

# Endnotes

1. White House, “Remarks by President Biden and Vice President Harris at the 2023 Congressional Black Caucus Phoenix Awards,” September 23, 2023, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/09/23/remarks-by-president-biden-and-vice-president-harris-at-the-2023-congressional-black-caucus-phoenix-awards/>.
2. The stated goal is that “40 percent of the overall benefits of certain Federal investments flow to disadvantaged communities that are marginalized, underserved, and overburdened.” White House, “Justice40: A Whole-of-Government Initiative,” <https://www.whitehouse.gov/environmentaljustice/justice40/>.
3. Council on Environmental Policy, “National Environmental Policy Act Implementing Regulations Revisions Phase 2,” *Federal Register*, Vol. 88, No. 145, July 31, 2023, pp. 49924–49988, <https://www.govinfo.gov/content/pkg/FR-2023-07-31/pdf/2023-15405.pdf>.
4. White House, “Fact Sheet: Biden-Harris Administration Launches American Climate Corps to Train Young People in Clean Energy, Conservation, and Climate Resilience Skills, Create Good-Paying Jobs and Tackle the Climate Crisis,” September 20, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/09/20/fact-sheet-biden-harris-administration-launches-american-climate-corps-to-train-young-people-in-clean-energy-conservation-and-climate-resilience-skills-create-good-paying-jobs-and-tackle-the-clima/>.
5. Stone Washington, “Big Problems with SEC Climate Disclosure Mandate,” Competitive Enterprise Institute, *OnPoint*, No. 291, January 31, 2024, [https://cei.org/wp-content/uploads/2024/01/OnPoint\\_291\\_-\\_Climate\\_disclosure\\_Washington\\_FINAL\\_240123.pdf](https://cei.org/wp-content/uploads/2024/01/OnPoint_291_-_Climate_disclosure_Washington_FINAL_240123.pdf).
6. Clyde Wayne Crews Jr., “Biden’s Competition Council Targets Free Enterprise, Expands Government,” *Forbes*, July 20, 2023, <https://www.forbes.com/sites/waynecrews/2023/07/20/bidens-competition-council-targets-free-enterprise-expands-government/?sh=7a6aba8a4794>.
7. See John Berlau, Competitive Enterprise Institute, “Comments to the Federal Trade Commission Regarding the Motor Vehicle Dealers Trade Regulation Rule,” September 12, 2022, [https://cei.org/regulatory\\_comments/comments-to-the-federal-trade-commission-regarding-the-motor-vehicle-dealers-trade-regulation-rule/](https://cei.org/regulatory_comments/comments-to-the-federal-trade-commission-regarding-the-motor-vehicle-dealers-trade-regulation-rule/); and James Broughel, “Biden’s Counterproductive Crusade against Junk Fees,” *Forbes*, December 21, 2023, [https://cei.org/opeds\\_articles/bidens-counterproductive-crusade-against-junk-fees/](https://cei.org/opeds_articles/bidens-counterproductive-crusade-against-junk-fees/).
8. Federal Trade Commission, “Trade Regulation Rule on the Use of Consumer Reviews and Testimonials,” *Federal Register*, Vol. 88, No. 145, July 31, 2023, pp. 49364–49382, <https://www.govinfo.gov/content/pkg/FR-2023-07-31/pdf/2023-15581.pdf>.
9. Jim Tankersley, “To Tap Federal Funds, Chip Makers Will Need to Provide Child Care,” *New York Times*, February 27, 2023, <https://www.nytimes.com/2023/02/27/us/politics/child-care-chip-makers-biden.html>; Jim Tankersley and Ana Swanson, “Biden’s Semiconductor Plan Flexes the Power of the Federal Government,” *New York Times*, February 27, 2023, <https://www.nytimes.com/2023/02/27/us/politics/chips-act-biden-commerce-department.html>; Clyde Wayne Crews Jr., “Biden’s Top-Down Economy, Powered by Executive Action,” *Forbes*, June 20, 2023, <https://www.forbes.com/sites/waynecrews/2023/06/20/bidens-top-down-economy-powered-by-executive-action/?sh=236b446066dd>.

