

Trump 2.0: Year one and the regulatory state's uneven reset

“It is the policy of my Administration to focus the executive branch’s limited enforcement resources on regulations squarely authorized by constitutional Federal statutes, and to commence the deconstruction of the overbearing and burdensome administrative state.”¹

—Executive Order 14219

This report’s placeholder number for the aggregate cost of federal regulation in 2025 is \$2.155 trillion. This is a considerable understatement. This is partially because the number is based on the government’s self-reported numbers, which tend to downplay costs and exaggerate benefits. It is also partially because calculating true

regulatory costs is an impossible exercise. Not all costs and benefits are quantifiable, and opportunity costs are impossible to know with precision.

Still, some information is better than none. The goal in providing this report’s intentionally conservative estimate is to encourage Congress to require agencies to provide better information. Congress should at least enforce the already-disregarded official aggregate annual cost assessment already required of OMB by the Regulatory Right-to-Know Act. Congress should also vote to explicitly approve costly or controversial regulations, or to enact regulatory budgets by other means.

This year's edition of *Ten Thousand Commandments* modifies the placeholder slightly with Trump's year-end claimed deregulatory *Final Accounting* and by inflating an already conservative economic cost component, resulting in an effectively unchanged tally as we will see of \$2.153 trillion.

Recent editions of *Ten Thousand Commandments* documented the Biden administration's cross-agency consolidation of federal power through executive actions, guidance documents, subsidies, and partnerships into numerous whole-of-government expansions involving coercive diversity, equity and inclusion (DEI) policies, net-zero energy demands, union labor mandates and more.

Rhetorically, though not always in practice, Trump's return to office rejected Biden's governing philosophy. Trump aimed at halting, reversing, or neutralizing some of each of his predecessors' most visible regulatory initiatives and terminating overtly ideological mandates.

Certain Trump executive actions have restored more cost-conscious regulatory review principles, emphasized energy production and permitting acceleration, an effective freeze on most major new regulatory undertakings, and rescissions and delays of existing ones. These moves reflected a familiar orientation toward speedy visible deregulation also seen in the first Trump administration. The

White House *Final Accounting for Fiscal Year 2025 under Executive Order 14192* claimed a ratio of 129 rules out for each one in, with accompanying total savings of \$212 billion.²

In addition to executive actions, Trump signed 22 Congressional Review Act (CRA)-based resolutions of disapproval overturning late-term Biden-era regulations,³ more than all other resolutions prior to 2025 combined.⁴

There are limits to executive-driven deregulation. It tends to leave intact the administrative state's institutional structures that continually generate new regulations. Executive action is also unable to affect congressional spending, which is often regulation through other means. Subsidy programs might have strings attached for labor standards or hiring practices, for example. Executive-driven deregulation is limited even further when the presumed streamliner is himself a transaction-oriented interventionist rather than a committed deregulator.⁵

While 2025 was indeed the year of the Trump "unrule" with a starkly reduced regulatory flow that also included rescissions, delays and relaxations of enforcements,⁶ these retreats were offset by other forms of presidential intervention. Trump's regulatory streamlining has not actually translated into governing less. As during Trump's first term, regulation does not necessarily disappear. It may

instead transform into ways that do not appear in the *Federal Register*.

Trump's agenda exposes severe tensions between deregulation rhetoric and governing reality. On one hand, 2025's rulemaking tallies and *Federal Register* page counts show extraordinary restraint relative to Biden's record-setting years. On the other hand, Trump elsewhere grew government intervention, to the point of partial nationalizations of private firms such as Intel, MP Materials, and U.S. Steel.⁷

Regulators are setting artificial intelligence policy, for example, less through formal regulations than through informal policies such as jawboning, procurement, defense acquisitions, standards-setting, and public-private partnerships.⁸ Trump also liberally uses emergency powers, and rarely to deregulate, as he had done in part during the COVID era.⁹

Federal funds continue to flow in ways that enable bureaucratic discretion to impose regulatory conditions from education to business enterprise. Antitrust regulation is as active as ever.¹⁰ Buy American requirements persist, while tariffs are at their highest levels since the Great Depression.¹¹

While the Trump administration has curtailed certain Biden-era censorship initiatives and government-funded content moderation, it has continued or expanded surveillance authorities,

data collection programs, and technology-enabled regulatory enforcement across agencies.

Moves toward household resilience such as Trump Accounts for newborns¹² risk being offset by other policies such as proposed tariff-funded stimulus checks that would set the stage for Universal Basic Income in the future.¹³

Trump's rejection of specific Biden policies in no way translates into a rejection of federal economic steering. Many of Trump's interventions fit in with a century of progressive pursuits of economic and social control. All these contradictory impulses complicate efforts to regard regulatory burdens and savings as being captured by traditional counts alone.

Executive-led deregulation can sometimes have permanent effects.¹⁴ It is still not enough to counteract decades of sweeping governance by institutionalized bureaucracy. Such power can also be abused later on.

A future administration, citing Trump's claimed presidential powers, could reinstate climate mandates, equity directives, and whole-of-government coordination, reversing the reductions Trump implemented while also expanding upon Trump's discordant legitimization of the underlying progressive control agenda.

Meaningful reform requires Congress to do more than applaud Trump's rollbacks

or criticize agencies. It must terminate departments, agencies, and programs. It must shrink agency budgets. It must restore decision-making authority to states, localities, markets, and households. Most importantly, it must stick to its enumerated powers. The disregard of the limits of federal power lies at the root of the excesses of Trump and conventional progressives alike. One year into the second Trump administration,

the administrative state remains poised for yet more expansion.

Under Trump, we cannot say that regulation broadly construed—as distinct from the conventional notice-and-comment style in the *Federal Register* that has cratered—has decreased. So perhaps it is fitting that our placeholder figure is holding steady.