house-competition-council/>; Clyde Wayne Crews Jr., “Right Sizing the Federal Trade Commission Is Step One,” Competitive Enterprise Institute, February 3, 2023, <https://cei.org/blog/right-sizing-the-federal-trade-commission-is-step-one/>; and Stacey Cowley, “The Federal Consumer Bureau Wants to Stamp Out What It Calls ‘Junk Fees,’” *New York Times*, January 26, 2023, <https://www.nytimes.com/2022/01/26/business/cfpb-junk-fees.html>.

129. Department of Transportation, “Enhancing Transparency of Airline Ancillary Service Fees,” *Federal Register*, Vol. 87, No. 202 (October 20, 2022), pp. 63718–63738, <https://www.govinfo.gov/content/pkg/FR-2022-10-20/pdf/2022-22214.pdf>.

130. White House, “Remarks by President Biden at the Inaugural Ceremony of the Ninth Summit of the Americas,” June 8, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/06/08/remarks-by-president-biden-at-the-inaugural-ceremony-of-the-ninth-summit-of-the-americas/>.

131. Ibid.

132. White House, “Remarks by Vice President Harris at the Inaugural Ceremony of the Ninth Summit of the Americas,” June 8, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/06/08/remarks-by-vice-president-harris-at-the-inaugural-ceremony-of-the-ninth-summit-of-the-americas/>; “Vice President Harris Delivers Remarks at CEO Summit, YouTube, [https://www.youtube.com/watch?v=YawTuKn\\_QBM](https://www.youtube.com/watch?v=YawTuKn_QBM).

133. “Biden Signs Up for Climate Reparations,” *Wall Street Journal*, November 2022, <https://www.wsj.com/articles/biden-signs-up-for-climate-change-reparations-europe-fund-un-john-kerry-poor-countries-bank-capitalism-11668974219>.

134. White House, “Fact Sheet: President Biden Signs Executive Order to Implement the European Union-U.S. Data Privacy Framework,” October 7, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/07/fact-sheet-president-biden-signs-executive-order-to-implement-the-european-union-u-s-data-privacy-framework/>.

135. Office of Management and Budget, Historical Tables, accessed September 21, 2022, <https://www.whitehouse.gov/omb/historical-tables/>.



136. H.R. 1074, Rep. Bliley Tom (R-Va.), sponsor, Regulatory Right-to-Know Act, 106th Congress, First Session, <https://www.congress.gov/bill/106th-congress/house-bill/1074/text>.
137. Office of Management and Budget, *Stimulating Smarter Regulation: 2002 Report to Congress on the Costs and Benefits of Regulations and Unfunded Mandates on State, Local and Tribal Entities*, 2002, [https://www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/assets/OMB/inforeg/2002\\_report\\_to\\_congress.pdf](https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/assets/OMB/inforeg/2002_report_to_congress.pdf).
138. Clyde Wayne Crews Jr., “What’s the Difference between ‘Major,’ ‘Significant,’ and All Those Other Federal Rule Categories?,” Issue Analysis 2017, No. 8, September 2017, Competitive Enterprise Institute, <https://cei.org/studies/whats-the-difference-between-major-significant-and-all-those-other-federal-rule-categories/>.
139. Clyde Wayne Crews Jr., “Will the Regulatory Right-to-Know Act Ever Be Enforced?,” *Forbes*, August 7, 2019, <https://www.forbes.com/sites/waynecrews/2019/08/07/will-the-regulatory-right-to-know-act-ever-be-enforced/#591467e59b92>. For cumulative regulatory analysis, see Mark Febrizio, “Considering Cumulative Regulatory Costs in Economic Analysis,” *Regulatory Review*, June 25, 2019, <https://www.theregreview.org/2019/06/25/febrizio-considering-cumulative-regulatory-costs-economic-analysis/>.
140. Most of these may be found archived at Office of Management and Budget, Reports, <https://www.whitehouse.gov/omb/information-regulatory-affairs/reports/#ORC>.
141. Office of Management and Budget, *2017 Report to Congress on the Benefits and Costs of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act*, December 9, 2019, [https://www.whitehouse.gov/wp-content/uploads/2019/12/2019-CATS-5885-REV\\_DOC-2017Cost\\_BenefitReport11\\_18\\_2019.docx.pdf](https://www.whitehouse.gov/wp-content/uploads/2019/12/2019-CATS-5885-REV_DOC-2017Cost_BenefitReport11_18_2019.docx.pdf).
142. Clyde Wayne Crews Jr., “Federal Register Tops 50,000 Pages, Yet Obama’s Report to Congress Is MIA,” *OpenMarket* (blog), Competitive Enterprise Institute, July 29, 2016, <https://cei.org/blog/federal-register-tops-50000-pages-yet-obamas-report-congress-mia>.
143. Office of Management and Budget, *2018, 2019, and 2020 Draft Report to Congress on the Benefits and Costs of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act*, 2019, [https://www.whitehouse.gov/wp-content/uploads/2019/12/2019-CATS-5899-REV\\_DOC-Draft2018\\_2019\\_2020Cost\\_BenefitReport11\\_20\\_2019.pdf](https://www.whitehouse.gov/wp-content/uploads/2019/12/2019-CATS-5899-REV_DOC-Draft2018_2019_2020Cost_BenefitReport11_20_2019.pdf); Clyde Wayne Crews Jr., “Trump White House Quietly Releases Overdue Regulatory Cost-Benefit Reports,” *Forbes*, January 6, 2020, <https://www.forbes.com/sites/waynecrews/2020/01/06/trump-white-house-quietly-releases-overdue-regulatory-cost-benefit-reports/#40419bbbb3f8>.
144. Office of Management and Budget, *2018, 2019, and 2020 Draft Report to Congress*.
145. Office of Management and Budget, *2018, 2019, and 2020 Report to Congress on the Benefits and Costs of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act*, January 2021, [https://www.whitehouse.gov/wp-content/uploads/2021/01/2018\\_2019\\_2020-OMB-Cost-Benefit-Report.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/01/2018_2019_2020-OMB-Cost-Benefit-Report.pdf).
146. Ibid.
147. Clyde Wayne Crews Jr., “An Inaccurate Update on OMB’s Inaccurately Reported Costs of Federal Regulation,” *OpenMarket* (blog), Competitive Enterprise Institute, November 17, 2021, <https://cei.org/blog/an-inaccurate-update-on-ombs-inaccurately-reported-costs-of-federal-regulation/>.
148. Ibid.
149. Ibid., p. 8.
150. Ibid., p. 3.
151. Ibid., p. 11.
152. This represents the draft version of the OMB report compared with final rules as they appeared in the *Federal Register*.
153. Office of Management and Budget, *2018, 2019, and 2020 Report to Congress*, 2021, pp. 3–4.
154. Ibid., p. 10.
155. For analysis of the draft version of the OMB 2021 report, see Clyde Wayne Crews Jr., “The Funnel of Gov: On the Depth of Regulatory Cost Review, 2001–Present,” <https://docs.google.com/spreadsheets/d/1kF8VOCHPLZ9m0YK5CqQH0cDgaJA8shM2YwLGOVbbkqM/pub?output=html>.
156. Office of Management and Budget, *2018, 2019, and 2020 Report to Congress*, 2021; see Crews, “The Funnel of Gov,” <http://bit.ly/YSMF0u>.
157. Department of Defense, “Assessing Contractor Implementation of Cybersecurity Requirements (DFARS Case 2019-D041),” RIN: 0750-AK81, <https://www.reginfo.gov/public/do/eAgendaAdvancedSearch>.
158. Ibid., n. 22, pp. 10–11.
159. Crews, “What’s the Difference.”
160. Clyde Wayne Crews Jr., “When Spending Is Regulation: The Grand Unification Theory of Government Growth,” *OpenMarket* (blog), Competitive Enterprise Institute, August 6, 2020, <https://cei.org/blog/when-spending-is-regulation-the-grand-unification-theory-of-government-growth/>; Clyde Wayne Crews Jr., “Costs of Economic Distortions Caused by ‘Ordinary’ Federal Spending, Subsidies, and Stimulus,” *OpenMarket* (blog), Competitive Enterprise Institute, October 7, 2019, <https://cei.org/blog/costs-economic-distortions-caused-ordinary%C2%A0federal-spending-subsidies-and-stimulus>.

161. Clyde Wayne Crews Jr., “Costs of Deadweight Effects of Federal Spending and of ‘Budget’ or ‘Transfer’ Rules,” *OpenMarket* (blog), Competitive Enterprise Institute, <https://cei.org/blog/costs-deadweight-effects-federal-spending-and-budget%C2%A0or-transfer-rules>.

162. Crews, “A Look at “Modernizing Regulatory Review.””

163. Gregory Korte, “How Much Do Executive Orders Cost? No One Knows,” *USA Today*, March 21, 2015, <https://www.usatoday.com/story/news/politics/2015/03/21/cost-of-obama-executive-orders/25024489/>.

164. White House Council of Economic Advisers, *The Economic Effects of Federal Deregulation since January 2017: An Interim Report*, June 2019, <https://www.banking.senate.gov/imo/media/doc/The-Economic-Effects-of-Federal-Deregulation-Interim-Report.pdf>; and Josh Mitchell, “White House Predicts Deregulation Will Boost Household Incomes,” *Wall Street Journal*, June 28, 2019, <https://www.wsj.com/articles/white-house-predicts-deregulation-will-boost-household-incomes-11561739335>. An earlier 2017 White House Council of Economic Advisers report surveyed material increases in growth potential from moving from regulated to less regulated conditions. White House Council of Economic Advisers, “The Growth Potential of Deregulation,” October 2, 2017, [https://trumpwhitehouse.archives.gov/sites/whitehouse.gov/files/documents/The%20Growth%20Potential%20of%20Deregulation\\_1.pdf](https://trumpwhitehouse.archives.gov/sites/whitehouse.gov/files/documents/The%20Growth%20Potential%20of%20Deregulation_1.pdf).

165. White House, “Fact Sheet—President Donald J. Trump’s Historic Deregulatory Actions Are Creating Greater Opportunity and Prosperity for All Americans,” July 16, 2020, <https://www.presidency.ucsb.edu/documents/fact-sheet-president-donald-j-trumps-historic-deregulatory-actions-are-creating-greater>.

166. Ibid.

167. “A Regulatory Reform Agenda That Benefits All Americans,” White House Council of Economic Advisers news release, October 22, 2020, <https://trumpwhitehouse.archives.gov/articles/regulatory-reform-agenda-benefits-americans/>; and White House, “This Is How Much Overregulation Would Cost Your Family Each Year,” July 16, 2020, <https://trumpwhitehouse.archives.gov/articles/this-is-how-much-overregulation-costs-your-family-each-year/>.

168. Clyde Wayne Crews Jr., “Vast Regulatory Costs of Top-Down National Plans, Agendas, and Legislative Schemes,” *OpenMarket* (blog), Competitive Enterprise Institute, October 2, 2019, <https://cei.org/blog/vast-regulatory-costs-top-down-national-plans-agendas-and-legislative-schemes>.

169. W. Mark Crain and Nicole V. Crain, “The Cost of Federal Regulation to the U.S. Economy, Manufacturing and Small Business,” National Association of Manufacturers, September 10, 2014, <https://www.nam.org/wp-content/uploads/2019/05/Federal-Regulation-Full-Study.pdf>.

170. Richard W. Parker, “Hyping the Cost of Regulation,” *Regulatory Review*, June 25, 2018, <https://www.theregreview.org/2018/06/25/parker-hyping-the-cost-of-regulation/>; and Richard W. Parker, “The Faux Scholarship Foundation of the Regulatory Rollback Movement,” *Ecology Law Quarterly* 45, No. 4 (2018): 845–920, <https://www.ecologylawquarterly.org/wp-content/uploads/2020/03/The-Faux-Scholarship-Foundation-of-the-Regulatory-Rollback-Movement.pdf>.

171. Crain and Crain, “The Cost of Federal Regulation to the U.S. Economy.”

172. Ibid.

173. John W. Dawson and John J. Seater, “Federal Regulation and Aggregate Economic Growth,” *Journal of Economic Growth* Vol. 18, No. 2 (2013): 137–177, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2223315##](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2223315##).

174. Clyde Wayne Crews Jr., “Administrative Procedure Act Limitations: Cost Measurement and Disclosure,” *OpenMarket* (blog), Competitive Enterprise Institute, January 20, 2019, <https://cei.org/blog/administrative-procedure-act-limitations-cost-measurement-and-disclosure>.

175. Clyde Wayne Crews Jr., “Administrative Procedure Act Limitations: Process and Oversight Shortcomings,” *OpenMarket* (blog), Competitive Enterprise Institute, February 5, 2019, <https://cei.org/blog/administrative-procedure-act-limitations-process-and-oversight-shortcomings>.

176. Clyde Wayne Crews Jr., “Unmeasured Meta-Costs of the Administrative State,” *OpenMarket* (blog), Competitive Enterprise Institute, February 13, 2019, <https://cei.org/blog/unmeasured-meta-costs-administrative-state>; and Clyde Wayne Crews Jr., “Regulatory Costs and the Loss of Liberty,” *OpenMarket* (blog), Competitive Enterprise Institute, February 19, 2019, <https://cei.org/blog/regulatory-costs-and-loss-liberty>.

177. Clyde Wayne Crews Jr., “Costs of Regulatory Takings and Property Value Destruction,” *OpenMarket* (blog), Competitive Enterprise Institute, February 26, 2019, <https://cei.org/blog/costs-regulatory-takings-and-property-value-destruction>.

178. Clyde Wayne Crews Jr., “Costs of Unequal Treatment of Citizens by Abandoning Negative Rights for a Positive Rights Framework,” *OpenMarket* (blog), Competitive Enterprise Institute, March 1, 2019, <https://cei.org/blog/costs-unequal-treatment-citizens-abandoning-negative-rights-positive-rights-framework>.

179. Clyde Wayne Crews Jr., “Regulatory Costs of Delegating Lawmaking Power to Executive and Unelected Administrators,” *OpenMarket* (blog), Competitive Enterprise Institute, March 13, 2019, <https://cei.org/blog/regulatory-costs-delegating-lawmaking-power-executive-and-unelected-administrators>.