10. Daren Bakst and Paige Lambermont, “Congress Should Prohibit the EPA’s Use of IRA Subsidies to Justify Its Regulations,” *OpenMarket* (blog), October 11, 2023, <https://cei.org/blog/congress-should-prohibit-the-epas-use-of-ira-subsidies-to-justify-its-regulations/>.
11. Joe Lancaster, “Congress Authorized \$7.5 Billion for E.V. Chargers. After 2 Years, None Are Built,” *Reason*, December 8, 2023, <https://reason.com/2023/12/08/congress-spent-7-5-billion-on-e-v-chargers-after-2-years-none-are-built/>.
12. Luke A. Nicastro, “The U.S. Defense Industrial Base: Background and Issues for Congress,” Congressional Research Service, October 12, 2023, <https://crsreports.congress.gov/product/pdf/R/R47751>.
13. Department of Defense, “Defense Federal Acquisition Regulation Supplement: DFARS Buy American Act Requirements,” *Federal Register*, Vol. 88, No. 111, June 9, 2023, pp. 37942–37973, <https://www.govinfo.gov/content/pkg/FR-2023-06-09/pdf/2023-12019.pdf>.
14. White House, “Remarks by President Biden and Prime Minister Mark Brown of the Cook Islands before Meeting with Pacific Islands Forum Leaders,” September 25, 2023, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/09/25/remarks-by-president-biden-and-prime-minister-mark-brown-of-the-cook-islands-before-meeting-with-pacific-islands-forum-leaders/>.
15. White House, “Fact Sheet: President Biden Announces New Actions to Strengthen America’s Supply Chains, Lower Costs for Families, and Secure Key Sectors,” November 27, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/11/27/fact-sheet-president-biden-announces-new-actions-to-strengthen-americas-supply-chains-lower-costs-for-families-and-secure-key-sectors/>.
16. Edward Helmore, “Biden Plans to Use Cold War–Era Law in Attempt to Lower US Prices,” *The Guardian*, November 27, 2023, <https://www.theguardian.com/us-news/2023/nov/27/biden-inflation-prices-defense-production-act>.
17. James Freeman, “Biden’s New Power Grab,” *Wall Street Journal*, October 30, 2023, <https://www.wsj.com/articles/bidens-new-power-grab-24679dc9>.
18. Federal Reserve Board, “FedNow Service,” [https://www.federalreserve.gov/paymentsystems/fednow\\_about.htm](https://www.federalreserve.gov/paymentsystems/fednow_about.htm).
19. Andy Greenberg, “Citing Hamas, the US Wants to Officially Treat Crypto Anonymity Services as Suspected Money Launderers,” *WIRED*, October 19, 2023, <https://www.wired.com/story/us-treasury-crypto-mixer-hamas/>.
20. Betsy Woodruff Swan, “DHS Has a Program Gathering Domestic Intelligence—And Virtually No One Knows about It,” *Politico*, March 6, 2023, <https://www.politico.com/news/2023/03/06/dhs-domestic-intelligence-program-00085544>.
21. Consumer Financial Protection Bureau, “Small Business Lending under the Equal Credit Opportunity Act (Regulation B),” *Federal Register*, Vol. 88, No. 104, May 31, 2023, pp. 35150–35571, <https://www.govinfo.gov/content/pkg/FR-2023-05-31/pdf/2023-07230.pdf>.
22. Joseph Choi, “CDC Adding Flu, RSV Surveillance at Major US Airports,” *The Hill*, November 6, 2023, <https://thehill.com/policy/healthcare/4295650-cdc-flu-rsv-surveillance-airports/>.
23. Clyde Wayne Crews Jr., “Vehicle Kill Switches and Other Horrible Things Washington Is Doing to Us from a Distance,” *OpenMarket* (blog), November 16, 2023, <https://cei.org/blog/vehicle-kill-switches-and-other-horrible-things-washington-is-doing-to-us-from-a-distance/>.
24. In the wake of the allegedly dismantled Department of Homeland Security’s “Disinformation Governance Board,” see National Science Foundation, Dear Colleague Letter, “Inviting Proposals Related to Information Integrity to the Secure and Trustworthy Cyberspace Program,” February 24, 2022, <https://new.nsf.gov/funding/opportunities/inviting-proposals-related-information-integrity>; and NSF, “Track F: Trust & Authenticity in Communication Systems,” Convergence Accelerator Portfolio website, <https://new.nsf.gov/funding/initiatives/convergence-accelerator/portfolio>. Also see *The Weaponization of the National Science Foundation: How NSF Is Funding the Development of Automated Tools to Censor Online Speech “At Scale” and Trying to Cover Up Its Actions*, Interim Staff Report, House Committee on the Judiciary and the Select Subcommittee on the Weaponization of the Federal Government, February 5, 2024, [https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/NSF-Staff-Report\\_Appendix.pdf](https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/NSF-Staff-Report_Appendix.pdf).
25. James Lee, “Don’t Even Go There: The National Institutes of Health Now Blocks Access to an Important Database If It Thinks a Scientist’s Research May Enter ‘Forbidden’ Territory,” *City Journal*, October 19, 2022, <https://www.city-journal.org/article/dont-even-go-there>.
26. 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/USPSBA/bulletins/27934ad>.
27. Office of Senate Republican Leader Mitch McConnell, “One Year Later, Democrats’ Reckless Spending Spree Is Showering Cash on Foreign Companies,” news release, July 26, 2023, <https://www.republicanleader.senate.gov/newsroom/research/one-year-later-democrats-reckless-spending-spree-is-showering-cash-on-foreign-companies>.

