



Deregulatory Distortions Debunked: A Fact Sheet on the Fall 2018 Unified Agenda

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On Tuesday, the White House released its [Fall 2018 Unified Agenda of Regulatory and Deregulatory Actions](#). To justify its deregulatory agenda, the Trump administration is painting a distorted and profoundly misleading picture of the regulatory landscape. Here are several key corrections to the administration's misinformation.

Finding 1: The administration finalized only one regulation intended to protect public health and safety in FY 2018.

In fiscal year 2018, federal agencies finalized 14 new regulations deemed significant (and therefore reviewed by the U.S. Office of Information and Regulatory Affairs). Of those 14, only one did anything at all to improve public health and safety: a U.S. Department of Health and Human Services rule on hospital hand sanitizers that was proposed by the Obama administration. In other words, the Trump administration all but abandoned public health and safety regulation in FY 2018. See the table below for the complete list of the 14 significant regulations issued in FY 2018.

Finding 2: The administration is wildly inflating industry cost savings from deregulation.

The administration's claim of \$23 billion in benefits from deregulation in FY 2018 is wildly inflated and misleading. According to an OMB memo released with the Unified Agenda, the \$23 billion is the present value of purported industry savings from deregulation in FY 2018, not the *annual* value of those savings for FY 2018. In this way, the administration is counting all of the purported savings from deregulation now, even if the savings will occur far in the future. Using the formula in the OMB memo to convert the present value of \$23 billion into an annual value results in \$1.61 billion in purported industry cost savings for FY 2018.

Finding 3: The administration altogether ignores the lost benefits of repealed protections.

Nowhere in the agenda and related materials released today does the administration make any mention of the public health and safety, economic or environmental benefits of the regulations repealed or targeted for repeal. Contrary to the misleading picture painted by the administration,

it is likely that these important foregone benefits to the public outweigh any cost savings to regulated industries. Moreover, prior research suggests that the lost benefits to the public may reach into the billions, if not [trillions](#).

14 Significant Rulemakings Issued in Fiscal Year 2018		
Agency	Rule	RIN
USDA	Conditions for Payment of Highly Pathogenic Avian Influenza Indemnity Claims	0579-AE14
USDA	Crops, Trees, Bushes, and Vines Assistance for Losses Due to Hurricanes and Wildfires	0560-AI39
USDA	Agricultural Trade Promotion Program (ATP)	0551-AA92
DOC	Designate Critical Habitat for the Hawaiian Insular False Killer Whale Distinct Population Segment	0648-BC45
HHS	CY 2018 Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B; Medicare Shared Savings Program Requirements; Medicare Diabetes Prevention Program (CMS-1676-F)	0938-AT02
HHS	Safety and Effectiveness of Healthcare Antiseptics; Topical Antimicrobial Drug Products for Over-the-Counter Human Use	0910-AH40
HHS	Proposed 1-Year 6-Month Delay of the General Implementation Date While Allowing the Use of Three Burden-Reducing Provisions During the Delay Period	0937-AA05
HHS	Federal Policy for the Protection of Human Subjects: Delay of the Revisions to the Federal Policy for the Protection of Human Subjects	0937-AA06
HUD	Home Equity Conversion Mortgage (HECM) Program—Changes to Appraisal Submission and Assessment for all HECM Originations	2502-ZA17
DOT	Public Transportation Agency Safety Plans	2132-AB23
VA	Fiduciary Activities	2900-AO53
EPA	Renewable Fuel Volume Standards for 2018 and Biomass-Based Diesel Volume(BBD) for 2019	2060-AT04
EPA	Mercury; Reporting Requirements for the TSCA Mercury Inventory	2070-AK22
EPA	Public Notice Requirements for Combined Sewer Overflow Discharges to the Great Lakes	2040-AF67

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