180. Clyde Wayne Crews Jr., “The Unmeasured Costs of Federal Agency Liberation from Congress, Self-Funding, and Permanence,” *OpenMarket* (blog), Competitive Enterprise Institute, October 30, 2019, <https://cei.org/blog/unmeasured-costs-federal-agency-liberation-congress-self-funding-and-permanence>.
181. Clyde Wayne Crews Jr., “Unknown Societal Costs of Imposing Regulation Based on Secret (or Creatively Leveraged) Data,” *OpenMarket* (blog), Competitive Enterprise Institute, September 11, 2019, <https://cei.org/blog/unknown-societal-costs-imposing-regulation-based-secret-or-creatively-leveraged-data>.
182. Clyde Wayne Crews Jr., “The Regulatory Costs of Abandoned Federalism,” *OpenMarket* (blog), Competitive Enterprise Institute, March 6, 2019, <https://cei.org/blog/regulatory-costs-abandoned-federalism>.
183. Clyde Wayne Crews Jr., “Regulation and Neglected Costs of Authoritarianism and Over-Criminalization,” *OpenMarket* (blog), Competitive Enterprise Institute, March 19, 2019, <https://cei.org/blog/regulation-and-neglected-costs-authoritarianism-and-over-criminalization>.
184. Clyde Wayne Crews Jr., “Costs of Loss of Anonymity in Administrative Surveillance State,” *OpenMarket* (blog), Competitive Enterprise Institute, May 22, 2019, <https://cei.org/blog/costs-loss-anonymity-administrative-surveillance-state>.
185. Clyde Wayne Crews Jr., “Vast Regulatory Costs of Top-Down National Plans, Agendas, and Legislative Schemes,” *OpenMarket* (blog), Competitive Enterprise Institute, October 2, 2019, <https://cei.org/blog/vast-regulatory-costs-top-down-national-plans-agendas-and-legislative-schemes>.
186. Crews, “Costs of Economic Distortions.”
187. Crews, “Costs of Deadweight Effects.”
188. Clyde Wayne Crews Jr., “If Federal Regulators Aren’t Experts, the Entire Administrative State Is Suspect,” *Forbes*, July 10, 2019, <https://www.forbes.com/sites/waynecrews/2019/07/10/if-federal-regulators-arent-experts-the-entire-administrative-state-is-suspect/#578ad7982ddd>.
189. Clyde Wayne Crews Jr., “Costs of Antitrust Regulation and Institutionalization of Raising Competitors’ Costs,” *OpenMarket* (blog), Competitive Enterprise Institute, May 20, 2019, <https://cei.org/blog/costs-antitrust-regulation-and-institutionalization-raising-competitors-costs>.
190. Clyde Wayne Crews Jr., “Regulatory Costs of Blurring Corporate and Government Roles,” *OpenMarket* (blog), Competitive Enterprise Institute, May 21, 2019, <https://cei.org/blog/regulatory-costs-blurring-corporate-and-government-roles>.
191. Clyde Wayne Crews Jr., “Costs of Government Steering by Direct Ownership or Control of Resources,” *OpenMarket* (blog), Competitive Enterprise Institute, October 3, 2019, <https://cei.org/blog/costs-government-steering-direct-ownership-or-control-resources>.
192. Clyde Wayne Crews Jr., “Regulatory Costs of Anti-Property Approaches to Environmental Concerns,” *OpenMarket* (blog), Competitive Enterprise Institute, May 23, 2019, <https://cei.org/blog/regulatory-costs-anti-property-approaches-environmental-concerns>.
193. Clyde Wayne Crews Jr., “Cataloging Regulatory Costs of Cronyism and Rent-Seeking in a Self-Interested Administrative State,” *OpenMarket* (blog), Competitive Enterprise Institute, August 19, 2019, <https://cei.org/blog/cataloging-regulatory-costs-cronyism-and-rent-seeking-self-interested-administrative-state>.
194. Clyde Wayne Crews Jr., “What Is the Cost of the Permanent Federal Regulatory Bureaucracy?,” *Forbes*, August 28, 2019, <https://www.forbes.com/sites/waynecrews/2019/08/28/what-is-the-cost-of-the-permanent-federal-regulatory-bureaucracy/#6ad248105269>.
195. Bentley Coffey, Patrick A. McLaughlin, and Pietro Peretto, “The Cumulative Cost of Regulations,” working paper, Mercatus Center at George Mason University, April 2016, <http://mercatus.org/sites/default/files/Coffey-Cumulative-Cost-Regs-v3.pdf>.
196. Patrick McLaughlin, Nita Ghei, and Michael Wilt, “Regulatory Accumulation and Its Costs,” policy brief, Mercatus Center at George Mason University, November 14, 2018, <https://www.mercatus.org/publications/regulation/regulatory-accumulation-and-its-costs>.
197. John Dearie and Courtney Geduldig, “Regulations Are Killing Us,” in *Where the Jobs Are: Entrepreneurship and the Soul of the American Economy*, edited by John Dearie and Courtney Geduldig (Hoboken, NJ: John Wiley, 2013), pp. 107–118.
198. Clyde Wayne Crews Jr., “A Brief Outline of Undisclosed Costs of Regulation,” *OpenMarket* (blog), Competitive Enterprise Institute, January 30, 2019, <https://cei.org/blog/brief-outline-undisclosed-costs-regulation>.
199. F. A. Hayek, “The Use of Knowledge in Society,” *American Economic Review*, Vol. 35, No. 4 (September 1945), pp. 519–530, <https://object.cato.org/sites/cato.org/files/articles/hayek-use-knowledge-society.pdf>; Ludwig von Mises, *Economic Calculation in the Socialist Commonwealth* (Auburn, AL: Ludwig von Mises Institute, 1920, reprinted 1990).
200. Clyde Wayne Crews Jr., testimony before the United States House of Representatives Committee on the Budget on “An Introduction to Regulatory Budgeting,” July 7, 2016, <https://democrats-budget.house.gov/sites/democrats.budget.house.gov/files/documents/Crews%20Testimony.pdf>.
201. Glenn Kessler, “The Claim That American Households Have a \$15,000 Regulatory ‘Burden,’” *Washington Post*,



January 14, 2015, <http://www.washingtonpost.com/blogs/fact-checker/wp/2015/01/14/the-claim-that-american-households-have-a-15000-regulatory-burden/>.

202. Clyde Wayne Crews Jr., “Tip of the Costberg: On the Invalidity of All Cost of Regulation Estimates and the Need to Compile Them Anyway,” working paper, January 8, 2017, <https://ssrn.com/abstract=2502883>.

203. Clyde Wayne Crews Jr., OMB-Tallied Social Regulation Subset Costs Up to \$491b Year, “Tip of the Costberg,” 2021, <http://bit.ly/1wpQTrm>.

204. Clyde Wayne Crews Jr., Annual Costs of Untabulated Major Rules Reviewed at OMB, “Tip of the Costberg,” <http://bit.ly/1sp0UkH>. Regarding this subset, OMB notes that the documentation of costs “in some cases was only partial.” OMB, *2018, 2019, and 2020 Report to Congress*, 2021.

205. Several recent components of regulatory costs that had increased at the time of this estimate preparation but were not incorporated, such as increases in costs of trade restrictions and a nominal (given the size of the federal government) increase in independent agency paperwork costs.

206. American Action Forum, RegRodeo, <https://regrodeo.com/>.

207. See, for example, Patrick Hauf, “Biden Regulations Cost the Economy \$309B in First Two Years, Up from Obama’s \$204B,” Fox News, November 4, 2022, <https://www.foxnews.com/politics/biden-regulations-cost-economy-309b-first-two-years-obamas-204b>.

208. Legacy sources include the annual OMB *Report to Congress* on costs and benefits over the years, data such as paperwork burdens described in OMB’s annual Information Collection Budget, the few independent agency cost estimates available, and other publicly available material and third-party assessments.

209. Office of Information and Regulatory Affairs, “Inventory of Currently Approved Information Collections,” accessed January 22, 2023, <https://www.reginfo.gov/public/do/PRARepor?operation=11>.

210. Congressional Budget Office, “An Update to the Budget Outlook: 2020 to 2030,” September 2, 2020, <https://www.cbo.gov/publication/56517>.

211. Douglas W. Allen, “Covid-19 Lockdown Cost/Benefits: A Critical Assessment of the Literature,” *International Journal of the Economics of Business*, Vol. 21, No. 1 (September 29, 2021), <https://www.tandfonline.com/doi/full/10.1080/13571516.2021.1976051>.

212. Clyde Wayne Crews Jr., “Framing an ‘Abuse-of-Crisis Prevention Act’ to Confine the Federal Government,” Competitive Enterprise Institute, September 15, 2022, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4220176](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4220176).

213. Pamela Hazelton, “The Costs of Interruptions,” Medium, February 1, 2021, <https://medium.com/small-business-strong/the-cost-of-interruptions-ce8a9cf2b6ff>.

214. U.S. Department of Commerce, Bureau of Economic Analysis, “Gross Domestic Product, Fourth Quarter and Year 2021 (Advance Estimate),” news release, December 22, 2021, <https://www.bea.gov/news/2022/gross-domestic-product-fourth-quarter-and-year-2021-advance-estimate>.

215. Deficit and outlays and projected outlays are from Congressional Budget Office, *The Budget and Economic Outlook* (various years); Table 1-1, “CBO’s Baseline Budget Projections, by Category,” various years, [cbo.gov](https://www.cbo.gov); and White House Office of Management and Budget, Historical Tables, Table 1.1—Summary of Receipts, Outlays, and Surpluses or Deficits: 1789–present, <https://www.whitehouse.gov/omb/historical-tables/>.

216. White House, “Remarks by President Biden on Historic Deficit Reduction,” October 21, 2022, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2022/10/21/remarks-by-president-biden-on-historic-deficit-reduction/>.

217. OMB, Historical Tables, Table 2.1, “Receipts by Source: 1934–2027,” <https://www.whitehouse.gov/omb/historical-tables/>.

218. Ibid.

219. Corporate pretax profits from U.S. Department of Commerce, Bureau of Economic Analysis, National Income and Product Accounts Tables, National Data, Section 6—Income and Employment by Industry, Table 6.17D, “Corporate Profits before Tax by Industry,” <https://apps.bea.gov/iTable/iTable.cfm?reqid=19&step=3&isuri=1&1921=survey&1903=239#reqid=19&step=3&isuri=1&1921=survey&1903=239>.

220. U.S. Department of Commerce, Bureau of Economic Analysis, “Gross Domestic Product, Fourth Quarter and Year 2022 (Advance Estimate),” January 26, 2023, <https://www.bea.gov/news/2023/gross-domestic-product-fourth-quarter-and-year-2022-advance-estimate>.

221. World Bank, “GDP (Current US\$),” <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>.

222. Terry Miller, Anthony B. Kim, and James M. Roberts, *2022 Index of Economic Freedom* (Washington, DC: Heritage Foundation, 2022), <http://www.heritage.org/index/>; James D. Gwartney, Robert A. Lawson, Joshua C. Hall, and Ryan Murphy, eds., *Economic Freedom of the World: 2022 Annual Report* (Washington, DC: Fraser Institute/Cato Institute, 2022), <https://www.cato.org/economic-freedom-world/>.

223. Justin Fox, “Who Pays Corporate Taxes? Possibly You,” *Harvard Business Review*, August 26, 2014, <https://hbr.org/2014/08/who-pays-corporate-taxes-possibly-you>.

224. U.S. Department of Labor, Bureau of Labor Statistics, “Consumer Expenditures—2021,” economic news release,

September 8, 2022, <http://www.bls.gov/news.release/cesan.nr0.htm>.

225. Ibid. For the Bureau of Labor Statistics (BLS), “Consumer units include families, single persons living alone or sharing a household with others but who are financially independent, or two or more persons living together who share expenses.” U.S. Department of Labor, Bureau of Labor Statistics, Consumer Expenditure Surveys and Consumer Expenditure Tables, <https://www.bls.gov/cex/tables.htm>. The BLS also provides related information in surveys such as “Average Annual Expenditures and Characteristics of All Consumer Units, Consumer Expenditure Survey, 2013–2018,” <https://www.bls.gov/cex/2018/standard/multiyr.pdf>.

226. Mark Febrizio and Melinda Warren, “Regulators’ Budget: Overall Spending and Staffing Remain Stable: An Analysis of the U.S. Budget for Fiscal Years 1960 through 2021,” *Regulators’ Budget* No. 42 (July 2020), published jointly by the Regulatory Studies Center, George Washington University, Washington, DC, and the Weidenbaum Center on the Economy, Government, and Public Policy, Washington University in St. Louis, July 28, 2020, Table A-5, “Total Spending on Federal Regulatory Activity: Constant Dollars,” (1960–2021), p. 26, <https://regulatorystudies.columbian.gwu.edu/regulators-budget-overall-spending-and-staffing-remain-stable>. The 2012 constant dollars are adjusted here by the change in the consumer price index between 2012 and 2021, derived from consumer price index tables, U.S. Department of Labor, Bureau of Labor Statistics (Historical Consumer Price Index for All Urban Consumers [CPI-U], U.S. city average, all items), “Annual avg.” column, <https://www.bls.gov/cpi/tables/supplemental-files/historical-cpi-u-202111.pdf>.

227. Febrizio and Warren, “Regulators’ Budget,” Table A-1, “Agency Detail of Spending on Federal Regulatory Activity: Current Dollars, Selected Fiscal Years,” pp. 16–18.

228. Ibid.

229. Ibid., Table A-6, “Total Staffing of Federal Regulatory Activity,” p. 27. For an overview of shrinkage in federal employment staffing overall during the first year of the Trump administration, see Lisa Rein and Andrew Ba Tran, “How the Trump Era Is Changing the Federal Bureaucracy,” *Washington Post*, December 30, 2017, [https://www.washingtonpost.com/politics/how-the-trump-era-is-changing-the-federal-bureaucracy/2017/12/30/8d5149c6-daa7-11e7-b859-fb0995360725\\_story.html?utm\\_term=.b445363155c4](https://www.washingtonpost.com/politics/how-the-trump-era-is-changing-the-federal-bureaucracy/2017/12/30/8d5149c6-daa7-11e7-b859-fb0995360725_story.html?utm_term=.b445363155c4).

230. “Number of US Government Employees per Capita over Time,” Imgur, <https://imgur.com/gallery/sCN1b>.