28. For further discussion of these transformations and their contrast with the streamlining agenda of the Trump era, refer to the 2022 and 2023 editions of this report; and see Eric Boehm, “Biden Wants Another \$56 Billion in ‘Emergency’ Spending,” *Reason*, October 30, 2023, <https://reason.com/2023/10/30/biden-wants-another-56-billion-in-emergency-spending/>.
29. Department of Health and Human Services, Food and Drug Administration, “Advisory Committee; Board of Tea Experts; Termination and Technical Amendment to the Citation for the Federal Advisory Committee Act,” *Federal Register*, Vol. 88, No. 180, September 19, 2023, p. 64379, <https://www.govinfo.gov/content/pkg/FR-2023-09-19/pdf/2023-20012.pdf>.
30. Department of Health and Human Services, “Second Temporary Extension of COVID-19 Telemedicine Flexibilities for Prescription of Controlled Medications,” *Federal Register*, Vol. 88, No. 194, October 10, 2023, pp. 69879–69883, <https://www.govinfo.gov/content/pkg/FR-2023-10-10/pdf/2023-22406.pdf>.
31. Department of the Interior, Fish and Wildlife Service, “Exhibition of Migratory Birds and Eagles,” *Federal Register*, Vol. 88, No. 105, June 1, 2023, pp. 35821–35823, <https://www.govinfo.gov/content/pkg/FR-2023-06-01/pdf/2023-11653.pdf>.
32. Department of the Interior, Fish and Wildlife Service, “Regulations to Implement the Big Cat Public Safety Act,” *Federal Register*, Vol. 88, No. 112, June 12, 2023, pp. 38358–38375, <https://www.govinfo.gov/content/pkg/FR-2023-06-12/pdf/2023-12636.pdf>.
33. Department of the Interior, Fish and Wildlife Service, “Endangered and Threatened Wildlife and Plants; Designation of Experimental Populations,” *Federal Register*, Vol. 88, No. 126, July 3, 2023, pp. 42642–42652, <https://www.govinfo.gov/content/pkg/FR-2023-07-03/pdf/2023-13672.pdf>.
34. Department of the Interior, Fish and Wildlife Service, “Endangered and Threatened Wildlife and Plants; Removing Nelson’s Checker-Mallow from the Federal List of Endangered and Threatened Plants,” *Federal Register*, Vol. 88, No. 199, October 17, 2023, pp. 71491–71504, <https://www.govinfo.gov/content/pkg/FR-2023-10-17/pdf/2023-22759.pdf>.
35. Providing Accountability Through Transparency Act of 2023, Pub. L. No. 118-9, 137 Stat. 55, <https://www.congress.gov/118/plaws/publ9/PLAW-118publ9.pdf>.
36. Shannon Osaka, “World’s ‘Carbon Budget’ for Key Climate Goal Was Halved in Just Three Years,” *Washington Post*, June 8, 2023, <https://www.washingtonpost.com/climate-environment/2023/06/08/carbon-budget-study-climate-change/>.
37. James M. Buchanan, *Cost and Choice: An Inquiry in Economic Theory* (Chicago and London: University of Chicago Press, 1969).
38. F. A. Hayek, “The Use of Knowledge in Society,” *American Economic Review* 35, No. 4 (1945): 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).
39. White House, “Press Briefing by Press Secretary Karine Jean-Pierre,” July 24 2023, <https://www.whitehouse.gov/briefing-room/press-briefings/2023/07/24/press-briefing-by-press-secretary-karine-jean-pierre-44/>.
40. Clyde Wayne Crews Jr., *Tip of the Costberg: On the Invalidity of All Cost of Regulation Estimates and the Need to Compile Them Anyway*, 2017 edition, <https://ssrn.com/abstract=2502883>.
41. Federal Reserve Bank of Minneapolis, Inflation Calculator, <https://www.minneapolisfed.org/about-us/monetary-policy/inflation-calculator>.
42. Joe Biden (@Joe Biden), “We’re canceling all remaining oil and gas leases issued under the previous administration in the Arctic Refuge and protecting more than 13 million acres in the Western Arctic. As the climate crisis warms the Arctic, we have a responsibility to protect this treasured region for all ages,” X, September 7, 2023, 4:01 p.m., <https://twitter.com/JoeBiden/status/1699875569784017200>.
43. Ben Lieberman, “Biden Anti-consumer Crusade Targets 4 More Types of Appliances,” Fox News, December 27, 2023, <https://www.foxnews.com/opinion/biden-anti-consumer-crusade-targets-4-more-types-appliances>.
44. Some resistance is taking place. See Maxine Joselow and Vanessa Montalbano, “Biden Is Pushing Contractors to Cut Emissions. They’re Pushing Back,” *Washington Post*, February 13, 2023, <https://www.washingtonpost.com/politics/2023/02/13/biden-is-pushing-contractors-cut-emissions-they-pushing-back/>.
45. Daniel Lyons, “Smart Networks Undermined by Dumb Regulations,” *AEIdeas* (blog), December 1, 2023, <https://www.aei.org/technology-and-innovation/smart-networks-undermined-by-dumb-regulations/>.
46. Federal Communications Commission, “The Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination,” *Federal Register*, Vol. 89, No. 14, January 22, 2024, pp. 4128–4164, <https://www.govinfo.gov/content/pkg/FR-2024-01-22/pdf/2023-28835.pdf>.
47. Brendan Carr, FEC commissioner, dissenting statement on “Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination,” <https://docs.fcc.gov/public/attachments/DOC-398477A3.pdf>.

