



Week in Regulation

November Concludes on Largely Deregulatory Note

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A handful of deregulatory measures drove a surprisingly active week in the Federal Register. A pair of final rules from the Environmental Protection Agency (EPA) and a proposed rule regarding sexual harassment adjudication on college campuses from the Department of Education (ED) were among the most notable actions. Between both proposed and final rules last week, agencies published roughly \$536.9 million in net cost savings, but increased paperwork by roughly 2 million hours. **The per capita regulatory burden for 2018 is negative \$43.84.**

REGULATORY TOPLINES

- New Proposed Rules: 40
- New Final Rules: 59
- 2018 Total Pages of Regulation: 61,950
- 2018 Final Rules: -\$14.4 Billion
- 2018 Proposed Rules: -\$545 Billion

TRACKING REGULATORY MODERNIZATION

The ED [proposal](#) that would revise regulatory code regarding sexual harassment cases under Title IX of the Education Amendments of 1972 (Title IX) was the most significant measure from last week. From a purely quantitative side, the agency projects roughly \$367 million in total cost reductions – due mostly to a “reduction in the number of investigations.” The most contentious aspects of the rule, however, come on the non-quantified side as the standards ED decides to set will have significant implications for both the accused and accuser in such a proceeding. Interested parties have until January 28, 2019 to submit comments.

The two items that actually added cost savings to fiscal year (FY) 2019’s regulatory budget under Executive Order (EO) 13,771 both came from EPA. The [first rule](#) finalizes a series of amendments to emissions standards for petroleum refineries, saving affected entities nearly \$110 million. The [second rule](#) is an interim final rule from EPA seeking to relax disposal standards for recalled airbags in order to further expedite their removal from certain vehicles. The agency estimates this could save nearly \$57 million. With these two rules, EPA now stands roughly \$690 million ahead of its FY 2019 regulatory budget target of \$817.8 in total savings.

So far in FY 2019, there have been 15 deregulatory actions against two regulatory actions (per the rubric created by EO 13,771 and the administration’s subsequent [guidance document](#)) with quantified net savings of roughly \$5.1 billion. The administration’s cumulative savings goal for [FY 2019](#) is approximately \$18 billion.

STATE OF MAJOR OBAMA-ERA INITIATIVES

Based on total lifetime costs of the regulations, the Affordable Care Act has imposed costs of **\$52.9 billion** in final state and private-sector burdens and 176.9 million annual paperwork hours.

Since passage, the Dodd-Frank financial reform legislation has produced more than **82.9 million** final paperwork burden hours and imposed \$38.9 billion in direct compliance costs.

TOTAL BURDENS

Since January 1, the federal government has published \$559.7 billion in net cost savings (with \$14.4 billion in net savings from final rules) and paperwork burdens amounting to roughly 6.5 million hours (including 10.6 million hours of paperwork reduced under final rules). [Click here](#) for the latest Reg Rodeo findings.