231. “Understanding the *Federal Register*,” *Federal Register*, accessed February 12, 2020, <https://www.federalregister.gov/reader-aids/understanding-the-federal-register>. Daily issues can be found at [www.federalregister.gov](http://www.federalregister.gov). A compendium is also

maintained by the Government Publishing Office at <https://www.govinfo.gov/app/collection/fr>.

232. Clyde Wayne Crews Jr., “Joe Biden’s Happy New Year in Federal Regulation,” *Forbes*, December 30, 2022, <https://www.forbes.com/sites/waynecrews/2022/12/30/joe-bidens-happy-new-year-in-federal-regulation/>.

233. *Federal Register*, Vol. 82, No. 12 (January 19, 2017), <https://www.gpo.gov/fdsys/pkg/FR-2017-01-19/pdf/FR-2017-01-19.pdf>.

234. Clyde Wayne Crews Jr., “Channeling Reagan by Executive Order: How the Next President Can Begin Rolling Back the Obama Regulation Rampage,” *OnPoint* No. 218, Competitive Enterprise Institute, July 14, 2016, <https://cei.org/studies/channeling-reagan-by-executive-order/>.

235. Environmental Protection Agency, Department of Transportation, National Highway Traffic Safety Administration, “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026,” *Federal Register*, Vol. 85, No. 84 (April 30, 2020), pp. 24174–24577, <https://www.govinfo.gov/content/pkg/FR-2020-04-30/pdf/2020-06967.pdf>.

236. Presidential Memorandum of January 20, 2021, “Modernizing Regulatory Review”; Crews, “A Look at ‘Modernizing Regulatory Review’”; Clyde Wayne Crews Jr., “Biden Repudiates Trump Era with Revocation of Certain Executive Orders Concerning Federal Regulation,” *Forbes*, January 26, 2021, <https://www.forbes.com/sites/waynecrews/2021/01/26/biden-repudiates-trump-era-with-revocation-of-certain-executive-orders-concerning-federal-regulation/?sh=3d07c88612b4>.

237. Executive Order 14008 of January 27, 2021, “Tackling the Climate Crisis at Home and Abroad,” *Federal Register*, Vol. 86, No. 19 (February 1, 2021), pp. 7619–7633, <https://www.govinfo.gov/content/pkg/FR-2021-02-01/pdf/2021-02177.pdf>.

238. For example, the online *Federal Register* database still depicts 3,257 final rules for 2021 as of this writing (January 20, 2023). See Clyde Wayne Crews Jr., “Rules and Regulations Increase 45 Percent during Biden Administration,” *OpenMarket* (blog), Competitive Enterprise Institute, October 31, 2022, <https://cei.org/blog/rules-and-regulations-increase-45-percent-during-biden-administration/>.

239. National Archives document search, <https://www.federalregister.gov/documents/search#advanced>.

240. For example, see Mark Febrizio, “Federal Agencies Are Publishing Fewer but Larger Regulations,” George Washington University Regulatory Studies Center, December 20, 2021, <https://regulatorystudies.columbian.gwu.edu/federal-agencies-are-publishing-fewer-larger-regulations>.

241. The nomenclature is overly complicated. Crews, “What’s the Difference.”

242. Along with Figure 12, these figures are maintained weekly, compiled from National Archives data and presented at “Federal Regulation—The Updates,” <http://www.tenthousandcommandments.com/p/federal-regulation-updates.html>. Significant rule counts in the National Archives online database have not remained consistent.

243. Many routine rules each year are part of the ever-present Federal Aviation Administration airworthiness directives and Coast Guard rules.

244. Clyde Wayne Crews Jr., “Pondering the Paradox of the Paltry Proliferation of Prominent Proposed Rules in the *Federal Register*,” Competitive Enterprise Institute, *OpenMarket* (blog), September 7, 2022, <https://cei.org/blog/pondering-the-paradox-of-the-paltry-proliferation-of-prominent-proposed-rules-in-the-federal-register/>.

245. Again, the current year’s proposed and final rule totals and all years’ significant rule figures derive from the FederalRegister.gov online database. Total figures may change upon being archived on the National Archives “*Federal Register Statistics*” compilation available on the Reader Aids web page. Earlier years’ totals derive from the archival compilation. At this point, the significant rule subset is not archived in this manner.

246. An interesting project might be to trace the life cycle of these Trump-era significant proposed rules to assess what percentage were deregulatory in character and their fate in general, including those Biden removed from consideration.

247. Daren Bakst, ed., “37 Biden Administration Regulations in the Pipeline that Americans Should Know About,” Special Report No. 250, Heritage Foundation, December 8, 2021, <https://www.heritage.org/sites/default/files/2021-12/SR250.pdf>.

248. Maeve P. Carey and Christopher M. Davis, “The Congressional Review Act (CRA): Frequently Asked Questions,” Congressional Research Service, Report R43992, updated November 12, 2021, <https://sgp.fas.org/crs/misc/R43992.pdf>; see also Dan Bosch, “CRA Tracker: Congressional Review Act in the 117th Congress,” Insight, American Action Forum, January 3, 2023, <https://www.americanactionforum.org/insight/cra-tracker-congressional-review-act-in-the-117th-congress/#ixzz7qxYcsopc>.

249. “Presidential Directives are a specific form of Executive Order that state the Executive Branch’s national security policy, and carry the force and effect of law, stating requirements for the Executive Branch. Over time, Presidents have used different names for Presidential Directives.” Department of Health and Human Services, “Presidential Directives,” <https://www.phe.gov/s3/law/Pages/Directives.aspx>

250. For example, see Agency Guidance through Policy Statements, Administrative Conference Recommendation 2017-5, Administrative Conference of the United States, December 14, 2017, <https://www.acus.gov/sites/default/files>

[/documents/Recommendation%202017-5%20%28Agency%20Guidance%20Through%20Policy%20Statements%29\\_2.pdf](https://www.acus.gov/sites/default/files/documents/Recommendation%202017-5%20%28Agency%20Guidance%20Through%20Policy%20Statements%29_2.pdf).

251. Kenneth Mayer, *With the Stroke of a Pen: Executive Orders and Presidential Power* (Princeton, NJ: Princeton University Press, 2001), p. 67.

252. Clyde Wayne Crews Jr., “America’s ‘Unconstitutional Slop’ Predates Trump’s Executive Actions on Pandemic Economic Relief,” *OpenMarket* (blog), Competitive Enterprise Institute, August 11, 2020, <https://cei.org/blog/americas-unconstitutional-slop-predates-trumps-executive-actions-on-pandemic-economic-relief/>.

253. Executive orders may be tracked on the FederalRegister.gov search engine, which Figure 16 employs, as well as on a National Archives landing page for “Executive Order Disposition Tables,” <https://www.federalregister.gov/presidential-documents/executive-orders>. Earlier administrations’ figures are available at “Executive Orders Disposition Tables Historical Index,” <https://www.archives.gov/federal-register/executive-orders/disposition>.

254. These totals come from National Archives landing page for “Executive Order Disposition Tables,” <https://www.federalregister.gov/presidential-documents/executive-orders>; they sometimes differ from the National Archives database tallies, which fluctuate. The Executive Orders Disposition Tables Historical Index at <https://www.archives.gov/federal-register/executive-orders/disposition>, which captures earlier presidents, differs on the Clinton number.

255. Executive Order 14087 of October 14, 2022, “Lowering Prescription Drug Costs for Americans,” *Federal Register*, Vol. 87, No. 201 (October 19, 2022), pp. 63399–63400, <https://www.govinfo.gov/content/pkg/FR-2022-10-19/pdf/2022-22834.pdf>.

256. White House, “Fact Sheet: President Biden Signs Executive Order to Implement the European Union-U.S. Data Privacy Framework,” October 7, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/07/fact-sheet-president-biden-signs-executive-order-to-implement-the-european-union-u-s-data-privacy-framework/>.

257. Kelsey Ables, “Biden Reinstates Arts Committee That Disbanded under Trump,” *Washington Post*, October 1, 2022, <https://www.washingtonpost.com/arts-entertainment/2022/10/01/biden-reinstates-presidents-committee-on-the-arts-and-humanities/>.

258. For a critique of the order as a vehicle promoting “transhumanism,” see “Biden ‘Transhumanist’ Executive Order: ‘We Need to Program Biology’ Like We ‘Program Computers,’” LifeSiteNews, September 29, 2022, <https://www.lifesitenews.com/news/biden-transhumanist-executive-order-we-need-to-program-biology-like-we-program-computers/>.

259. Executive Order 14069 of March 15, 2022, “Advancing Economy, Efficiency, and Effectiveness in Federal Contracting by Promoting Pay Equity and Transparency,” *Federal Register*, Vol.



87, No. 53 (March 18, 2022), pp. 15315–15316, <https://www.govinfo.gov/content/pkg/FR-2022-03-18/pdf/2022-05949.pdf>.

260. Gregory Korte, “Presidential Memoranda vs. Executive Orders. What’s the Difference?,” *USA Today*, January 24, 2017, <https://www.usatoday.com/story/news/politics/onpolitics/2017/01/24/executive-order-vs-presidential-memorandum-whats-difference/96979014/>.

261. Glenn Kessler, “Claims Regarding Obama’s Use of Executive Orders and Presidential Memoranda,” *Washington Post*, December 31, 2014, <http://www.washingtonpost.com/blogs/fact-checker/wp/2014/12/31/claims-regarding-obamas-use-of-executive-orders-and-presidential-memoranda/>.

262. Continuation of the National Emergency Concerning the Coronavirus Disease 2019 (COVID-19) Pandemic, *Federal Register*, Vol. 87, No. 36 (February 23, 2022), p. 10289, <https://www.govinfo.gov/content/pkg/FR-2022-02-23/pdf/2022-03972.pdf>.

263. Zeke Miller, “CDC Extends Travel Mask Requirement to May 3 as COVID Rises,” AP, April 13, 2022, <https://apnews.com/article/covid-health-centers-for-disease-control-and-prevention-e603a9dfc361ad095733bc868ebeb74>.

264. Ian Miller, “CDC Quietly Ends Recommendation for Universal Masking in Healthcare Facilities,” OutKick, September 28, 2022, <https://www.outkick.com/cdc-quietly-ends-recommendation-for-universal-masking-in-healthcare-facilities/>.

265. White House, “Fact Sheet: The Biden Administration’s 21 Executive Actions to Reduce Gun Violence,” July 11, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/11/fact-sheet-the-biden-administrations-21-executive-actions-to-reduce-gun-violence/>; see “President Biden Announces New Action by His Administration to Fight Gun Crime,” YouTube, [https://www.youtube.com/watch?app=desktop&v=uX8\\_hA6oCK4&feature=youtu.be](https://www.youtube.com/watch?app=desktop&v=uX8_hA6oCK4&feature=youtu.be).

266. Charles C. W. Cooke, “On 60 Minutes, President Biden Admits His Student-Loan Order Is Illegal,” *National Review*, September 18, 2022, <https://www.nationalreview.com/corner/on-60-minutes-president-biden-admits-his-student-loan-order-is-illegal/>; see Adam Shaw, “Biden Lacks Authority for Student Debt Handout, Pelosi Warned Last Year,” Fox News, August 24, 2022, <https://www.foxnews.com/politics/biden-lacks-authority-student-debt-handout-pelosi-warned-last-year>.

267. U.S. Department of Education, “U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade,” press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>; Hans Bader, “Biden Student Loan Write-Off Plan Will Cost Over a Trillion Dollars, Not \$300 Billion,” Liberty Unyielding, August 24, 2022, <https://libertyunyielding.com>

/2022/08/24/biden-loan-write-off-plan-will-cost-over-a-trillion-dollars-not-300-billion/.

268. One needs to set aside questions over legitimacy of Congress having set up such loan programs in the first place.

269. Aaron Rasmussen, “Gen Zers Don’t See the Point in Getting a Degree. Here’s How to Fix the ROI of College,” *Fortune*, October 31, 2022, <https://fortune.com/2022/10/31/gen-z-worth-getting-degree-fix-roi-college-careers-education-aaron-rasmussen/>.

270. Cory Turner, “In a Reversal, the Education Dept. Is Excluding Many from Student Loan Relief,” National Public Radio, September 30, 2022, [https://www.npr.org/2022/09/29/1125923528/biden-student-loans-debt-cancellation-ffcl-perkins?utm\\_campaign=npr&utm\\_medium=social&utm\\_term=nprnews&utm\\_source=twitter.com](https://www.npr.org/2022/09/29/1125923528/biden-student-loans-debt-cancellation-ffcl-perkins?utm_campaign=npr&utm_medium=social&utm_term=nprnews&utm_source=twitter.com).

271. Bureau of Consumer Financial Protection, “Bulletin 2022-03: Servicer Responsibilities in Public Service Loan Forgiveness Communications,” *Federal Register*, Vol. 87, No. 40 (March 1, 2022), pp. 11286–11289, <https://www.govinfo.gov/content/pkg/FR-2022-03-01/pdf/2022-04266.pdf>.

272. Last year the FederalRegister.gov tally had been 152.

273. Clinton’s memoranda are not shown in Figure 16, but like those depicted are derived from the “Advanced Document Search” feature on <https://www.FederalRegister.gov>, where slight fluctuations occasionally appear.

274. Presidential Memorandum of December 21, 2022, “Delegation of Authority under Section 506(a)(1) of the Foreign Assistance Act of 1961,” *Federal Register*, Vol. 87, No. 248 (December 28, 2022), p. 79787, <https://www.federalregister.gov/documents/2022/12/28/2022-28355/delegation-of-authority-under-section-506a1-of-the-foreign-assistance-act-of-1961>.

275. Dianne E. Rennack and Susan G. Chesser, “Foreign Assistance Act of 1961: Authorizations and Corresponding Appropriations,” Congressional Research Service, July 29, 2011, <https://sgp.fas.org/crs/row/R40089.pdf>.

276. Courtney Subramanian, “News Analysis: Pressure Builds on Biden to Turn to Executive Action Despite Its Limits and Risks,” *Los Angeles Times*, July 1, 2022, <https://news.yahoo.com/pressure-builds-biden-turn-executive-110034433.html?guccounter=1>.

277. Clyde Wayne Crews Jr., “Mapping Washington’s Lawlessness: A Preliminary Inventory of Regulatory Dark Matter,” Competitive Enterprise Institute, Issue Analysis 2017, No. 4, March 1, 2017, <https://ssrn.com/abstract=2733378>.