48. Ex parte comments of the National Telecommunications and Information Administration before the Federal Communications Commission in the Matter of “Implementing the Infrastructure Investment and Jobs Act: Prevention and Elimination of Digital Discrimination,” October 6, 2023, [https://www.ntia.gov/sites/default/files/publications/ntia\\_digital\\_discrimination\\_ex\\_parte\\_comment\\_10.6.23.pdf](https://www.ntia.gov/sites/default/files/publications/ntia_digital_discrimination_ex_parte_comment_10.6.23.pdf).
49. For example, see Sen. Ted Cruz, Senate Commerce Committee, “Red Light Report: Stop Waste, Fraud and Abuse in Federal Broadband Funding,” September 2023, <https://www.commerce.senate.gov/services/files/0B6D8C56-7DFD-440F-8BCC-F448579964A3>; and Clyde Wayne Crews Jr., “Congress Must Halt the Ascendance of Regulation by Subsidy,” *Forbes*, November 6, 2023, <https://www.forbes.com/sites/waynecrews/2023/11/06/congress-must-halt-the-ascendance-of-regulation-by-subsidy/?sh=274af728445a>.
50. Nicole V. Crain and W. Mark Crain, “The Cost of Federal Regulations to the U.S. Economy, Manufacturing and Small Business,” National Association of Manufacturers, September 10, 2014, <https://nam.org/wp-content/uploads/2023/11/NAM-3731-Crains-Study-R3-V2-FIN.pdf>; Clyde Wayne Crews Jr., “National Association of Manufacturers Pegs Cost of Regulation at \$3.079 Trillion,” *Forbes*, December 28, 2023, <https://www.forbes.com/sites/waynecrews/2023/12/28/national-association-of-manufacturers-pegs-cost-of-regulation-at-3079-trillion/?sh=15c436c34544>.
51. As discussed in previous editions of this report, see Bentley Coffey, Patrick A. McLaughlin, and Pietro Peretto, “The Cumulative Cost of Regulations,” Mercatus working paper, Mercatus Center at George Mason University, April 2016, <https://www.mercatus.org/research/working-papers/cumulative-cost-regulations>; and John W. Dawson and John J. Seater, “Federal Regulation and Aggregate Economic Growth,” *Journal of Economic Growth* 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##).
52. The report continues, “Regulation-related occupations span about 1/3 of all occupation categories, covering not only compliance officers, but also compensation and benefits managers, financial examiners, nurse practitioners, insurance policy processing clerks, environmental technicians, among the many.” Francesco Trebbi, Miao Ben Zhang, and Michael Simkovic, “The Cost of Regulatory Compliance in the United States,” CESifo Working Paper No. 10589, July 2023.
53. Office of Management and Budget, *Draft Report to Congress on the Benefits and Costs of Federal Regulations and Agency Compliance with the Unfunded Mandates Reform Act, Fiscal Years 2020, 2021, 2022*, October 2023, <https://www.whitehouse.gov/wp-content/uploads/2023/10/FY-20-21-22-BCA-Report.pdf>. Also see Clyde Wayne Crews Jr., “White House Releases 2020–2022 Regulatory Cost–Benefit Reports,” *Forbes*, November 1, 2023, <https://www.forbes.com/sites/waynecrews/2023/11/01/biden-white-house-releases-2020-2022-regulatory-cost-benefit-reports/?sh=6ff8559c2dee>; and Crews, “White House Report Reveals Tens of Billions in New Annual Regulatory Costs,” *OpenMarket* (blog), November 13, 2023, <https://cei.org/blog/white-house-report-reveals-tens-of-billions-in-new-annual-regulatory-costs/>.
54. Crews, “Tip of the Costberg.” Some costs are also collected on an online spreadsheet at <http://bit.ly/1BMjil5>.
55. Crews, “Tip of the Costberg.” Some costs are also collected on an online spreadsheet at <http://bit.ly/1BMjil5>.
56. Clyde Wayne Crews Jr., “Federal Paperwork Hours Consume the Equivalent of 14,883 Human Lifetimes Annually,” *Forbes*, September 25, 2023, <https://www.forbes.com/sites/waynecrews/2023/09/25/federal-paperwork-consumes-the-equivalent-of-14883-human-lifetimes-annually/?sh=5804b648554f>. The \$28 billion roundup is also tabulated online at [bit.ly/1r9Qvgq](http://bit.ly/1r9Qvgq).
57. Paperwork roundups are tabulated online at [bit.ly/1r9Qvgq](http://bit.ly/1r9Qvgq).
58. Crews, “Tip of the Costberg.”
59. Federal Reserve Bank of Minneapolis, Inflation Calculator, <https://www.minneapolisfed.org/about-us/monetary-policy/inflation-calculator>.
60. Casey B. Mulligan, “Burden Is Back: Comparing Regulatory Costs between Biden, Trump, and Obama,” Committee to Unleash Prosperity, June 2023, [https://committeetounleashprosperity.com/wp-content/uploads/2023/06/CTUP\\_BurdenIsBack\\_ComparingRegulatoryCosts.pdf](https://committeetounleashprosperity.com/wp-content/uploads/2023/06/CTUP_BurdenIsBack_ComparingRegulatoryCosts.pdf).
61. For example, Office of Management and Budget, *Draft Report*, 2020–22, p. 8.
62. Fred L. Smith Jr., “The Problem with Public–Private Partnerships,” *OpenMarket* (blog), November 5, 2010, <https://cei.org/blog/the-problem-with-public-private-partnerships/>.
63. Department of Energy, “Biden-Harris Administration Announces \$7 Billion for America’s First Clean Hydrogen Hubs, Driving Clean Manufacturing and Delivering New Economic Opportunities Nationwide,” news release, October 13, 2023, <https://www.energy.gov/articles/biden-harris-administration-announces-7-billion-americas-first-clean-hydrogen-hubs-driving>.
64. White House, “Fact Sheet: Biden-Harris Administration Announces 31 Regional Tech Hubs to Spur American Innovation, Strengthen Manufacturing, and Create Good-Paying Jobs in Every Region of the Country,” October 23, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/23/fact-sheet-biden-harris-administration>

-announces-31-regional-tech-hubs-to-spur-american-innovation-strengthen-manufacturing-and-create-good-paying-jobs-in-every-region-of-the-country/.

