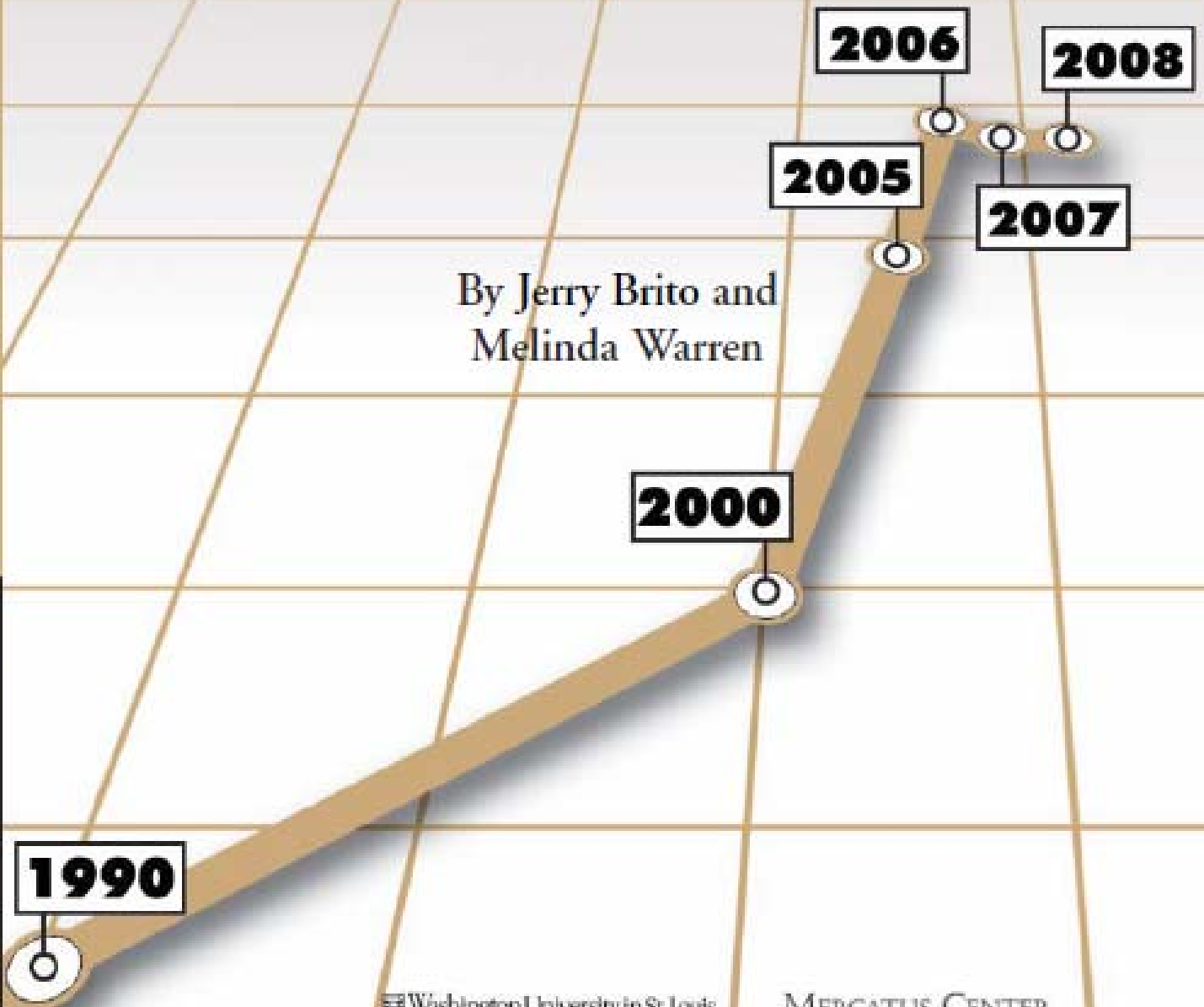


Growth in Regulation Slows:

An Analysis of the U.S. Budget for Fiscal Years 2007 and 2008

By Jerry Brito and Melinda Warren



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Mercatus Center
George Mason University
3301 North Fairfax Drive, Suite 450
Arlington, VA 22201
Main: 703-993-4930
Toll Free: 800-815-5711
Fax: 703-993-4935
mercatus@gmu.edu
www.mercatus.org

Murray Weidenbaum Center on the Economy, Government, and Public Policy
Washington University
Campus Box 1027
One Brookings Drive
St. Louis, MO 63130-4899
Telephone: 314-935-5688
Fax: 314-935-5630
<http://wc.wustl.edu>