278. These are Executive Orders 13563 (“Improving Regulation and Regulatory Review,” January 18, 2011), 13579 (“Regulation and Independent Regulatory Agencies,” July 11, 2011), 13609 (“Promoting International Regulatory Cooperation,” May 1, 2012), and 13610 (“Identifying and Reducing Regulatory Burdens,” May 10, 2012).

279. Executive Order 13563 of January 18, 2011, “Improving Regulation and Regulatory Review,” *Federal Register*, Vol. 76, No. 14 (January 21, 2011), pp. 3821–3823, <http://www.gpo.gov/fdsys/pkg/FR-2011-01-21/pdf/2011-1385.pdf>.
280. Executive Order 12866 of September 30, 1993, “Regulatory Planning and Review,” *Federal Register*, Vol. 58, No. 190 (October 4, 1993), <http://www.archives.gov/federal-register/executive-orders/pdf/12866.pdf>.
281. Executive Order 12291 of February 17, 1981, “Federal Regulation,” *Federal Register*, Vol. 46, No. 33 (February 17, 1981), <http://www.archives.gov/federal-register/codification/executive-order/12291.html>.
282. Executive Order 12866 of September 30, 1993, “Regulatory Planning and Review.”
283. Clyde Wayne Crews Jr., “Optimism on Administrative State Reform—With a Big Caution,” *Forbes*, July 11, 2022, <https://www.forbes.com/sites/waynecrews/2022/07/11/optimism-on-administrative-state-reform-with-a-big-caution/>.
284. “Executive Orders Disposition Tables Historical Index,” Office of the *Federal Register*, National Archives, last reviewed April 14, 2021, <http://www.archives.gov/federal-register/executive-orders/disposition.html>; Executive Orders, The American Presidency Project, University of California, Santa Barbara, <http://www.presidency.ucsb.edu/data/orders.php>.
285. For reference, see also Executive Orders, *Federal Register*, National Archives, <https://www.federalregister.gov/presidential-documents/executive-orders>.
286. White House, “Fact Sheet: Biden-Harris Administration Releases Equity Action Plans to Advance Equity and Racial Justice across the Federal Government,” April 14, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/14/fact-sheet-biden-harris-administration-releases-agency-equity-action-plans-to-advance-equity-and-racial-justice-across-the-federal-government/>.
287. White House, “Fact Sheet: The Biden-Harris Action Plan for a Fairer, More Competitive, and More Resilient Meat and Poultry Supply Chain,” January 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/01/03/fact-sheet-the-biden-harris-action-plan-for-a-fairer-more-competitive-and-more-resilient-meat-and-poultry-supply-chain/>.
288. White House, “Fact Sheet: Biden-Harris Administration Proposes New Standards for National Electric Vehicle Charging Network,” June 9, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/09/fact-sheet-biden-harris-administration-proposes-new-standards-for-national-electric-vehicle-charging-network/>.
289. White House, “Fact Sheet: Progress on Biden-Harris Action Plan for Building Better School Infrastructure,” October 26, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/10/26/fact-sheet-progress-on-biden-harris-action-plan-for-building-better-school-infrastructure/>.
290. White House, “Fact Sheet: The Domestic Counter-Unmanned Aircraft Systems National Action Plan,” April 25, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/25/fact-sheet-the-domestic-counter-unmanned-aircraft-systems-national-action-plan/>; see Aamer Madhani, “White House Seeks More Power to Counter Use of Drones in U.S.” AP, April 25, 2022, <https://apnews.com/article/technology-business-federal-aviation-administration-congress-90c34d902cacb04d0d7369356d9706c1>.
291. White House, “Fact Sheet: The United We Stand Summit: Taking Action to Prevent and Address Hate-Motivated Violence and Foster Unity,” September 15, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/09/15/fact-sheet-the-united-we-stand-summit-taking-action-to-prevent-and-address-hate-motivated-violence-and-foster-unity/>.
292. John D. Graham and James W. Broughel, “Stealth Regulation: Addressing Agency Evasion of OIRA and the Administrative Procedure Act,” *Harvard Journal of Law and Public Policy* (Federalist Edition), Vol. 1, No. 1 (2014), pp. 40–41, [https://www.thecre.com/pdf/20140619\\_OIRA\\_avoidance.pdf](https://www.thecre.com/pdf/20140619_OIRA_avoidance.pdf); Clyde Wayne Crews Jr., “Mapping Washington’s Lawlessness: A Preliminary Inventory of Regulatory Dark Matter,” *Competitive Enterprise Institute*, Issue Analysis 2017, No. 4, March 1, 2017, <https://ssrn.com/abstract=2733378>.
293. Cory Turner, “In a Reversal, the Education Dept. Is Excluding Many from Student Loan Relief,” *National Public Radio*, September 30, 2022, [https://www.npr.org/2022/09/29/1125923528/biden-student-loans-debt-cancellation-ffcl-perkins?utm\\_campaign=npr&utm\\_medium=social&utm\\_term=nprnews&utm\\_source=twitter.com](https://www.npr.org/2022/09/29/1125923528/biden-student-loans-debt-cancellation-ffcl-perkins?utm_campaign=npr&utm_medium=social&utm_term=nprnews&utm_source=twitter.com).
294. Federal Trade Commission, *Disclosures 101 for Social Media Influencers*, November 2019, <https://www.ftc.gov/business-guidance/resources/disclosures-101-social-media-influencers>.
295. Clyde Wayne Crews Jr., “The Unfairness of the FTC’s Policy Statement Regarding the Scope of Unfair Methods of Competition,” *OpenMarket* (blog), *Competitive Enterprise Institute*, November 14, 2022, <https://cei.org/blog/the-unfairness-of-the-ftcs-policy-statement-regarding-the-scope-of-unfair-methods-of-competition/>.
296. Department of Transportation, “Guidance Regarding Interpretation of Unfair and Deceptive Practices,” *Federal Register*, Vol. 87, No. 166 (August 29, 2022), pp. 52677–52681, <https://www.govinfo.gov/content/pkg/FR-2022-08-29/pdf/2022-18170.pdf>; see David Dayen, “The FTC Banned an Unfair Practice. The Department of Transportation Can, Too,” *American Prospect*, January 9, 2023, <https://prospect.org/infrastructure/transportation/ftc-noncompete-airline-flight-cancellation-buttigieg/>.



297. U.S. Department of State, “Declaration for the Future of the Internet,” April 2022, <https://www.state.gov/declaration-for-the-future-of-the-internet>; [https://www.whitehouse.gov/wp-content/uploads/2022/04/Declaration-for-the-Future-for-the-Internet\\_Launch-Event-Signing-Version\\_FINAL.pdf](https://www.whitehouse.gov/wp-content/uploads/2022/04/Declaration-for-the-Future-for-the-Internet_Launch-Event-Signing-Version_FINAL.pdf).

298. White House, Office of Science and Technology Policy, “Blueprint for an AI Bill of Rights: Making Automated Systems Work for the American People,” <https://www.whitehouse.gov/ostp/ai-bill-of-rights/>. For an objection that federal AI policy is not eliminating bias, but baking in a progressive version of it, see Clyde Wayne Crews Jr., “Artificial Intelligence Will Merely Kill Us, Not Take Our Jobs,” working paper and comments of the Competitive Enterprise Institute to the Executive Office of the President, Office of Management and Budget on the Request for Comments on a Draft Memorandum to the Heads of Executive Departments and Agencies, “Guidance for Regulation of Artificial Intelligence Applications,” April 27, 2020, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3586439](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3586439).

299. Department of Transportation, National Highway Traffic Safety Administration, “Cybersecurity Best Practices for the Safety of Modern Vehicles,” *Federal Register*, Vol. 87, No. 174 (September 9, 2022), pp. 55459–55465, <https://www.govinfo.gov/content/pkg/FR-2022-09-09/pdf/2022-19507.pdf>.

300. White House, “Press Briefing by Press Secretary Karine Jean-Pierre,” January 18, 2023, <https://www.whitehouse.gov/briefing-room/press-briefings/2023/01/18/press-briefing-by-press-secretary-karine-jean-pierre-january-18-2023/>.

301. Department of Energy, Office of Cybersecurity, Energy Security, and Emergency Response, “Colonial Pipeline Cyber Incident,” <https://www.energy.gov/ceser/colonial-pipeline-cyber-incident>.

302. Clyde Wayne Crews Jr., “These Federal Aviation Administration Regulations Are Why We’re Not Going to Mars,” *Forbes*, May 16, 2017, <https://www.forbes.com/sites/waynecrews/2017/05/16/these-federal-aviation-administration-regulations-are-why-were-not-going-to-mars/>.

303. John Berlau, “Government-Run Payment Systems Are Unsafe at Any Speed,” *OnPoint* No. 264, Competitive Enterprise Institute, June 10, 2020, <https://cei.org/studies/government-run-payment-systems-are-unsafe-at-any-speed-2/>.

304. Clyde Wayne Crews Jr., “Helicopter Government? How the Internet of Things Enables Pushbutton Regulation from a Distance,” *Forbes*, November 11, 2019, <https://www.forbes.com/sites/waynecrews/2019/11/11/helicopter-government-how-the-internet-of-things-enables-pushbutton-regulation-from-a-distance/?sh=6a220babf667>.

305. “Congress’ New Mandate to Carmakers: Figure Out a Way to Stop Drunk Driving,” Associated Press, November 9, 2021, <https://www.npr.org/2021/11/09/1053847935/congress-cars-drunk-driving-auto>.

306. House Oversight Committee, “Shining Light on Regulatory Dark Matter,” March 2018. This author’s tally of significant guidance documents, “Significant Guidance Documents in Effect: A Partial Inventory by Executive Department and Agency,” is available and periodically updated at <https://docs.google.com/spreadsheets/d/11FgTrTWTEZKm8RB9fM4IW3jfg8rK0Yr0JO9O1aE0gzI/pubhtml>.

307. Clyde Wayne Crews Jr., “Federal Agency Guidance Document Inventory Tops 107,000 Entries,” *OpenMarket* (blog), Competitive Enterprise Institute, August 9, 2022, <https://cei.org/blog/federal-agency-guidance-document-inventory-tops-107000-entries/>.

308. Along with an informal guidance document portal, this author maintains a tally of the Trump-era guidance rules and the Biden-era elimination of them at “Agency Guidance Document inventory in response to EO13891.xlsx,” <https://bit.ly/2TFWzZ2>.

309. Environmental Protection Agency, “Notice of Public Meeting: Environmental Justice Considerations for the Development of the Proposed Per- and Polyfluoroalkyl Substances (PFAS) National Primary Drinking Water Regulation (NPDWR),” *Federal Register*, Vol. 87, No. 27 (February 9, 2022), pp. 7412–7413, <https://www.federalregister.gov/documents/2022/02/09/2022-02733/notice-of-public-meeting-environmental-justice-considerations-for-the-development-of-the-proposed>.

310. Clyde Wayne Crews Jr., “An Emergency Law to Extinguish Regulatory Dark Matter,” *OpenMarket* (blog), Competitive Enterprise Institute, April 7, 2022, <https://cei.org/blog/an-emergency-law-to-extinguish-regulatory-dark-matter/>.

311. Clyde Wayne Crews Jr., “Questions the 118th Congress Should Ask OMB’s Office of Information and Regulatory Affairs,” *OpenMarket* (blog), Competitive Enterprise Institute, October 6, 2022, <https://cei.org/blog/questions-the-118th-congress-should-ask-ombs-office-of-information-and-regulatory-affairs/>.

312. Crews, “Mapping Washington’s Lawlessness,” 2017.

313. The fall 2011 edition of the Unified Agenda did not appear until January 20, 2012. The spring 2012 edition did not appear at all. Later spring editions, including in 2017, began to appear in the summer. “October” releases became Thanksgiving weekend releases, which became December releases.

314. White House, “Remarks by President Trump on Deregulation,” December 14, 2017, <https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-deregulation/>.

315. Neomi Rao, “The Trump Regulatory Game Plan,” *Wall Street Journal*, December 13, 2017, <https://www.wsj.com/articles/the-trump-regulatory-game-plan-1513210177>.

316. Regulatory expert Leland Beck, as quoted in “Midnight Regulations: Examining Executive Branch Overreach,” Hearing

before the House Committee on Science, Space, and Technology, 114th Congress, Second Session, February 10, 2016, [https://archive.org/stream/gov.gpo.fdsys.CHRG-114hhr20830/CHRG-114hhr20830\\_djvu.txt](https://archive.org/stream/gov.gpo.fdsys.CHRG-114hhr20830/CHRG-114hhr20830_djvu.txt).

317. Neomi Rao, Administrator, White House Office of Management and Budget, Office of Information and Regulatory Affairs, “Introduction to the Fall 2018 Regulatory Plan,” *Federal Register*, Vol. 83, No. 222 (November 16, 2018), pp. 57809–57812, <https://www.govinfo.gov/content/pkg/FR-2018-11-16/pdf/2018-24084.pdf>.

318. Cass Sunstein, Administrator, Office of Information and Regulatory Affairs, Memorandum for Regulatory Policy Officers at Executive Departments and Agencies and Managing and Executive Directors of Certain Agencies and Commissions on “Spring 2012 Unified Agenda of Federal Regulatory and Deregulatory Actions,” March 12, 2012, <https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/inforeg/agenda-data-call-and-guidelines-spring-2012.pdf>.

319. Howard Shelanski, Administrator, Office of Information and Regulatory Affairs, Memorandum for Regulatory Policy Officers at Executive Departments and Agencies and Managing and Executive Directors of Certain Agencies and Commissions on “Fall 2013 Regulatory Plan and Unified Agenda of Federal Regulatory and Deregulatory Actions,” August 7, 2013, <https://obamawhitehouse.archives.gov/sites/default/files/omb/inforeg/for-agencies/fall-2013-regulatory-plan-and-unified-agenda-of-federal-regulatory-and-deregulatory-actions.pdf>.