65. Dan Greenberg and Jessica Melugin, “Don’t Confuse the Platform with the Train: The Case against Regulating Social Media Companies as Common Carriers,” *Competitive Enterprise Institute Issue Analysis* 2022 No. 3, March 2022, <https://cei.org/wp-content/uploads/2022/03/Dan-Greenberg-and-Jessica-Melugin-Dont-Confuse-the-Platform-with-the-Train-1.pdf>.

66. For example, see Sanchari Choudhury, “The Causal Effect of Regulation on Income Inequality across the U.S. States,” *European Journal of Political Economy* 80, Issue C (2023): 102101, <https://www.sciencedirect.com/science/article/abs/pii/S0176268023001155?via%3Dihub>.

67. White House, “Fact Sheet: Biden-Harris Administration High-Speed Internet Investments Spur Made-in-America Manufacturing Boom,” August 3, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/08/03/fact-sheet-biden-harris-administration-high-speed-internet-investments-spur-made-in-america-manufacturing-boom>.

68. List of federal government agencies, *Federal Register* website, <https://www.federalregister.gov/agencies>.

69. Congressional Budget Office, *The Budget and Economic Outlook: 2024 to 2034*, Table 1-1, “CBO’s Baseline Budget Projections, by Category,” p. 10, <https://www.cbo.gov/system/files/2024-02/59710-Outlook-2024.pdf>.

70. Office of Management and Budget, “Historical Tables,” Table 2.1, “Receipts by Source: 1934–2027,” <https://www.whitehouse.gov/omb/historical-tables/>.

71. Department of Commerce, Bureau of Economic Analysis, “Gross Domestic Product, Fourth Quarter and Year 2023 (Advance Estimate),” January 25, 2024, <https://www.bea.gov/news/2024/gross-domestic-product-fourth-quarter-and-year-2023-advance-estimate>.

72. World Bank, World Development Indicators Database, “Gross Domestic Product 2022,” July 1, 2023, [https://data.bankfiles.worldbank.org/public/ddpext\\_download/GDP.pdf](https://data.bankfiles.worldbank.org/public/ddpext_download/GDP.pdf).

73. Anthony B. Kim, Patrick Tyrrell, and Kevin D. Roberts, *2023 Index of Economic Freedom*, 30th ed. (Washington, DC: Heritage Foundation, 2023), <http://www.heritage.org/index/>; James D. Gwartney et al., *Economic Freedom of the World*, 28th ed. (Washington, DC: Cato Institute/Fraser Institute, 2023), <https://www.cato.org/economic-freedom-world/2023>.

74. 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>.

75. Department of Labor, Bureau of Labor Statistics, “Consumer Expenditures—2022,” Economic News Release USDL-23-1943, September 8, 2023, <http://www.bls.gov/news.release/cesan.nr0.htm>.

76. By the time Trump was inaugurated on January 20, 2017, the Obama administration had already added 7,630 pages to the *Federal Register*, putting Trump’s “net” page count at 53,437.

77. White House, “Fact Sheet: President Biden Announces New Actions to Strengthen America’s Supply Chains, Lower Costs for Families, and Secure Key Sectors,” November 27, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/11/27/fact-sheet-president-biden-announces-new-actions-to-strengthen-americas-supply-chains-lower-costs-for-families-and-secure-key-sectors/>; Clyde Wayne Crews Jr., “Breaking Links? Pondering the New White House Council on Supply Chain Resilience,” *Forbes*, December 4, 2023, <https://www.forbes.com/sites/waynecrews/2023/12/04/breaking-links-pondering-the-new-white-house-council-on-supply-chain-resilience/?sh=79011eed5d4e/>.

78. Department of Energy, “Biden-Harris Administration Announces \$7 Billion for America’s First Clean Hydrogen Hubs.”

79. Joe Biden, EO 14094, “Modernizing Regulatory Review,” *Federal Register*, Vol. 88, No. 69, April 11, 2023, pp. 21879–21881, <https://www.govinfo.gov/content/pkg/FR-2023-04-11/pdf/2023-07760.pdf>.

80. Joe Biden, EO 14104, “Federal Research and Development in Support of Domestic Manufacturing and United States Jobs,” *Federal Register*, Vol. 88, No. 147, August 2, 2023, pp. 51203–51208, <https://www.govinfo.gov/content/pkg/FR-2023-08-02/pdf/2023-16636.pdf>.

81. White House, “Fact Sheet: President Biden Issues Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence,” October 30, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/30/fact-sheet-president-biden-issues-executive-order-on-safe-secure-and-trustworthy-artificial-intelligence/>.

82. Donald Trump, EO 13771, “Reducing Regulation and Controlling Regulatory Costs,” *Federal Register*, Vol. 82, No. 22, February 3, 2017, pp. 9339–9341, <https://www.govinfo.gov/content/pkg/FR-2017-02-03/pdf/2017-02451.pdf>.

83. White House, “Modernizing Regulatory Review,” <https://www.whitehouse.gov/omb/information-regulatory-affairs/modernizing-regulatory-review/>.

84. 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/>.