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Contents

Executive Summary	1
Introduction	2
Overview of the 2008 Regulators’ Budget	3
Spending	3
Staffing.....	5
Trends in Federal Regulatory Spending, 1960 – 2008	6
Trends in Federal Regulatory Staffing, 1960 – 2008	8
Summary of Federal Regulatory Activity for Fiscal Year 2008	9
Spending	10
Staffing.....	12
Conclusion	12
Appendix	14
Notes to Appendix Tables A-1, A-2, and A-3	27

List of Tables and Figures

Table 1:	Spending Summary for Federal Regulatory Agencies, Selected Years.....	4
Table 2:	Staffing Summary for Federal Regulatory Agencies, Selected Years.....	5
Figure 1:	Budgetary Costs of Federal Regulation	7
Figure 2:	Staffing of Federal Regulatory Agencies.....	9
Table A-1:	Agency Detail of Spending on Federal Regulatory Activity: Current Dollars.....	15
Table A-2:	Agency Detail of Spending on Federal Regulatory Activity: Constant 2000 Dollars.....	18
Table A-3:	Agency Detail of Staffing of Federal Regulatory Activity.....	21
Table A-4:	Total Spending on Federal Regulatory Activity: Current Dollars.....	24
Table A-5:	Total Spending on Federal Regulatory Activity: Constant Dollars.....	25
Table A-6:	Total Staffing of Federal Regulatory Activity.....	26

Growth in Regulation Slows: An Analysis of the U.S. Budget for Fiscal Years 2007 and 2008¹

Executive Summary

This annual report examines the *Budget of the U.S. Government* presented by the President to Congress for fiscal year 2008 to track the expenditures of federal regulatory agencies and the staff needed to run these agencies. It is an indicator of the cost of regulation to society and also a measure of federal regulatory priorities. Key findings for the fiscal 2008 budget include:

- The President's 2008 budget calls for expenditures on regulatory activities of \$46.6 billion for the next fiscal year. This 2008 Regulators' Budget request is larger than the estimated budget of \$44.9 billion in fiscal year 2007, and reflects both a nominal increase and an increase in real, inflation-adjusted terms.
- Regulatory spending grows at a lower rate than previously. However, the Regulators' Budget grows faster (1.7 percent over 2007) than the administration's goal of one percent growth for the total budget.
- The requested level of staffing on regulatory activities in fiscal year 2008 is 251,595 full-time equivalent workers, or 7,385 (3 percent) more employees than in fiscal year 2007.
- The Department of Homeland Security continues its steady expansion. DHS accounts for the largest dollar and staff increases in the 2008 Regulators' Budget.

¹ Jerry Brito is a senior fellow at the Regulatory Studies Program at the Mercatus Center at George Mason University. Melinda Warren is Director of the Weidenbaum Center Forum at Washington University. Special thanks go to Jeremiah Pawlowicz for his considerable help in gathering data. This report is one in a series designed to enhance the understanding of the impact of federal regulation on society and does not represent an official position of either George Mason University or Washington University. This report is based in very large part on previous editions co-authored by Susan Dudley and Melinda Warren.

Introduction

Regulations impose social costs on individuals and businesses beyond the direct tax dollars expended to write and enforce them. Not only are there costs associated with compliance, but regulations can restrict opportunities and choices, which also impose opportunity costs. These costs are difficult to measure, so efforts to track the change in regulatory activity over time often depend on proxies, such as the size of the Code of Federal Regulations (often measured in number of pages or feet of shelf space), which provides a sense of the flow of new regulations issued during a given period.

This report relies on a different indicator, but one that also reveals an increase in regulatory activity over time. It examines the *Budget of the U.S. Government* presented by the President to Congress for fiscal year 2008 to track the expenditures of federal regulatory agencies and the staff needed to run those agencies. A joint product of the Mercatus Center at George Mason University and the Murray Weidenbaum Center on the Economy, Government and Public Policy at Washington University in St. Louis, this report continues an effort begun in 1977 by the Weidenbaum Center (formerly the Center for the Study of American Business).

Tracking the expenditures of federal regulatory agencies, and the trends in regulatory spending over time, helps analysts monitor the growth in regulations with which American businesses, workers, and consumers must comply. This information serves as a barometer of regulatory activity, providing policy makers and others with useful insights into the composition and evolution of regulation.