320. Dominic J. Mancini, Acting Administrator, Office of Information and Regulatory Affairs, Memorandum for Regulatory Policy Officers at Executive Departments and Agencies and Managing and Executive Directors of Certain Agencies and Commissions on “Spring 2017 Data Call for the Unified Agenda of Federal Regulatory and Deregulatory Actions,” March 2, 2017, <https://www.thecre.com/oira/wp-content/uploads/2017/01/Office-of-Information-and-Regulatory-Affairs-Spring-2017-Data-Call-for-the-Unified-Agenda-of-Federal-Regulatory-and-Deregulatory-Actions.pdf>; Neomi Rao, “Data Call for the Fall 2017 Regulatory Plan and Unified Agenda of Federal Regulatory and Deregulatory Actions,” August 18, 2017, [https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/2017\\_fall\\_agenda\\_data\\_call\\_08242017.pdf](https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/2017_fall_agenda_data_call_08242017.pdf).

321. Although the Unified Agenda is published twice a year, *Ten Thousand Commandments* primarily tracks each year’s fall or year-end compilation from the online database (<http://www.reginfo.gov>) and printed editions. Spring figures are included in the historical tables and in discussion concerning completed rules.

322. Juliet Eilperin, “White House Delayed Enacting Rules Ahead of 2012 Election to Avoid Controversy,” *Washington Post*, December 14, 2013, <http://www.washingtonpost.com/politics/white-house-delayed-enacting-rules-ahead-of-2012-election>

-to-avoid-controversy/2013/12/14/7885a494-561a-11e3-ba82-16ed03681809\_story.html?hpid=z1.

323. For more on the Federal Acquisition Regulation System, see “Federal Acquisition Regulation System,” Office of the *Federal Register*, accessed September 27, 2022, <https://www.federalregister.gov/agencies/federal-acquisition-regulation-system>.

324. For reference and archival purposes, the percentages of actions at these bodies that were “deregulatory” for Executive Order 13771 purposes were incorporated into Table 5 of the Trump-era editions of *Ten Thousand Commandments*.

325. Calendar years do not line up precisely with presidential years, because inaugurations occur in late January.

326. Derived by the author from the Unified Agenda at [Reginfo.gov](http://Reginfo.gov). Alan Gassman, “SBA Issues New and Much Anticipated PPP Regulations,” *Forbes*, January 7, 2021, <https://www.forbes.com/sites/alangassman/2021/01/07/sba-issues-new-and-much-anticipated-ppp-regulations/?sh=29924ae6a8c4>.

327. Carolyn Fortuna, “Joe Biden Making Great Climate Progress, but US Misses Self-Imposed Deadlines for Several Environmental Goals,” *CleanTechnica*, January 6, 2023, <https://cleantechnica.com/2023/01/06/us-misses-self-imposed-deadlines-for-several-environmental-goals/>.

328. Department of Transportation, Federal Highway Administration, “Broadband Infrastructure Deployment,” *Federal Register*, Vol. 86, No. 230 (December 3, 2021), pp. 68553–68560, <https://www.govinfo.gov/content/pkg/FR-2021-12-03/pdf/2021-26231.pdf>.

329. For example, see Dan Goldbeck “What About ‘Below the Fold’ Regulatory Actions?,” American Action Forum, September 4, 2018, <https://www.americanactionforum.org/research/what-about-below-the-fold-regulatory-actions/>.

330. H.R. 261, Rep. Bob Good (R-Va.), sponsor, Article I Regulatory Budget Act, 118th Congress, First Session (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/261/text?s=1&r=8>.

331. Clyde Wayne Crews Jr., “Costs of Deadweight Effects of Federal Spending and of ‘Budget’ or ‘Transfer’ Rules,” *OpenMarket* (blog), Competitive Enterprise Institute, June 26, 2019, <https://cei.org/blog/costs-of-deadweight-effects-of-federal-spending-and-of-budget-or-transfer-rules/>.

332. Agricultural Marketing Service, “Inclusive Competition and Market Integrity under the Packers and Stockyards Act,” *Federal Register*, Vol. 87, No. 190 (October 3, 2022), pp. 60010–60055, <https://www.federalregister.gov/documents/2022/10/03/2022-21114/inclusive-competition-and-market-integrity-under-the-packers-and-stockyards-act>.

333. U.S. Department of Agriculture, Animal and Plant Health Inspection Service, “Standards for Birds Not Bred for Use in Research under the Animal Welfare Act,” *Federal Register*, Vol.

87, No. 35 (February 22, 2022), pp. 9880–9913, <https://www.govinfo.gov/content/pkg/FR-2022-02-22/pdf/2022-03565.pdf>.

334. U.S. Department of Agriculture, Food and Nutrition Service, “National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010,” *Federal Register*, Vol. 81, No. 146 (July 29, 2016), pp. 50132–50151, <https://www.govinfo.gov/content/pkg/FR-2016-07-29/pdf/2016-17227.pdf>.

335. U.S. Department of Agriculture, Agricultural Marketing Service, “United States Standards for Grades of Canned Baked Beans,” *Federal Register*, Vol. 81, No. 89 (May 9, 2016), p. 27985, <https://www.govinfo.gov/content/pkg/FR-2016-05-09/pdf/2016-10743.pdf>.

336. Department of Education, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” *Federal Register*, Vol. 87, No. 132 (July 12, 2022), pp. 41390–41479, <https://www.govinfo.gov/content/pkg/FR-2022-07-12/pdf/2022-13734.pdf>; see Kenin M. Spivak, “Ending Due Process,” *American Mind*, August 12, 2022, <https://americanmind.org/salvo/ending-due-process/>.

337. Department of Energy, “Energy Conservation Program: Energy Conservation Standards for General Service Lamps,” *Federal Register*, Vol. 87, No. 89 (May 9, 2022), pp. 27439–27461, <https://www.govinfo.gov/content/pkg/FR-2022-05-09/pdf/2022-09477.pdf>; Anna Phillips, “Trump Saved This Old-Fashioned Lightbulb. Biden’s Now Phasing It Out,” *Washington Post*, April 26, 2022, <https://www.washingtonpost.com/climate-solutions/2022/04/26/biden-incandescent-lightbulb-ban-trump/>; Ben Lieberman, “Coalition Opposes Proposed DOE Lightbulb Rule,” Competitive Enterprise Institute, January 27, 2022, [https://cei.org/regulatory\\_comments/cei-leads-coalition-opposing-proposed-doe-lightbulb-rule/](https://cei.org/regulatory_comments/cei-leads-coalition-opposing-proposed-doe-lightbulb-rule/).

338. Ben Lieberman, “Biden Regulators Are Coming for Your Furnace,” *National Review*, October 20, 2022, <https://www.nationalreview.com/2022/10/biden-regulators-are-coming-for-your-furnace/>.

339. U.S. Food and Drug Administration, “Food Labeling: Nutrient Content Claims; Definition of Term ‘Healthy,’” *Federal Register*, Vol. 87, No. 188 (September 29, 2022), pp. 59168–59202, <https://www.federalregister.gov/documents/2022/09/29/2022-20975/food-labeling-nutrient-content-claims-definition-of-term-healthy>; Laura Reiley, “The FDA Announces a New Definition of What’s ‘Healthy,’” *Washington Post*, September 28, 2022, <https://www.msn.com/en-us/health/other/the-fda-announces-a-new-definition-of-what-e2-80-99s-e2-80-98healthy-e2-80-99/ar-AA12lzde>.

340. Food and Drug Administration, “Canned Tuna Deviating from the Standard of Identity; Amendment of Temporary Market Permits,” *Federal Register*, Vol. 86, No. 246

(December 28, 2021), pp. 73789–73790, <https://www.govinfo.gov/content/pkg/FR-2021-12-28/pdf/2021-28164.pdf>.

341. Department of Health and Human Services, Centers for Medicaid and Medicare Services, “Medicare Program; Transitional Coverage for Emerging Technologies,” *Federal Register*, Vol. 88, No. 122 (June 27, 2023), pp. 41633–41644, <https://www.govinfo.gov/content/pkg/FR-2023-06-27/pdf/2023-13544.pdf>.

342. Department of Health and Human Services, Food and Drug Administration, “Regulations Regarding ‘Intended Uses,’” *Federal Register*, Vol. 86, No. 145 (August 2, 2021), pp. 41383–41402, <https://www.govinfo.gov/content/pkg/FR-2021-08-02/pdf/2021-15980.pdf>.

343. Department of Health and Human Services, Food and Drug Administration, “Frozen Cherry Pie; Proposed Revocation of a Standard of Identity and a Standard of Quality,” *Federal Register*, Vol. 85, No. 244 (December 18, 2020), p. 82395, <https://www.govinfo.gov/content/pkg/FR-2020-12-18/pdf/2020-27823.pdf>; Emily Heil, “The Trump Administration’s Latest Deregulation Target: Frozen Cherry Pie,” *Washington Post*, December 18, 2020, <https://www.washingtonpost.com/food/2020/12/18/deregulate-frozen-cherry-pie/>.

344. Department of Health and Human Services, Food and Drug Administration, “Medical Devices; Quality System Regulation Amendments,” *Federal Register*, Vol. 87, No. 36, February 23, 2022, pp. 10119–10134, <https://www.govinfo.gov/content/pkg/FR-2022-02-23/pdf/2022-03227.pdf>.

345. Department of Health and Human Services, Food and Drug Administration, “Tobacco Products; Required Warnings for Cigarette Packages and Advertisements; Delayed Effective Date,” *Federal Register*, Vol. 87, No. 40 (March 1, 2022), p. 11295, <https://www.federalregister.gov/documents/2022/03/01/2022-04181/tobacco-products-required-warnings-for-cigarette-packages-and-advertisements-delayed-effective-date>; see Department of Health and Human Services, Food and Drug Administration, “Tobacco Product Standard for Nicotine Level of Certain Tobacco Products,” RIN 0910-A176, <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202204&RIN=0910-AI76>. For more questions, answers, and guidance, see Food and Drug Administration, “FDA’s Deeming Regulations for E-Cigarettes, Cigars, and All Other Tobacco Products,” updated September 1, 2021, <http://www.fda.gov/TobaccoProducts/Labeling/RulesRegulationsGuidance/ucm394909.htm>.

346. White House, “Press Briefing by Press Secretary Jen Psaki, April 28, 2022,” <https://www.whitehouse.gov/briefing-room/press-briefings/2022/04/28/press-briefing-by-press-secretary-jen-psaki-april-28-2022/>; David M. Osgo, “Flavored Cigar Ban Is Extreme Overreach by Biden’s FDA,” *The Hill*, September 23, 2022, <https://thehill.com/opinion>



/congress-blog/3658920-flavored-cigar-ban-is-extreme-overreach-by-bidens-fda/.

347. Department of Health and Human Services, Food and Drug Administration, “Safety and Effectiveness of Consumer Antiseptics; Topical Antimicrobial Drug Products for Over-the-Counter Human Use,” *Federal Register*, Vol. 81, No. 172 (September 6, 2016), pp. 61106–61130, <https://www.govinfo.gov/content/pkg/FR-2016-09-06/pdf/2016-21337.pdf>.

348. Department of Health and Human Services, Food and Drug Administration, “Nonclinical Considerations for Mitigating Nonhuman Primate Supply Constraints Arising from the COVID-19 Pandemic; Guidance for Industry; Availability,” *Federal Register*, Vol. 87, No. 37 (February 24, 2022), pp. 10373–10375, <https://www.govinfo.gov/content/pkg/FR-2022-02-24/pdf/2022-03915.pdf>.

349. Department of Homeland Security, “Notification of Document Availability and Reopening of Comment Period on Request for Information: Minimum Standards for Driver’s Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes; Mobile Driver’s Licenses,” *Federal Register*, Vol. 86, No. 177 (September 16, 2021), pp. 51625–51626, <https://www.govinfo.gov/content/pkg/FR-2021-09-16/pdf/2021-19812.pdf>.

350. Department of Housing and Urban Development, “Instituting Smoke-Free Public Housing,” *Federal Register*, Vol. 81, No. 233 (December 5, 2016), pp. 87430–87444, <https://www.federalregister.gov/documents/2016/12/05/2016-28986/instituting-smoke-free-public-housing>.

351. Bureau of Safety and Environmental Enforcement and Bureau of Ocean Energy Management, “Oil and Gas and Sulfur Operations on the Outer Continental Shelf—Requirements for Exploratory Drilling on the Arctic Outer Continental Shelf,” *Federal Register*, Vol. 81, No. 136 (July 15, 2016), pp. 46478–46566, <https://www.govinfo.gov/content/pkg/FR-2016-07-15/pdf/2016-15699.pdf>.

352. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, “Definition of ‘Frame or Receiver’ and Identification of Firearms,” *Federal Register*, Vol. 87, No. 80 (April 26, 2022), 24652–24749, <https://www.govinfo.gov/content/pkg/FR-2022-04-26/pdf/2022-08026.pdf>; U.S. Department of Justice, “Frame and Receiver Rule Goes into Effect: New Rule Modernizes Firearm Definitions and Addresses ‘Ghost Gun’ Proliferation,” press release, August 24, 2022, <https://www.justice.gov/opa/pr/frame-and-receiver-rule-goes-effect>.

353. Department of Justice, Drug Enforcement Administration, “Regulation of Telepharmacy Practice,” *Federal Register*, Vol. 86, No. 219 (November 17, 2021), pp. 64096–64099, <https://www.govinfo.gov/content/pkg/FR-2021-11-17/pdf/2021-24948.pdf>.

354. Department of Labor, Employee Benefits Security Administration, “Prudence and Loyalty in Selecting Plan

Investments and Exercising Shareholder Rights,” *Federal Register*, Vol. 87, No. 230 (December 1, 2022), 73822–73886, <https://www.govinfo.gov/content/pkg/FR-2022-12-01/pdf/2022-25783.pdf>.

355. Department of Labor, Occupational Health and Safety Administration, “Improve Tracking of Workplace Injuries and Illnesses,” *Federal Register*, Vol. 87, No. 61 (March 30, 2022), pp. 18528–18558, <https://www.govinfo.gov/content/pkg/FR-2022-03-30/pdf/2022-06546.pdf>.

356. Department of Labor, “Apprenticeship Programs, Labor Standards for Registration,” *Federal Register*, Vol. 87, No. 185 (September 26, 2022), pp. 58269–58288, <https://www.govinfo.gov/content/pkg/FR-2022-09-26/pdf/2022-20560.pdf>.