85. Joe Biden, “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>.
86. For example, see White House, “A Proclamation on Establishment of the Baaj Nwaavjo I’tah Kukveni-Ancestral Footprints of the Grand Canyon National Monument,” August 8, 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/08/08/a-proclamation-on-establishment-of-the-baaj-nwaavjo-itah-kukveni-ancestral-footprints-of-the-grand-canyon-national-monument/>.
87. 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/>; and see “President Biden Announces New Action by His Administration to Fight Gun Crime,” YouTube video, April 11, 2022, [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).
88. 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-ff-el-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-ff-el-perkins?utm_campaign=npr&utm_medium=social&utm_term=nprnews&utm_source=twitter.com).
89. Federal Trade Commission, “Disclosures 101 for Social Media Influencers,” November 2019, <https://www.ftc.gov/business-guidance/resources/disclosures-101-social-media-influencers>.
90. Clyde Wayne Crews Jr., “The Unfairness of the FTC’s Policy Statement Regarding the Scope of Unfair Methods of Competition,” *OpenMarket* (blog), November 14, 2022, <https://cei.org/blog/the-unfairness-of-the-ftcs-policy-statement-regarding-the-scope-of-unfair-methods-of-competition/>.
91. Department of Transportation, Office of the Secretary, “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>; and David Dayen, “The FTC Banned an Unfair Practice. The Department of Transportation Can, Too,” Prospect, January 9, 2023, <https://prospect.org/infrastructure/transportation/ftc-noncompete-airline-flight-cancellation-buttigieg/>.
92. See Department of Justice and Department of Education, Dear Colleague Letter, regarding Supreme Court ruling in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* and *Students for Fair Admissions, Inc. v. University of North Carolina et al.*, August 14, 2023, <https://www.politico.com/f/?id=00000189-f496-d7f7-a5fd-f59754af0000>; and Department of Justice and Department of Education, “Questions and Answers Regarding the Supreme Court’s Decision in *Students for Fair Admissions, Inc. v. Harvard College and University of North Carolina*,” August 14, 2023, <https://www.politico.com/f/?id=00000189-f493-dc32-ab89-f5ff0c050000>.
93. See Marlo Oaks, “Companies That Can’t Make Money,” *Wall Street Journal*, November 15, 2023, <https://www.wsj.com/articles/biden-administration-invents-companies-that-cant-make-money-ad71f8f3>; and Stone Washington, “The Natural Asset Hydra,” *OpenMarket* (blog), January 25, 2024, <https://cei.org/blog/the-natural-asset-hydra/>.
94. Office of Management and Budget, Draft for Public Review, “Guidance for Assessing Changes in Environmental and Ecosystem Services in Benefit–Cost Analysis,” August 2023, <https://www.whitehouse.gov/wp-content/uploads/2023/08/DraftESGuidance.pdf>; and see James Broughel, Competitive Enterprise Institute, “Comments on Proposed Guidance for Assessing Changes in Environmental and Ecosystem Services in Benefit–Cost Analysis,” September 18, 2023, <https://cei.org/wp-content/uploads/2023/09/Broughel-Ecosystem-Services-Guidance-Comment-FINAL-1.docx.pdf>.
95. Department of Justice and Federal Trade Commission, *2023 Merger Guidelines*, December 18, 2023, <https://www.justice.gov/atr/2023-merger-guidelines>.
96. Clyde Wayne Crews Jr., “Careful: Misbegotten Government-Business ‘Blueprints’ Can Lobotomize Artificial Intelligence,” *Forbes*, July 25, 2023, <https://www.forbes.com/sites/waynecrews/2023/07/25/careful-misbegotten-government-business-blueprints-can-lobotomize-artificial-intelligence/?sh=385bcad64fbf>.
97. For example, the FCC’s action plan has its own web page (<https://www.fcc.gov/equity>), whereas the Department of Transportation’s plan is in the *Federal Register*. Department of Transportation, Office of the Secretary, “Department of Transportation Equity Action Plan Update,” *Federal Register*, Vol. 88, No. 107, June 5, 2023, pp. 36642–36645, <https://www.govinfo.gov/content/pkg/FR-2023-06-05/pdf/2023-11806.pdf>.
98. US House of Representatives Committee on Oversight and Government Reform, “Shining Light on Regulatory Dark Matter,” Majority Staff Report, 115th Congress, March 2018, <https://oversight.house.gov/wp-content/uploads/2018/03/Guidance-Report-for-Issuance1.pdf>.
99. Clyde Wayne Crews Jr., “EPA Follows through on Biden Directive to Hide Guidance Documents from the Public,” *OpenMarket* (blog), May 18, 2021, <https://cei.org/blog/epa-follows-through-on-biden-directive-to-hide-guidance-documents-from-the-public/>.

100. An online agency guidance document inventory may be found at <https://bit.ly/2TfWzZ2>. For context and description, see Clyde Wayne Crews Jr., “Once-Promising Guidance Document Disclosures Are Stagnating under Biden: Inventory and Observations,” *Forbes*, September 7, 2023, <https://www.forbes.com/sites/waynecrews/2023/09/07/once-promising-guidance-document-disclosures-are-stagnating-under-biden-inventory-and-observations/?sh=6371a4f213a0>; and Crews, “Under Biden, Thousands of Government Guidance Documents Are Becoming Much Harder to Find,” *OpenMarket* (blog), September 11, 2023, <https://cei.org/blog/under-biden-thousands-of-government-guidance-documents-are-becoming-much-harder-to-find/>.

101. 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](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).

102. Neomi Rao, “Introduction to the Fall 2018 Regulatory Plan,” Office of Management and Budget, Office of Information and Regulatory Affairs, 2018, <https://www.reginfo.gov/public/jsp/eAgenda/StaticContent/201810/VPStatement.pdf>.