The 2008 Budget request calls for expenditures on regulatory activities of \$46.6 billion in fiscal year 2008, a 1.7 percent increase (in real, inflation-adjusted terms) from fiscal year 2007. This represents a lower rate of growth than previous years. Estimated 2007 outlays were 5.2 percent greater in real terms than fiscal year 2006 expenditures.

The requested level of staffing on regulatory activities in fiscal year 2008 is 251,595 full-time equivalent workers, or 7,385 (3 percent) more employees than in fiscal year 2007. This reflects a 43 percent increase over staffing levels in 2000, largely due to the Transportation Security Administration's employment of over 57,000 airport screening agents in 2003 (currently down to 43,000 agents).²

The remaining sections of this report provide more detailed statistics on the spending and staffing that have supported federal regulatory activities since 1960, as well as the levels requested for fiscal year 2008. We examine expenditures in nominal and real (constant 2000) dollars, as well as staffing levels by agency and regulatory category.

² See Transportation Security Administration, *Who We Are*, at http://www.tsa.gov/who_we_are/index.shtm (last visited June 8, 2007) and *Focus on People*, at <http://www.tsa.gov/approach/people/index.shtm#3> (last visited June 8, 2007).

Overview of the 2008 Regulators' Budget

This report tracks the spending and staffing of 70 departments and agencies. As has been the practice in past reports, it divides federal regulatory activities into two main categories. The first category, social regulation, includes regulatory activities that address issues related to health, safety, and the environment, such as the Environmental Protection Agency, Occupational Safety and Health Administration, Food and Drug Administration, and Transportation Security Administration. Their activities are generally limited to a specific issue, but they have the power to regulate across industry boundaries. This report further divides the social regulation category into six subcategories: (1) consumer safety and health, (2) homeland security, (3) transportation, (4) workplace, (5) environment, and (6) energy.

Economic regulation, the second category, includes industry-specific regulations. The Securities and Exchange Commission, Federal Communications Commission, and Federal Energy Regulatory Commission, for example, administer economic regulations. They regulate a broad base of activities in particular industries using economic controls such as price ceilings or floors, quantity restrictions, and service parameters. The economic regulation category is divided into three subcategories: (1) finance and banking, (2) industry-specific regulation, and (3) general business. Note that the industry-specific regulation category includes economic regulation of transportation and energy industries.

The expenditure data in this report are based on outlays reported in the *Budget of the U.S. Government*. In addition, we report personnel data in terms of full-time equivalent employees (FTEs). Note that figures for 2007 and 2008 are estimates. The 2007 figures generally reflect the budget Congress appropriated for the current year, while the 2008 figures reflect the outlays and personnel embodied in the President's budget request to Congress for each program area.

Spending

Table 1 summarizes spending for regulatory activities by category and subcategory for decennial years from 1960 to 2000, as well as annually from 2005 through 2008.

Overall, the Regulators' Budget request for fiscal year 2008 is \$46.6 billion. This reflects a 3.8 percent nominal increase over fiscal year 2007, or real increase of 1.7 percent. This growth in budgeted outlays for regulatory activities is less than last year and represents a lower rate of growth than in recent years. Estimated expenditures for 2007 are \$44.9 billion—7.4 percent higher than in 2006 (nominal).

About 85 percent of the Regulators' Budget is devoted to social regulations. The fiscal year 2008 budget request for administering and enforcing social regulation is \$39.5 billion, a nominal increase of 3.3 percent from the 2007 social regulation budget of \$38.2 billion. This is a 1.2 percent increase in real terms, after a 5.5 percent real increase between fiscal years 2006 and 2007. Budget outlays for social regulation activities in 2006 were \$35.5 billion.

Table 1
Spending Summary for the Federal Regulatory Agencies, Selected Years
(Fiscal Years, Millions of Dollars in "Outlays")