357. Department of Labor, “Employee or Independent Contractor Classification under the Fair Labor Standards Act,” *Federal Register*, Vol. 87, No. 197 (October 13, 2022), pp. 62218–62275, <https://www.federalregister.gov/documents/2022/10/13/2022-21454/employee-or-independent-contractor-classification-under-the-fair-labor-standards-act>; Editorial Board, “Biden Goes after Gig Workers: A New Labor Rule Would Reclassify Millions of Independent Contractors,” *Wall Street Journal*, October 11, 2022, [https://www.wsj.com/articles/biden-goes-after-gig-jobs-labor-department-rule-independent-contractors-employees-11665522000?mod=opinion\\_lead\\_pos1](https://www.wsj.com/articles/biden-goes-after-gig-jobs-labor-department-rule-independent-contractors-employees-11665522000?mod=opinion_lead_pos1).

358. Department of Labor, “Nondisplacement of Qualified Workers under Service Contracts,” *Federal Register*, Vol. 87, No. 135 (July 15, 2022), pp. 42552–42596, <https://www.govinfo.gov/content/pkg/FR-2022-07-15/pdf/2022-14967.pdf>.

359. Department of Labor, Occupational Safety and Health Administration, “Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings,” *Federal Register*, Vol. 86, No. 205 (October 27, 2021), pp. 59309–59326, <https://www.govinfo.gov/content/pkg/FR-2021-10-27/pdf/2021-23250.pdf>.

360. Department of Labor, “Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees,” *Federal Register*, Vol. 81, No. 99 (May 23, 2016), pp. 32391–32552, <https://www.govinfo.gov/content/pkg/FR-2016-05-23/pdf/2016-11754.pdf>.

361. Department of Labor, Wage and Hour Division, “Establishing Paid Sick Leave for Federal Contractors,” *Federal Register*, Vol. 81, No. 190, September 30, 2016, pp. 67598–67724, <https://www.govinfo.gov/content/pkg/FR-2016-09-30/pdf/2016-22964.pdf>.

362. Department of Labor, Occupational Safety and Health Administration, “Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems),” *Federal Register*, Vol. 81, No. 223 (November 18, 2016), pp. 82494–83006, <https://www.govinfo.gov/content/pkg/FR-2016-11-18/pdf/2016-24557.pdf>.



363. The crystalline silica rule took up 606 pages. Department of Labor, “Occupational Exposure to Respirable Crystalline Silica,” *Federal Register*, Vol. 81, No. 58 (March 25, 2016), pp. 16285–16890, <https://www.gpo.gov/fdsys/pkg/FR-2016-03-25/pdf/2016-04800.pdf>.
364. Department of Transportation, “Guidance Regarding Interpretation of Unfair and Deceptive Practices,” *Federal Register*, Vol. 87, No. 166 (August 29, 2022), pp. 52677–52681, <https://www.govinfo.gov/content/pkg/FR-2022-08-29/pdf/2022-18170.pdf>.
365. Department of Transportation, “Seat Belts in Limousines,” RIN 2127-AM48, <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202204&RIN=2127-AM48>.
366. Department of Transportation, “Enhancing Transparency of Airline Ancillary Service Fees,” *Federal Register*, Vol. 87, No. 202 (October 20, 2022), 63718–63738, <https://www.govinfo.gov/content/pkg/FR-2022-10-20/pdf/2022-22214.pdf>.
367. Department of Transportation, “Accessible Lavatories on Single-Aisle Aircraft: Part 2,” *Federal Register*, Vol. 87, No. 59 (March 28, 2022), pp. 17215–17225, <https://www.govinfo.gov/content/pkg/FR-2022-03-28/pdf/2022-05869.pdf>.
368. Department of Transportation, National Highway Traffic Safety Administration, “Cybersecurity Best Practices for the Safety of Modern Vehicles,” *Federal Register*, Vol. 87, No. 174 (September 9, 2022), pp. 55459–55465, <https://www.govinfo.gov/content/pkg/FR-2022-09-09/pdf/2022-19507.pdf>.
369. Department of Transportation, National Highway Traffic Safety Administration, “Occupant Protection for Vehicles With Automated Driving Systems” *Federal Register*, Vol. 87, No. 61 (March 30, 2022), pp. 18560–18600, <https://www.govinfo.gov/content/pkg/FR-2022-03-30/pdf/2022-05426.pdf>.
370. Department of Transportation, National Highway Traffic Safety Administration, “Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment, Adaptive Driving Beam Headlamps,” *Federal Register*, Vol. 87, No. 35 (February 22, 2022), pp. 9916–10026, <https://www.govinfo.gov/content/pkg/FR-2022-02-22/pdf/2022-02451.pdf>; Eric A. Taub, “U.S. Approval of Smart Headlights Has a Catch: They Can’t Be Too Bright,” *New York Times*, February 18, 2022, <https://www.nytimes.com/2022/02/18/business/us-approves-smart-headlights.html?searchResultPosition=3>.
371. Department of Transportation, National Highway Traffic Safety Administration, “Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles,” *Federal Register*, Vol. 81, No. 240 (December 14, 2016), pp. 90416–90522, <https://www.govinfo.gov/content/pkg/FR-2016-12-14/pdf/2016-28804.pdf>; Department of Transportation, “NHTSA Sets ‘Quiet Car’ Safety Standard to Protect Pedestrians,” news release, November 14, 2016, <https://www.transportation.gov/briefing-room/nhtsa-sets-%E2%80%9Cquiet-car%E2%80%9D-safety-standard-protect-pedestrians>. A modification proposed by the Trump administration in 2019 sought “to remove the limit to the number of compliant sounds that a manufacturer may choose to install in a vehicle.” Department of Transportation, National Highway Traffic Safety Administration, “Federal Motor Vehicle Safety Standard No. 141, Minimum Sound Requirements for Hybrid and Electric Vehicles,” *Federal Register*, Vol. 84, No. 180 (September 17, 2019), pp. 48866–48872, <https://www.govinfo.gov/content/pkg/FR-2019-09-17/pdf/2019-19874.pdf>.
372. Department of Transportation, Federal Motor Carrier Safety Administration, “Electronic Logging Device Revisions,” *Federal Register*, Vol. 87, No. 179 (September 16, 2022), pp. 56921–56924, <https://www.govinfo.gov/content/pkg/FR-2022-09-16/pdf/2022-20095.pdf>.
373. Department of Transportation, Federal Motor Carrier Safety Administration, “Unique Electronic Identification of Commercial Motor Vehicles,” *Federal Register*, Vol. 87, No. 184 (September 23, 2022), pp. 58049–58053, <https://www.govinfo.gov/content/pkg/FR-2022-09-23/pdf/2022-20643.pdf>.
374. Department of Transportation, “Refunding Fees for Delayed Checked Bags and Ancillary Services That Are Not Provided,” *Federal Register*, Vol. 86, No. 137 (July 21, 2021), pp. 38420–38433, <https://www.govinfo.gov/content/pkg/FR-2021-07-21/pdf/2021-13736.pdf>.
375. Department of Transportation, Federal Aviation Administration, “Operation and Certification of Small Unmanned Aircraft Systems,” *Federal Register*, Vol. 81, No. 124 (June 28, 2016), pp. 42064–42214, <https://www.govinfo.gov/content/pkg/FR-2016-06-28/pdf/2016-15079.pdf>.
376. Andy Pasztor and Katy Stech Ferek, “FAA Approves First Fully Automated Commercial Drone Flights,” *Wall Street Journal*, January 15, 2021, [https://www.wsj.com/articles/faa-approves-first-fully-automated-commercial-drone-flights-11610749377?mod=hp\\_lead\\_pos11](https://www.wsj.com/articles/faa-approves-first-fully-automated-commercial-drone-flights-11610749377?mod=hp_lead_pos11).
377. Department of Transportation, Federal Aviation Administration, “Flight Attendant Duty Period Limitations and Rest Requirements,” *Federal Register*, Vol. 87, No. 196 (October 12, 2022), pp. 61452–61465, <https://www.govinfo.gov/content/pkg/FR-2022-10-12/pdf/2022-21963.pdf>.
378. Federal Railroad Administration, “Train Crew Size Safety Requirements,” *Federal Register*, Vol. 87, No. 183 (September 22, 2022), p. 57863, <https://www.govinfo.gov/content/pkg/FR-2022-09-22/pdf/2022-20476.pdf>.
379. Department of Transportation, National Highway Traffic Safety Administration, “Lighting and Marking on Agricultural Equipment,” *Federal Register*, Vol. 81, No. 120 (June 22, 2016), pp. 40528–40534, <https://www.govinfo.gov/content/pkg/FR-2016-06-22/pdf/2016-14571.pdf>.

380. Department of Transportation, Federal Motor Carrier Safety Administration, “Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators,” *Federal Register*, Vol. 81, No. 44 (March 7, 2016), pp. 11944–11986, <https://www.govinfo.gov/content/pkg/FR-2016-03-07/pdf/2016-03869.pdf>.

381. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, “Pipeline Safety: Safety of Gas Gathering Pipelines: Extension of Reporting Requirements, Regulation of Large, High-Pressure Lines, and Other Related Amendments,” *Federal Register*, Vol. 86, No. 217 (November 15, 2021), pp. 63266–63299, <https://www.govinfo.gov/content/pkg/FR-2021-11-15/pdf/2021-24240.pdf>.

382. U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, “New Grape Variety Names Approved,” March 12, 2021, <https://www.ttb.gov/news/grapes>.

383. Department of the Treasury, Financial Crimes Enforcement Network, “Beneficial Ownership Information Reporting Requirements,” *Federal Register*, Vol. 87, No. 189 (September 30, 2022), pp. 59498–59596.

384. Bureau of Consumer Financial Protection, “Payday, Vehicle Title, and Certain High-Cost Installment Loans,” *Federal Register*, Vol. 81, No. 141 (July 22, 2016), pp. 47864–48218, <https://www.govinfo.gov/content/pkg/FR-2016-07-22/pdf/2016-13490.pdf>.

385. Securities and Exchange Commission, “Form PF; Reporting Requirements for All Filers and Large Hedge Fund Advisers,” *Federal Register*, Vol. 87, No. 169 (September 1, 2022), pp. 53832–53985, <https://www.govinfo.gov/content/pkg/FR-2022-09-01/pdf/2022-17724.pdf>.

386. Securities and Exchange Commission, “Removal of References to Credit Ratings from Regulation M,” *Federal Register*, Vol. 87, No. 61 (March 30, 2022), pp. 18312–18338, <https://www.govinfo.gov/content/pkg/FR-2022-03-30/pdf/2022-06583.pdf>.

387. Consumer Product Safety Commission, “Safety Standard for Crib Mattresses,” *Federal Register*, Vol. 87, No. 31 (February 15, 2022), pp. 8640–8684, <https://www.federalregister.gov/documents/2022/02/15/2022-02414/safety-standard-for-crib-mattresses>.

388. Consumer Product Safety Commission, “Safety Standard for Clothing Storage Units,” *Federal Register*, Vol. 87, No. 23 (February 3, 2022), pp. 6246–6322, <https://www.govinfo.gov/content/pkg/FR-2022-02-03/pdf/2022-01689.pdf>.

389. Environmental Protection Agency, “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units-Revocation of the 2020 Reconsideration, and Affirmation of the Appropriate and Necessary Supplemental Finding,” *Federal Register*, Vol. 87, No. 27, February 9, 2022, pp. 7624–7673, <https://www.govinfo.gov/content/pkg/FR-2022-02-09/pdf/2022-02343.pdf>.

390. Environmental Protection Agency, “Control of Air Pollution from Aircraft Engines: Emission Standards and Test Procedures,” *Federal Register*, Vol. 87, No. 23 (February 3, 2022), pp. 6324–6362, <https://www.govinfo.gov/content/pkg/FR-2022-02-03/pdf/2022-01150.pdf>.

391. Environmental Protection Agency, “National Emission Standards for Hazardous Air Pollutants: Primary Copper Smelting Residual Risk and Technology Review and Primary Copper Smelting Area Source Technology Review; Extension of Comment Period,” *Federal Register*, Vol. 87, No. 37 (February 24, 2022), pp. 10325–10327, <https://www.govinfo.gov/content/pkg/FR-2022-02-24/pdf/2022-03987.pdf>.

392. Environmental Protection Agency, “Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards,” *Federal Register*, Vol. 87, No. 59 (March 28, 2022), pp. 17414–17888, <https://www.govinfo.gov/content/pkg/FR-2022-03-28/pdf/2022-04934.pdf>.

393. Federal Communications Commission, “Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination,” *Federal Register*, Vol. 88, No. 13 (January 20, 2023), pp. 3681–3704, <https://www.govinfo.gov/content/pkg/FR-2023-01-20/pdf/2023-00551.pdf>.

394. Federal Communications Commission, “Targeting and Eliminating Unlawful Text Messages,” *Federal Register*, Vol. 87, No. 195 (October 11, 2022), pp. 61271–61275, <https://www.federalregister.gov/documents/2022/10/11/2022-22049/targeting-and-eliminating-unlawful-text-messages>.

395. Federal Communications Commission, “Establishing the Digital Opportunity Data Collection,” *Federal Register*, Vol. 87, No. 69 (April 11, 2022), pp. 21476–21514, <https://www.govinfo.gov/content/pkg/FR-2022-04-11/pdf/2022-06826.pdf>.

396. Federal Communications Commission, “Protecting National Security Threats to the Communications Supply Chain through FCC Programs,” *Federal Register*, Vol. 87, No. 182 (September 21, 2022), pp. 57643–57645, <https://www.govinfo.gov/content/pkg/FR-2022-09-21/pdf/2022-20069.pdf>.

397. Federal Communications Commission, “Promoting Telehealth in Rural America,” *Federal Register*, Vol. 87, No. 50 (March 15, 2022), pp. 14421–14439, <https://www.govinfo.gov/content/pkg/FR-2022-03-15/pdf/2022-05191.pdf>.

398. Federal Communications Commission, “Accelerating Wireline and Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment,” *Federal Register*, Vol. 87, No. 82 (April 28, 2022), pp. 25181–25196, <https://www.govinfo.gov/content/pkg/FR-2022-04-28/pdf/2022-09029.pdf>.

399. Federal Communications Commission, “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services,” *Federal Register*, Vol. 81, No. 232 (December 2, 2016), pp. 87274–87346, <https://www.govinfo.gov/content/pkg/FR-2016-12-02/pdf/2016-28006.pdf>.