103. Regulatory expert Leland Beck, as quoted in “Midnight Regulations: Examining Executive Branch Overreach,” Hearing before the House Committee on Science, Space, and Technology, 114th Cong., 2nd sess., February 10, 2016, [https://archive.org/stream/gov.gpo.fdsys.CHRG-114hrg20830/CHRG-114hrg20830\\_djvu.txt](https://archive.org/stream/gov.gpo.fdsys.CHRG-114hrg20830/CHRG-114hrg20830_djvu.txt).

104. Clyde Wayne Crews Jr., “Federal Government Waves Goodbye to ‘Economically Significant’ Regulations,” *OpenMarket* (blog), December 11, 2023, <https://cei.org/blog/federal-government-waves-goodbye-to-economically-significant-regulations/>.

105. This description appears in the OMB “advanced search” database landing page.

106. For earlier prominent rules from the serious to the amusing, see the “Completed High-Significance Actions” section of earlier editions of *Ten Thousand Commandments*.

107. “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>.

108. For the overall numbers of rules in the Unified Agenda affecting small business broken down by department and agency for fall editions from 1999 to 2020, see Appendix: Historical Tables, Part H, in the 2023 edition of *Ten Thousand Commandments*.

109. Significant small-business counts between 2008 and 2013 stand as follows:

2008	106
2009	107
2010	115
2011	121
2012	96
2013	103

110. Michel Martin, interview with Leirion Gaylor Baird, mayor of Lincoln, Nebraska, National Public Radio, January 17, 2024, <https://www.npr.org/2024/01/17/1225142522/mayors-are-in-washington-for-the-u-s-conference-of-mayors-winter-meeting>.

111. Historical tallies may be viewed in prior editions of this report.

112. “Submission of Federal Rules under the Congressional Review Act” form, <https://www.gao.gov/assets/2023-11/Blank%20CRA%20Form-Updated.pdf>.

113. See Paul J. Larkin Jr., “Reawakening the Congressional Review Act,” *Harvard Journal of Law and Public Policy* 41, No. 1 (2018): 187–252, [https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2018/01/Larkin\\_FINAL.pdf](https://journals.law.harvard.edu/jlpp/wp-content/uploads/sites/90/2018/01/Larkin_FINAL.pdf).

114. Clyde Wayne Crews Jr., “Use the Congressional Review Act to Strike Rules Not Reported to Congress and GAO,” *OpenMarket* (blog), January 22, 2024, <https://cei.org/blog/use-the-congressional-review-act-to-strike-rules-not-reported-to-congress-and-gao/>.

115. By “effective date,” the figure is 2,096.

116. 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* 43, No. 9 (2014): 1–5, <https://imprimis.hillsdale.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).

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

118. For example, see “Proposing an Amendment to the Constitution of the United States with Respect to Tax Limitations,” 105th Cong., 1st sess., Report 105-50, April 10, 1997, <https://www.congress.gov/105/crpt/hrpt50/CRPT-105hrpt50.pdf>.
119. Fred L. Smith Jr., “The Case for Reforming the Antitrust Regulations (If Repeal Is Not an Option),” *Harvard Journal of Law and Public Policy* 23, No. 1 (1999): 23–58, <https://cei.org/wp-content/uploads/2010/10/Fred-Smith-The-Case-For-Repealing-Antitrust-Law.pdf>.
120. 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> or <http://dx.doi.org/10.2139/ssrn.4220176>.
121. See the 2023 edition of this report; and see Clyde Wayne Crews Jr., “Laws against Laws: A 118th Congress Regulatory Reform Agenda for Rightsizing Washington,” *Forbes*, March 15, 2023, <https://www.forbes.com/sites/waynecrews/2023/03/15/laws-against-laws-a-118th-congress-regulatory-reform-arena-for-rightsizing-washington/?sh=65164b147a23>.
122. 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>.
123. Congressional Office of Regulatory Analysis Creation Act, 105th Cong., 2nd sess., Report 105-441, June 3, 1998, <https://congress.gov/105/crpt/hrpt441/CRPT-105hrpt441-pt2.pdf>.
124. Congressional Responsibility Act of 1995, 104th Cong., 1st sess., December 6, 1995, <https://www.congress.gov/bill/104th-congress/house-bill/2727>.
125. Clyde Wayne Crews Jr., “A New Shot at Enlisting the Office of Management and Budget in Regulatory Streamlining,” *Forbes*, October 2, 2023, <https://www.forbes.com/sites/waynecrews/2023/10/02/a-new-shot-at-enlisting-the-office-of-management-and-budget-in-regulatory-streamlining/?sh=6127b8162a5d>.
126. Richard Cowan, “US House Panel Considers Commission to Tackle Nation’s Soaring Debt,” Reuters, January 16, 2024, <https://www.reuters.com/world/us/us-house-panel-considers-commission-tackle-nations-soaring-debt-2024-01-16/>.
127. Clyde Wayne Crews Jr., “Regulatory Reforms Belong in the FY2024 Budget Deal,” *Forbes*, September 17, 2023, <https://www.forbes.com/sites/waynecrews/2023/09/18/regulatory-reforms-belong-in-the-fy2024-budget-deal/?sh=120a73d5580b>.
128. Clyde Wayne Crews Jr., “GOOD Act Only First Step in Forcing Federal Agencies to Come Clean on Guidance Documents,” *OpenMarket* (blog), August 7, 2023, <https://cei.org/blog/good-act-only-first-step-in-forcing-federal-agencies-to-come-clean-on-guidance-documents/>.
129. “Administrative Procedure Act Limitations: Cost Measurement and Disclosure,” *OpenMarket*, Competitive Enterprise Institute, January 20, 2019, <https://cei.org/blog/administrative-procedure-act-limitations-cost-measurement-and-disclosure>.
130. “What Is the Effect of Federal Regulation on Jobs?” *Forbes*, August 19, 2018, <https://www.forbes.com/sites/waynecrews/2018/08/19/what-is-the-effect-of-federal-regulation-on-jobs/?sh=336fde4819dd>.
131. “Administrative Procedure Act Limitations: Process and Oversight Shortcomings,” *OpenMarket*, Competitive Enterprise Institute, February 5, 2019, <https://cei.org/blog/administrative-procedure-act-limitations-process-and-oversight-shortcomings>.
132. “Unmeasured Meta-Costs of the Administrative State,” *OpenMarket*, Competitive Enterprise Institute, February 13, 2019, <https://cei.org/blog/unmeasured-meta-costs-administrative-state>. “Regulatory Costs and the Loss of Liberty,” *OpenMarket*, Competitive Enterprise Institute, February 19, 2019, <https://cei.org/blog/regulatory-costs-and-loss-liberty>.
133. “Costs of Regulatory Takings and Property Value Destruction,” *OpenMarket*, Competitive Enterprise Institute, February 26, 2019, <https://cei.org/blog/costs-regulatory-takings-and-property-value-destruction>.
134. “Costs of Unequal Treatment of Citizens by Abandoning Negative Rights for a Positive Rights Framework,” *OpenMarket*, Competitive Enterprise Institute, March 1, 2019, <https://cei.org/blog/costs-unequal-treatment-citizens-abandoning-negative-rights-positive-rights-framework>.
135. “Regulatory Costs of Delegating Lawmaking Power to Executive and Unelected Administrators,” *OpenMarket*, Competitive Enterprise Institute, March 13, 2019, <https://cei.org/blog/regulatory-costs-delegating-lawmaking-power-executive-and-unelected-administrators>.
136. “The Unmeasured Costs of Federal Agency Liberation from Congress, Self-Funding, and Permanence,” *OpenMarket*, Competitive Enterprise Institute, October 30, 2019, <https://cei.org/blog/unmeasured-costs-federal-agency-liberation-congress-self-funding-and-permanence>.
137. “Unknown Societal Costs of Imposing Regulation Based on Secret (or Creatively Leveraged) Data,” *OpenMarket*, Competitive Enterprise Institute, September 11, 2019, <https://cei.org/blog/unknown-societal-costs-imposing-regulation-based-secret-or-creatively-leveraged-data>.