	1960	1970	1980	1990	2000	2005	2006	(Estimated)*		% Change	
								2007	2008	2006-2007	2007-2008
Current (Nominal) Dollars											
Social Regulation											
Consumer Safety and Health	\$102	\$222	\$1,252	\$1,836	\$3,633	\$5,390	\$6,139	\$5,729	\$5,787	-6.7%	1.0%
Homeland Security	145	335	1,589	3,359	7,874	17,019	17,469	20,657	21,204	18.2%	2.6%
Transportation	42	177	550	810	1,476	1,954	2,360	2,663	2,809	12.8%	5.5%
Workplace	36	115	748	1,012	1,421	1,698	1,753	1,754	1,865	0.1%	6.3%
Environment	17	183	1,482	3,675	6,060	6,581	7,007	6,628	6,864	-5.4%	3.6%
Energy	12	65	437	443	607	733	761	818	982	7.5%	20.0%
Total Social Regulation	\$354	\$1,097	\$6,058	\$11,135	\$21,071	\$33,375	\$35,489	\$38,249	\$39,511	7.8%	3.3%
Economic Regulation											
Finance and Banking	\$40	\$98	\$392	\$1,304	\$1,965	\$2,032	\$2,249	\$2,506	\$2,591	11.4%	3.4%
Industry-Specific Regulation	91	276	486	513	744	986	1,048	995	1,105	-5.1%	11.1%
General Business	48	113	357	727	1,674	2,887	3,027	3,169	3,407	4.7%	7.5%
Total Economic Regulation	\$179	\$487	\$1,235	\$2,544	\$4,383	\$5,905	\$6,324	\$6,670	\$7,103	5.5%	6.5%
GRAND TOTAL	\$533	\$1,584	\$7,293	\$13,679	\$25,454	\$39,280	\$41,813	\$44,919	\$46,614	7.4%	3.8%
<i>Annualized Percentage Change</i>		11.5%	16.5%	6.5%	6.4%	3.8%	6.4%	7.4%	3.8%		
Constant (Real) 2000 Dollars											
Social Regulation											
Consumer Safety and Health	\$485	\$806	\$2,316	\$2,250	\$3,633	\$4,806	\$5,303	\$4,844	\$4,796	-8.7%	-1.0%
Homeland Security	689	1,218	2,938	4,116	7,874	15,176	15,089	17,466	17,571	15.7%	0.6%
Transportation	200	643	1,017	992	1,476	1,742	2,038	2,252	2,328	10.5%	3.4%
Workplace	171	418	1,384	1,240	1,421	1,514	1,514	1,483	1,545	-2.1%	4.2%
Environment	81	665	2,741	4,503	6,060	5,868	6,052	5,604	5,688	-7.4%	1.5%
Energy	57	236	808	543	607	654	657	692	814	5.2%	17.7%
Total Social Regulation	\$1,682	\$3,985	\$11,205	\$13,644	\$21,071	\$29,761	\$30,654	\$32,340	\$32,742	5.5%	1.2%
Economic Regulation											
Finance and Banking	\$190	\$356	\$725	\$1,598	\$1,965	\$1,812	\$1,943	\$2,119	\$2,147	9.1%	1.3%
Industry-Specific Regulation	432	1,002	899	629	744	879	905	841	916	-7.1%	8.8%
General Business	228	410	660	891	1,674	2,574	2,615	2,679	2,823	2.5%	5.4%
Total Economic Regulation	\$851	\$1,768	\$2,284	\$3,117	\$4,383	\$5,266	\$5,462	\$5,639	\$5,886	3.2%	4.4%
GRAND TOTAL	\$2,533	\$5,753	\$13,489	\$16,761	\$25,454	\$35,026	\$36,116	\$37,979	\$38,628	5.2%	1.7%
<i>Annualized Percentage Change</i>		8.6%	8.9%	2.2%	4.3%	1.0%	3.1%	5.2%	1.7%		

* FY 2007 estimates generally reflect appropriated outlays, while FY 2008 estimates reflect the President's request to Congress, as presented in the FY 2008 *Budget of the United States Government*.

Note: Numbers may not add to totals due to rounding.

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Only the budget request for the consumer safety and health category reflects a real decrease in outlays over 2007. The homeland security category continues to receive the largest dollar increase among the social regulation subcategories. The President's 2008 budget requests an additional \$547 million in 2008 for homeland security, though, after adjusting for inflation, this reflects only an increase of 0.6 percent from 2007. Though projected to decline last year, 2007 regulatory outlays for the transportation category actually increased 10.5 percent. The Budget for 2008 requests \$146 million more for transportation than estimated for 2007, a real increase of 3.4 percent. Requested outlays for federal agencies regulating consumer protection declined 1 percent in real terms. The

budget for environmental regulation is 1.5 percent greater in real terms than in 2007—a nominal increase of \$236 million.

The budgets of agencies in the economic regulation category are smaller than their counterparts involved in social regulatory activity, but each category is budgeted to receive a real increase over 2007. Overall, the 2008 budget request for economic regulatory agencies is \$7.1 billion—4.4 percent higher than estimated for 2007. The actual budget for 2006 was \$6.3 billion.