400. Federal Communications Commission, “Allocation of Spectrum for Non-Federal Space Launch Operations,” *Federal Register*, Vol. 86, No. 121 (June 28, 2021), pp. 33902–33910, <https://www.govinfo.gov/content/pkg/FR-2021-06-28/pdf/2021-13685.pdf>.

401. Federal Communications Commission, “Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor,” *Federal Register*, Vol. 86, No. 204 (October 26, 2021), pp. 59084–59109, <https://www.govinfo.gov/content/pkg/FR-2021-10-26/pdf/2021-23164.pdf>.

402. Department of Defense, General Services Administration and National Aeronautics and Space Administration, “Federal Acquisition Regulation: Disclosure of Greenhouse Gas Emissions and Climate-Related Financial Risk,” *Federal Register*, Vol. 87, No. 218 (November 14, 2022), pp. 68312–68334, <https://www.govinfo.gov/content/pkg/FR-2022-11-14/pdf/2022-24569.pdf>.

403. Department of Energy, Federal Energy Regulatory Commission, “Building for the Future through Electric Regional Transmission Planning and Cost Allocation and Generator Interconnection,” *Federal Register*, Vol. 87, No. 86 (May 4, 2022), pp. 26504–26611, <https://www.govinfo.gov/content/pkg/FR-2022-05-04/pdf/2022-08973.pdf>.

404. Federal Reserve System, “Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks,” *Federal Reserve*, Vol. 86, No. 97 (May 21, 2021), pp. 27507–27509, <https://www.govinfo.gov/content/pkg/FR-2021-05-21/pdf/2021-10711.pdf>.

405. Federal Trade Commission, “Energy Labeling Rule,” *Federal Register*, Vol. 87, No. 205 (October 25, 2022), pp. 64399–64405, <https://www.govinfo.gov/content/pkg/FR-2022-10-25/pdf/2022-23063.pdf>.

406. National Transportation Safety Board, “Commercial Space Investigations,” *Federal Register*, Vol. 86, No. 218 (November 16, 2021), pp. 63324–63328, <https://www.govinfo.gov/content/pkg/FR-2021-11-16/pdf/2021-24766.pdf>.

407. Surface Transportation Board, “Reciprocal Switching,” *Federal Register*, Vol. 87, No. 1 (January 3, 2022), pp. 62–65, <https://www.govinfo.gov/content/pkg/FR-2022-01-03/pdf/2021-28396.pdf>.

408. Clyde Wayne Crews Jr., “Setting a Baseline for Proposed Rules Affecting Small Business,” *OpenMarket* (blog), Competitive Enterprise Institute, December 6, 2022, <https://cei.org/blog/setting-a-baseline-for-proposed-rules-affecting-small-business/>; Clyde Wayne Crews Jr., “A Surge in Small Business Burdens May Propel Regulatory Reform,” *OpenMarket* (blog), Competitive Enterprise Institute, December 5, 2022, <https://cei.org/blog/a-surge-in-small-business-burdens-may-propel-regulatory-reform/>.

409. “The Regulatory Flexibility Act requires that agencies publish semiannual regulatory agendas in the *Federal Register* describing regulatory actions they are developing that may have a significant economic impact on a substantial number of small entities.” Regulatory Information Service Center, “Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions,” *Federal Register*, Vol. 87, No. 151 (August 8, 2022), pp. 48236–48240, <https://www.govinfo.gov/content/pkg/FR-2022-08-08/pdf/2022-14654.pdf>.

410. The Office of Advocacy of the U.S. Small Business Administration prepares an *Annual Report of the Chief Counsel for Advocacy on Implementation of the Regulatory Flexibility Act*. Archived editions appear at <https://www.sba.gov/advocacy/regulatory-flexibility-act-annual-reports> and <https://web.archive.org/web/20101205041853/http://www.sba.gov/advocacy/laws/flex/>.

411. The legislation and executive orders by which agencies are directed to assess effects on state and local governments are described in the Unified Agenda’s appendices.

412. National Conference of State Legislatures, Standing Committee on Budgets and Revenue, Policy Directives and Resolutions, 2016 NCSL Legislative Summit, Chicago, August 8–11, 2016, [https://www.ncsl.org/documents/standcomm/scbudg/2016\\_BR\\_Policies.pdf](https://www.ncsl.org/documents/standcomm/scbudg/2016_BR_Policies.pdf).

413. Letter to House and Senate leadership on eliminating burdensome and illegal regulations by strengthening the Administrative Procedure Act, from several Republican state attorneys general, July 11, 2016, p. 61, [https://books.google.com/books?id=vcoeykOAJ-QC&pg=PA61&lp=PA61&dq=%E2%80%9CThe+growth+of+federal+mandates+and+other+costs+that+the+federal+government+imposes+on+states+and+localities+is+one+of+the+most+serious+fiscal+issues+confronting+state+and+local+government+officials.%E2%80%9D&source=bl&ots=IZj-7SO3lb&sig=ACfU3U3G8a6bj\\_O5zsOigCf7946XCUoQA&hl=en&sa=X&ved=2ahUKEwiWyZOE4\\_HvAhUhZN8KHa\\_OD74Q6AEwAHoECAEQAw#v=onepage&q&f=false](https://books.google.com/books?id=vcoeykOAJ-QC&pg=PA61&lp=PA61&dq=%E2%80%9CThe+growth+of+federal+mandates+and+other+costs+that+the+federal+government+imposes+on+states+and+localities+is+one+of+the+most+serious+fiscal+issues+confronting+state+and+local+government+officials.%E2%80%9D&source=bl&ots=IZj-7SO3lb&sig=ACfU3U3G8a6bj_O5zsOigCf7946XCUoQA&hl=en&sa=X&ved=2ahUKEwiWyZOE4_HvAhUhZN8KHa_OD74Q6AEwAHoECAEQAw#v=onepage&q&f=false).

414. These numbers are derived from Congressional Budget Office, “CBO’s Activities under the Unfunded Mandates Reform Act,” accessed September 27, 2022, <https://www.cbo.gov/publication/51335>.

415. Maeve P. Carey, “Cost Benefit and Other Analysis Requirements in the Rulemaking Process,” Report R41974, Congressional Research Service, December 9, 2014, pp. 11–12, <https://fas.org/sgp/crs/misc/R41974.pdf>.

416. See the FAQ available at Government Accountability Office, Congressional Review Act, <https://www.gao.gov/legal/other-legal-work/congressional-review-act>.

417. Maeve P. Carey and Christopher M. Davis, “Congressional Review Act Overview,” <https://www.gao.gov/legal/other-legal-work/congressional-review-act>. “The Congressional Review Act (CRA): Frequently Asked Questions,”



Report R43992, Congressional Research Service, updated November 12, 2021, <https://sgp.fas.org/crs/misc/R43992.pdf>.

418. Curtis W. Copeland, “Congressional Review Act: Many Recent Final Rules Were Not Submitted to GAO and Congress,” white paper, July 15, 2014, [https://www.eenews.net/assets/2017/02/22/document\\_pm\\_01.pdf](https://www.eenews.net/assets/2017/02/22/document_pm_01.pdf); see Clyde Wayne Crews Jr., “Many Federal Agency Rules and Guidance Documents Are Still Not Properly Reported to Congress and the GAO as Required by the Congressional Review Act,” Competitive Enterprise Institute, September 14, 2022, <https://ssrn.com/abstract=4219091> or <http://dx.doi.org/10.2139/ssrn.4219091>.

419. See the GAO FAQ on the CRA, <https://sgp.fas.org/crs/misc/R43992.pdf>.

420. As of February 16, 2022.

421. “We track all rules (major and non-major) submitted to us. Your search results will include all rules submitted to us.” Government Accountability Office, Congressional Review Act, Overview, <https://www.gao.gov/legal/other-legal-work/congressional-review-act>. Table 9 here includes prior year’s roundups, as well as a “controlling total” based on a global (not itemized by agency) search of the database in 2023. Unfortunately, the GAO database of rules at the National Archives and Records Administration has been presented differently over the years. Furthermore, in the newer iterations of the database, when one runs a search of the year’s rules, the displayed population of results fail to name the agency, nor may the dozens of results be displayed at once—only a maximum of 20 per page. The database also used to include a “published” category (referring to the *Federal Register*).

422. The Government Accountability Office formerly would present rules in a scroll window in reverse chronological order. It was not then and is not now unusual for a current year-end tally to change slightly in a subsequent year owing to unknown adjustments presumably made in the GAO’s database. A third party might begin a separate process of tracking certain government reporting.

423. Crews, “What’s the Difference.”

424. Columbia University legal scholar Phillip Hamburger has described the rise of the modern administrative state as running counter to the Constitution, which “expressly bars the delegation of legislative power.” Philip Hamburger, “The History and Danger of Administrative Law,” *Imprimis*, Vol. 43, No. 9 (September 2014), pp. 1–5, <https://imprimis.hillside.edu/wp-content/uploads/2016/10/Imprimis-The-History-and-Danger-of-Administrative-Law-Sept-2014.pdf>; Philip Hamburger, *Is Administrative Law Unlawful?* (Chicago: University of Chicago Press, 2014).

425. William A. Niskanen Jr., *Bureaucracy and Representative Government* (Chicago: Aldine-Atherton, 1971).

426. Public laws signed during a calendar year may be derived from various sources. However, official archiving sometimes

takes time to catalog, so figures may be preliminary and may change slightly. (On ambiguities, see “More on Counting Laws and Discrepancies in the Resume of Congressional Activity,” GovTrack (blog), February 9, 2014, <https://govtracknews.wordpress.com/2014/02/09/more-on-counting-laws-and-discrepancies-in-the-resume-of-congressional-activity/>); “Public Laws,” Congress.gov, accessed September 28, 2022, <https://www.congress.gov/public-laws/>; “Public and Private Laws,” GovInfo, accessed September 28, 2022, <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PLAW>; “Advanced Search for Legislation,” GovTrack, accessed September 28, 2022, [https://www.govtrack.us/congress/bills/browse?status=28,29,32,33&sort=-current\\_status\\_date%20-%20current\\_status%5b%5d=9#sort=-current\\_status\\_date&current\\_status\[\]=28](https://www.govtrack.us/congress/bills/browse?status=28,29,32,33&sort=-current_status_date%20-%20current_status%5b%5d=9#sort=-current_status_date&current_status[]=28). Figures are presented by calendar year. For breakdown by session of Congress, see “Statistics and Historical Comparison, Bills by Final Status,” GovTrack, <https://www.govtrack.us/congress/bills/statistics>.

427. Note the 143 laws enacted in 2021 included 62 signed by Trump. Thirty-four laws from the 117th Congress were actually signed on January 5, 2023 (Public Laws 117-329 through 117-362) and so are not included here and will be incorporated into the 2024 Index.

428. White House, “Press Briefing by Press Secretary Karine Jean-Pierre and National Economic Council Director,” February 6, 2023, <https://www.whitehouse.gov/briefing-room/press-briefings/2023/02/06/press-briefing-by-press-secretary-karine-jean-pierre-and-national-economic-council-director-february-6-2023/>.

429. Clyde Wayne Crews Jr., “If the Government Shutdown Falls Short of Armageddon, We Should Rethink the Other 75 Percent Too,” *Forbes*, January 14, 2019, <https://www.forbes.com/sites/waynecrews/2019/01/14/if-the-government-shutdown-falls-short-of-armageddon-we-should-rethink-the-other-75-percent-too/?sh=19d6275012e6>; Clyde Wayne Crews Jr., “The Unmeasured Costs of Federal Agency Liberation from Congress, Self-Funding, and Permanence,” *OpenMarket* (blog), Competitive Enterprise Institute, October 30, 2019, <https://cei.org/blog/the-unmeasured-costs-of-federal-agency-liberation-from-congress-self-funding-and-permanence/>; Marlo Lewis, “Soft Targets for Elimination at Energy, Interior, & EPA,” Competitive Enterprise Institute, December 1994, <https://cei.org/sites/default/files/Dec%201994%20-%20Marlo%20Lewis%20-%20Energy%20-%20Dirty%20Dozen.pdf>.

430. Fred L. Smith Jr., “The Case for Reforming the Antitrust Regulations (If Repeal Is Not an Option),” *Harvard Journal of Law and Public Policy*, Vol. 23, No. 1 (Fall 1999), pp. 23–58, <https://www.harvard-jlpp.com/vols-20-24/#233>; Fred L. Smith Jr., “Why Not Abolish Antitrust?,” *Regulation*, Vol. 23 (January/February 1983), pp. 23–33, [https://cei.org/sites/default/files/Fred\\_Smith\\_-\\_Why\\_Not\\_Abolish\\_Antitrust\\_-\\_Regulation\\_Jan-Feb\\_1983.pdf](https://cei.org/sites/default/files/Fred_Smith_-_Why_Not_Abolish_Antitrust_-_Regulation_Jan-Feb_1983.pdf); Fred L. Smith Jr., “The Case



for Repealing the Antitrust Regulations,” white paper, October 2010, <https://cei.org/wp-content/uploads/2010/10/Fred-Smith-The-Case-For-Repealing-Antitrust-Law.pdf>; Robert A. Levy, “Antitrust: The Case for Repeal,” Cato Institute, January 11, 2003, <https://www.cato.org/commentary/antitrust-case-repeal>.

431. For discussion of the state of administrative law, see Robert R. Gasaway and Ashley C. Parrish, “Administrative Law in Flux: An Opportunity for Constitutional Reassessment,” *George Mason Law Review*, Vol. 24 (Winter 2017), pp. 361–417, <https://ssrn.com/abstract=2920778>.

432. Clyde Wayne Crews Jr., “Framing an ‘Abuse-of-Crisis Prevention Act’ to Confine the Federal Government,” Competitive Enterprise Institute, September 15, 2022, <https://ssrn.com/abstract=4220176>.

433. See, for example, Office of Rep. Paul Gosar (R-Ariz.), “Gosar Once Again Introduces Resolution to Terminate COVID-19 National Emergency,” press release, January 11, 2023, <https://gosar.house.gov/news/email/show.aspx?ID=2XST4FFFZYMMBKA732AT35BEY>.