138. "The Regulatory Costs of Abandoned Federalism," *OpenMarket*, Competitive Enterprise Institute, March 6, 2019, <https://cei.org/blog/regulatory-costs-abandoned-federalism>.
139. "Regulation and Neglected Costs of Authoritarianism and Over-Criminalization," *OpenMarket*, Competitive Enterprise Institute, March 19, 2019, <https://cei.org/blog/regulation-and-neglected-costs-authoritarianism-and-over-criminalization>.
140. "Costs of Loss of Anonymity in Administrative Surveillance State," *OpenMarket*, Competitive Enterprise Institute, May 22, 2019, <https://cei.org/blog/costs-loss-anonymity-administrative-surveillance-state>.
141. "Vast Regulatory Costs of Top-Down National Plans, Agendas, and Legislative Schemes," *OpenMarket*, Competitive Enterprise Institute, October 2, 2019, <https://cei.org/blog/vast-regulatory-costs-top-down-national-plans-agendas-and-legislative-schemes>.
142. "Costs of Economic Distortions Caused by 'Ordinary' Federal Spending, Subsidies, and Stimulus," *OpenMarket*, Competitive Enterprise Institute, October 7, 2019, <https://cei.org/blog/costs-economic-distortions-caused-ordinary-federal-spending-subsidies-and-stimulus>.
143. "Costs of Deadweight Effects of Federal Spending and of 'Budget' or 'Transfer' Rules."
144. "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>.
145. "Costs of Antitrust Regulation and Institutionalization of Raising Competitors' Costs," *OpenMarket*, Competitive Enterprise Institute, May 20, 2019, <https://cei.org/blog/costs-antitrust-regulation-and-institutionalization-raising-competitors-costs>.
146. "Regulatory Costs of Blurring Corporate and Government Roles," *OpenMarket*, Competitive Enterprise Institute, May 21, 2019, <https://cei.org/blog/regulatory-costs-blurring-corporate-and-government-roles>.
147. "Costs of Government Steering by Direct Ownership or Control of Resources," *OpenMarket*, Competitive Enterprise Institute, October 3, 2019, <https://cei.org/blog/costs-government-steering-direct-ownership-or-control-resources>.
148. "Regulatory Costs of Anti-Property Approaches to Environmental Concerns," *OpenMarket*, Competitive Enterprise Institute, May 23, 2019, <https://cei.org/blog/regulatory-costs-anti-property-approaches-environmental-concerns>.
149. "Cataloging Regulatory Costs of Cronyism and Rent-Seeking in a Self-Interested Administrative State," *OpenMarket*, Competitive Enterprise Institute, August 19, 2019, <https://cei.org/blog/cataloging-regulatory-costs-cronyism-and-rent-seeking-self-interested-administrative-state>.
150. "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>.