The Regulators’ Budget reflects a 5.4 percent increase for agencies in the general business category and an 8.8 percent increase for industry-specific regulatory agencies. After a 9.1 percent increase in 2007, the 2008 budget request for finance and banking agencies reflects a more modest growth of 1.3 percent.

Staffing

Staffing at federal regulatory agencies is budgeted to increase 3 percent in 2008, to 251,595 full-time equivalent employees. That is an increase of 7,385 employees over the 2007 level of 244,210. Table 2 summarizes the staffing at federal regulatory agencies between 1960 and 2008.

Table 2

Staffing Summary for the Federal Regulatory Agencies, Selected Years (Fiscal Years, Full-time Equivalent Employment)

	1960	1970	1980	1990	2000	2005	2006	(Estimated) 2007	2008	% Change	
										2006-2007	2007-2008
Social Regulation											
Consumer Safety and Health	11,961	14,734	33,201	28,730	31,749	34,435	34,565	34,731	33,593	0.5%	-3.3%
Homeland Security	17,514	22,496	35,333	44,158	60,414	118,795	117,796	124,468	131,059	5.7%	5.3%
Transportation	3,928	7,788	8,401	7,547	9,041	8,451	8,543	8,478	9,233	-0.8%	8.9%
Workplace	4,151	7,571	17,894	13,610	12,141	11,279	11,014	11,344	11,547	3.0%	1.8%
Environment	1,230	4,876	16,993	22,121	26,784	27,243	26,788	27,039	26,541	0.9%	-1.8%
Energy	35	220	3,225	3,293	2,923	3,214	3,255	3,396	3,735	4.3%	10.0%
Total Social Regulation	38,819	57,685	115,047	119,459	143,052	203,417	201,961	209,456	215,708	3.7%	3.0%
Economic Regulation											
Finance and Banking	2,509	5,618	9,524	15,308	13,310	11,204	11,304	11,886	11,971	5.1%	0.7%
Industry-Specific Regulation	10,300	19,791	12,326	8,234	6,723	6,667	6,538	6,761	6,819	3.4%	0.9%
General Business	5,481	7,181	9,242	9,613	12,515	14,441	14,703	16,107	17,097	9.5%	6.1%
Total Economic Regulation	18,290	32,590	31,092	33,155	32,548	32,312	32,545	34,754	35,887	6.8%	3.3%
GRAND TOTAL	57,109	90,275	146,139	152,614	175,600	235,729	234,506	244,210	251,595	4.1%	3.0%
<i>Annualized Percentage Change</i>		4.7%	5.1%	0.5%	1.5%	0.4%	-0.5%	4.1%			

* FY 2007 estimates generally reflect appropriated personnel numbers, while FY 2008 estimates reflect the President’s request to Congress, as presented in the FY 2007 *Budget of the United States Government*.

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Staffing levels at agencies engaged in social regulatory activities increased 3.7 percent in 2007 and are budgeted for a 3 percent increase in 2008. The 2008 Budget requests 215,708 full-time employees devoted to social regulation, an increase of 6,252 people above the 209,456 employed in 2007. The Department of Homeland Security continues to see the largest increases in full-time equivalent employee (FTE) terms, with an additional 6,591 employees over 2007, representing a 5.3 percent increase. Other marked increases in the staffing levels reported in the 2008 Budget can be found in the energy and transportation subcategories, which grew by 10 percent and 8.9 percent respectively over 2007.

Personnel at the economic regulatory agencies are projected to increase 3.3 percent in 2008 to 35,887 FTEs. The general business subcategory is projected to receive the lion's share of the staff increase (990 FTEs or a 6.1 percent increase over 2007), while staffing projections for the industry-specific and the finance and banking subcategories remain within one percent of 2007 levels. Overall, agencies devoted to economic regulation are budgeted to receive staffing increases amounting to 1,133 full-time equivalent employees.

Trends in Federal Regulatory Spending, 1960 – 2008

Figure 1 graphs the changes in real (adjusted for inflation) regulatory expenditures since 1960. Numbers and percentages in this section are in constant 2000 terms unless otherwise indicated.