434. Clyde Wayne Crews Jr., “Quick Observations on NDAA in Light of the Biden ‘Whole-of-Government’ Agenda,” *OpenMarket* (blog), Competitive Enterprise Institute, December 7, 2022, <https://cei.org/blog/quick-observations-on-ndaa-in-light-of-the-biden-whole-of-government-agenda/>.

435. Clyde Wayne Crews Jr., “Congress Is Causing Rising Regulatory Burdens. That Needs Fixing,” *Forbes*, May 10, 2022, <https://www.forbes.com/sites/waynecrews/2022/05/10/congress-is-causing-rising-regulatory-burdens-that-needs-fixing/?sh=3771975a715a>.

436. Clyde Wayne Crews Jr., “Questions the 118th Congress Should Ask OMB’s Office of Information and Regulatory Affairs,” *OpenMarket* (blog), Competitive Enterprise Institute, October 6, 2022, <https://cei.org/blog/questions-the-118th-congress-should-ask-ombs-office-of-information-and-regulatory-affairs/>.

437. White House Office of Management and Budget, Circular A-4, Regulatory Analysis, September 17, 2003, <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A4/a-4.pdf>; White House Office of Administration and Regulatory Affairs, “Regulatory Impact Analysis: A Primer,” [https://obamawhitehouse.archives.gov/sites/default/files/omb/inforeg/regpol/circular-a-4\\_regulatory-impact-analysis-a-primer.pdf](https://obamawhitehouse.archives.gov/sites/default/files/omb/inforeg/regpol/circular-a-4_regulatory-impact-analysis-a-primer.pdf).

438. Clyde Wayne Crews Jr., “The Unmeasured Costs of Federal Agency Liberation from Congress, Self-Funding, and Permanence,” *OpenMarket* (blog), Competitive Enterprise Institute, October 30, 2019, <https://cei.org/blog/the-unmeasured-costs-of-federal-agency-liberation-from-congress-self-funding-and-permanence/>. Christopher DeMuth Sr. and

Michael S. Greve, “Agency Finance in the Age of Executive Government,” *George Mason Law Review* 24, no. 555 (2017): 555–95, <https://ccdemuth.com/wp-content/uploads/2017/03/Agency-Finance-in-the-Age-of-Executive-Government.pdf>.

439. Commonwealth of Virginia, “Executive Order Number 19, Development and Review of State Agency Regulations, 2022,” June 30, 2022, <https://townhall.virginia.gov/EO-19-Development-and-Review-of-State-Agency-Regulations.pdf>; Andrew Wheeler and Reeve Hull, “Virginia Is Leading the Way on Accountability,” *Richmond Times-Dispatch*, January 29, 2023, [https://richmond.com/opinion/columnists/column-virginia-is-leading-the-way-on-accountability/article\\_d6f38ef6-9dc8-11ed-9a4e-7b7d29cb56d3.html](https://richmond.com/opinion/columnists/column-virginia-is-leading-the-way-on-accountability/article_d6f38ef6-9dc8-11ed-9a4e-7b7d29cb56d3.html).

440. Clyde Wayne Crews Jr., “Many Federal Agency Rules and Guidance Documents Are Still Not Properly Reported to Congress and the GAO as Required by the Congressional Review Act,” Competitive Enterprise Institute, September 14, 2022, <https://ssrn.com/abstract=4219091> or <http://dx.doi.org/10.2139/ssrn.4219091>.

441. Dan Bosch, “The Consequences of Over-Reliance on Executive Action,” *Insight*, American Action Forum, March 1, 2021, <https://www.americanactionforum.org/insight/the-consequences-of-over-reliance-on-executive-action/>.

442. Clyde Wayne Crews Jr., “Republicans Can Use the Debt Ceiling Fight to Better Prepare Americans for the Next Economic Crisis,” *Washington Examiner*, February 8, 2023, <https://www.washingtonexaminer.com/restoring-america/faith-freedom-self-reliance/republicans-can-use-debt-ceiling-fight-to-better-prepare-for-next-economic-crisis>; Clyde Wayne Crews Jr., “Is the Debt Ceiling the Only Remaining Institution Capable of Shrinking the Federal Government?,” *Forbes*, October 22, 2022, <https://www.forbes.com/sites/waynecrews/2022/10/24/is-the-debt-ceiling-the-only-remaining-institution-capable-of-shrinking-the-federal-government/>.

443. H.R. 2727, Rep. J. D. Hayworth (R-Ariz.), sponsor, Congressional Responsibility Act of 1995, 104th Congress (1995–1996), <https://www.congress.gov/bill/104th-congress/house-bill/2727>.

444. H.R. 277, Rep. Kat Cammack (R-Fla.), sponsor, Regulations from the Executive in Need of Scrutiny, Act of 2023, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/277/text?s=2&r=4&q=%7B%22search%22%3A%5B%22reins+act%22%5D%7D>.

445. Ryan Young, “Regulatory Reform Bills in the 118th Congress: The REINS Act,” *OpenMarket* (blog), Competitive Enterprise Institute, February 8, 2023, <https://cei.org/blog/regulatory-reform-bills-in-the-118th-congress-the-reins-act/>.

446. Office of Management and Budget, “Circular A-4, Regulatory Analysis,” *Federal Register*, Vol. 68, No. 196

(October 9, 2003), p. 56366, <https://www.govinfo.gov/content/pkg/FR-2003-10-09/pdf/03-25606.pdf>.

447. Clyde Wayne Crews Jr., “Promise and Peril: Implementing a Regulatory Budget,” *Policy Sciences*, Vol. 31, No. 4 (December 1998), pp. 343–369, <https://www.jstor.org/stable/4532441?seq=1>.

448. H.R. 261, Rep. Bob Good (R-Va.), sponsor, Article I Regulatory Budget Act, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/261/text?s=1&r=8>. An earlier version was that of Sen. Mike Lee (R-Utah). Office of Sen. Mike Lee (R-Utah), “Lee Unveils Article I Regulatory Budget Act,” press release, May 25, 2016, <https://www.lee.senate.gov/2016/5/lee-unveils-article-i-regulatory-budget-act>.

449. H.R. 262, Rep. Bob Good (R-Va.), sponsor, All Economic Regulations Are Transparent Act of 2023 (ALERT Act), 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/262?q=%7B%22search%22%3A%5B%22all+economic+regulations+are+transparent%22%5D%7D&s=1&r=1>.

450. Office of Rep. Bob Good (R-Va.), “Rep. Good Introduces 4 Bills to Reduce Big Government Spending,” press release, January 10, 2023, <https://good.house.gov/media/press-releases/rep-good-introduces-4-bills-reduce-big-government-spending>.

451. H.R. 442, Rep. Beth Van Duyne (R-Tex.), sponsor, Regulatory Accountability Act, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/442/text?s=8&r=142&q=%7B%22search%22%3A%5B%22regulation%22%5D%7D>.

452. H.R. 358, Rep. Ben Cline (R-Va.), sponsor, Small Business Regulatory Flexibility Improvements Act, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/358/text?s=7&r=99&q=%7B%22search%22%3A%5B%22regulation%22%5D%7D>.

453. Clyde Wayne Crews Jr., “An Emergency Law to Extinguish Regulatory Dark Matter,” *OpenMarket* (blog), Competitive Enterprise Institute, April 7, 2022, <https://cei.org/blog/an-emergency-law-to-extinguish-regulatory-dark-matter/>.

454. Rep. Virginia Foxx (R-N.C.), Unfunded Mandates Information and Transparency Act, <https://foxx.house.gov/legislation/umita.htm>.

455. Office of Sen. Mike Lee (R-Utah), “Sen. Lee Introduces Regulatory Reform Bills to Spur Economy,” press release, May 12, 2022, <https://www.lee.senate.gov/2022/5/sen-lee-introduces-regulatory-reform-bills-to-spur-economy>.

456. An example is the Regulations Endanger Democracy Act introduced in 2015. Sen. Dan Sullivan (R-Alaska), “Sullivan Introduces the RED (Regulations Endanger Democracy) Tape Act,” news release, August 5, 2015, <https://www.sullivan>

[.senate.gov/newsroom/press-releases/sullivan-introduces-the-red-regulations-endanger-democracy-tape-act](https://www.sullivan.senate.gov/newsroom/press-releases/sullivan-introduces-the-red-regulations-endanger-democracy-tape-act). Likewise, the “Lessening Regulatory Costs and Establishing a Federal Regulatory Budget Act” would require one-in, two-out, complete with regulatory reform task forces to identify rules for “repeal, replacement or modification.” H.R. 968, 117th Congress, <https://www.congress.gov/bill/117th-congress/house-bill/968?s=1&r=7>. The Senate version was S. 3996 from Sen. James Risch (R-Idaho), the Reducing Regulatory Burdens Act. The Red Tape Reduction Act would require removal of two rules before issuing a new one, as well as streamlining of guidance documents. H.R. 2318, 117th Congress, <https://www.congress.gov/bill/117th-congress/house-bill/2318?s=1&r=67>.

457. The Trump Department of Justice produced the 129-page Modernizing the Administrative Procedure Act in 2020 and an opinion memorandum recommending application of regulatory review to independent agencies. U.S. Department of Justice, Office of the Deputy Attorney General, “Modernizing the Administrative Procedure Act,” August 2020, <https://www.justice.gov/file/1302321/download>; Department of Justice, Office of Public Affairs, “Justice Department Releases Report on Modernizing the Administrative Procedure Act,” press release no. 20-767, August 11, 2020, <https://www.justice.gov/opa/pr/justice-department-releases-report-modernizing-administrative-procedure-act>; Steven A. Engel, Assistant U.S. Attorney General, “Memorandum Opinion for the Counsel to the President on ‘Extending Regulatory Review under Executive Order 12866 to Independent Regulatory Agencies,’” October 8, 2019 (posted December 2020), <https://www.justice.gov/olc/file/1349716/download>.

458. S.19, Sen Markwayne Mullin (R-Okla.), sponsor, Fracturing Regulations Are Effective in State Hands Act or the FRESH Act, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/senate-bill/19/text?s=7&r=19&q=%7B%22search%22%3A%5B%22regulation%22%5D%7D>.

459. H.R. 518, Rep. Tom McClintock (R-Calif.), sponsor, Endangered Species Transparency and Reasonableness Act of 2023, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/518?q=%7B%22search%22%3A%5B%22regulation%22%5D%7D&s=7&r=36>.

460. H.R. 145, Rep. Jeff Duncan (R-S.C.), sponsor, RUSH Was Right Act of 2023, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/145?q=%7B%22search%22%3A%5B%22regulation%22%5D%7D&s=7&r=30>.

461. H.R. 403, Rep. Andy Biggs (R-Ariz.), sponsor, No Mandates Act, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/house-bill/403?q=%7B%22search%22%3A%5B%22regulation%22%5D%7D&s=7&r=49>.

462. H.R. 38, Rep. Richard Hudson (R-N.C.), sponsor, Concealed Carry Reciprocity Act, 118th Congress (2023–2024) <https://www.congress.gov/bill/118th-congress/house-bill/38?q=>

%7B%22search%22%3A%5B%22regulation%22%5D%7D&cs=8&r=149.

463. S. 163, Sen. Roger Marshall (R-Kan.), sponsor, SHORT Act, 118th Congress (2023–2024), <https://www.congress.gov/bill/118th-congress/senate-bill/163?q=%7B%22search%22%3A%5B%22regulation%22%5D%7D&cs=8&r=135>.

464. Clyde Wayne Crews Jr., “Congress Should Charter an ‘Office of No’ to Counter Federal Overregulation,” *Forbes*, October 25, 2021, <https://www.forbes.com/sites/waynecrews/2021/10/25/congress-should-charter-an-office-of-no-to-counter-federal-overregulation/?sh=5835224b4928>.

465. Crews, “What’s the Difference.”

466. A description of the *Regulatory Program* can be found in Clyde Wayne Crews Jr., “The Other National Debt Crisis: How and Why Congress Must Quantify Federal Regulation,” Issue Analysis 2011, No. 4, Competitive Enterprise Institute, October 2011, <http://cei.org/issue-analysis/other-national-debt-crisis>.

467. A version of the Competitive Enterprise Institute’s major rule categorization and disclosure recommendations noted in Box 4 is also explored in Clyde Wayne Crews Jr., “The Other National Debt Crisis: How and Why Congress Must Quantify Federal Regulation,” Issue Analysis 2011, No. 4, Competitive Enterprise Institute, October 2011, <http://cei.org/issue-analysis/other-national-debt-crisis>. Those reporting proposals later appeared in the All Economic Regulations Are Transparent (ALERT) Act proposal and in the Restoring Tax and Regulatory

Certainty to Small Businesses Act of 2012, sponsored by Sen. Olympia Snowe (R-Maine). S. 3572, Restoring Tax and Regulatory Certainty to Small Businesses Act of 2012, 112th Congress, Second Session, <https://www.congress.gov/bill/112th-congress/senate-bill/3572>. Versions of the ALERT Act continued to appear in later Congresses but it has yet to be enacted. The “Regulatory Report Card Act” from Arizona Rep. Paul Gosar (H.R. 8006, 116th Congress, <https://www.congress.gov/bill/116th-congress/house-bill/8006/text?r=2&cs=1>) would likewise provide detailed scorecards for rules and guidance, garnering extensive detail on what is known and what is not known about regulations and their costs. See Clyde Wayne Crews Jr., “Regulatory Report Card Act Brings Accountability to Government,” Competitive Enterprise Institute, August 12, 2020, [https://cei.org/news\\_releases/regulatory-report-card-act-brings-accountability-to-government-wins-praise-from-cei-expert/](https://cei.org/news_releases/regulatory-report-card-act-brings-accountability-to-government-wins-praise-from-cei-expert/).

468. H.R. 1605, Rep. James Comer (R-Ky.), sponsor, Guidance Out of Darkness Act, 117th Congress, First Session, <https://www.congress.gov/bill/117th-congress/house-bill/1605>; S. 628, Sen. Ron Johnson (R-Wis.), sponsor, Guidance Out of Darkness Act, 117th Congress, First Session, <https://www.congress.gov/bill/117th-congress/senate-bill/628>.

469. “Regulation Freedom Amendment,” Ballotpedia, Administrative State Project, accessed September 27, 2022, [https://ballotpedia.org/Regulation\\_Freedom\\_Amendment](https://ballotpedia.org/Regulation_Freedom_Amendment).

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