



The Daily Dish

Regulation Reform and the Courts

DOUGLAS HOLTZ-EAKIN | OCTOBER 26, 2020

Eakinomics: Regulation Reform and the Courts

Eakinomics has devoted considerable attention to the Trump Administration’s efforts to control the regulatory state. With the imposition of regulatory budgets on the Cabinet agencies and enforcement by the Office of Management and Budget’s Office of Information and Regulatory Affairs, the growth in overall regulatory burden has been dramatically slowed, and at times reversed altogether.

At the same time, AAF’s Daniel Bosch and Bernard Zamaninia point out that many of the Trump Administration’s rules face legal challenges and reports abound regarding resistance to implementing the changes. *The Washington Post*, for example, [characterized](#) the situation as an “extraordinary record of legal defeat that has stymied large parts of the president’s agenda.” Is it really possible that many of the rules were finalized – thus getting credit for meeting the regulatory budget – but stopped by the legal system – thus not actually changing the policy?

The answers are in “[Estimating the Economic Value of Trump Administration Rules Blocked by Legal Action](#),” which finds that “while many of the Trump Administration’s actions have indeed been blocked by courts, relatively few of its deregulatory actions with significant economic savings have been halted. In fact, its regulatory actions (those rules with net economic costs) are successfully challenged in court at a higher rate than its deregulatory actions.”

Specifically, they look at 110 blocked rules. Of those, only 14 had significant economic impacts. The authors conclude, “The net economic impact of those 14 cases is \$1.8 billion in savings, or less than 2 percent of the net economic impact of all Trump Administration rules (\$108 billion in savings).”

The Trump regulatory reforms are no illusion. They remain one of the principal economic achievements of the administration.