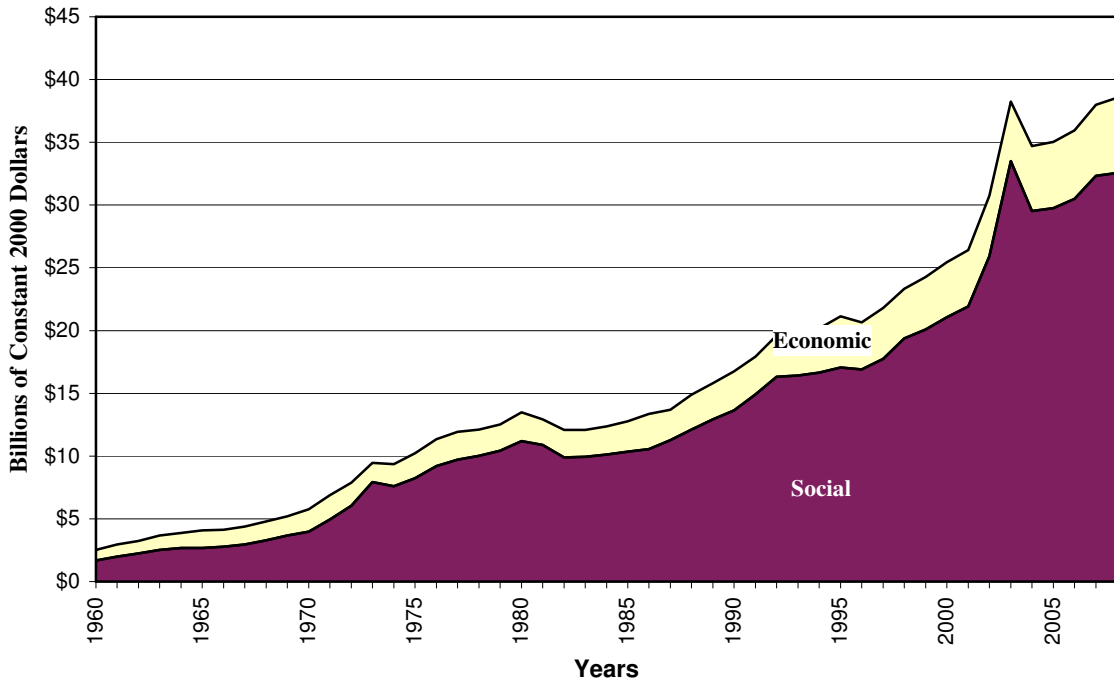
While spending has generally increased over time, the rate of growth has varied depending on the priorities of elected officials in the executive and legislative branches of the federal government. For example, regulatory expenditures declined in the early years of the Reagan Administration, and again in 1996 during the Clinton Administration.

In 1960, fiscal outlays directed at administering regulation were \$533 million (equivalent to \$2.5 billion in 2000 dollars). By the end of the decade, total spending at federal regulatory agencies had grown to \$1.6 billion (\$5.7 billion in 2000 dollars). This represents a real annual growth rate of 8.6 percent and a total increase of 127.1 percent over the decade. Most of this growth—more than \$2 billion—occurred in social regulatory agencies (which experienced a real 136.9 percent increase in annual budgets over the decade). Economic regulatory programs expanded more slowly, by \$0.9 billion or 107.8 percent over the period.

The 1970s brought increased expenditures on federal regulation. Over that decade, real spending at regulatory agencies grew by \$7.7 billion or 134.5 percent (8.9 percent per year on average). Social regulatory expenditures continued to grow rapidly and increased by \$7.2 billion (181.2 percent) while economic agencies showed a much smaller increase of \$0.5 billion (29.2 percent). Most of the growth occurred in the early part of the decade, when several of the significant social regulatory agencies (particularly the Environmental Protection Agency and the Occupational Safety and Health Administration) were formed. During the 1970s, social regulations grew from under 70 percent of the total Regulators'

Budget to over 80 percent. Double-digit increases in the first three years preceded much slower growth during the latter part of the decade.

Figure 1
Budgetary Costs of Federal Regulation



This slower rate of growth continued into the early 1980s. Total annual expenditures on regulatory programs declined by 5.2 percent between 1980 and 1985, but rebounded in the second half of the decade, increasing by 31.1 percent overall between 1985 and 1990. Annual spending on regulatory activities at the end of the decade was \$3.3 billion more than at the beginning. Throughout the decade, spending on economic regulation increased at a faster rate—36.5 percent between 1980 and 1990—than spending on social regulation, which grew by 21.8 percent over the same period. On an annual basis, spending increased by an average of 2.2 percent per year over the decade.

Regulatory spending continued to increase in the 1990s, for a total increase of 51.9 percent over the decade, or \$8.7 billion. The budgets of agencies administering social regulation, increased by 54.4 percent over the decade, and those related to economic regulations increased by 40.6 percent. The first few years of the decade witnessed greater percentage increases—an average of 8.2 percent per year between 1990 and 1992, compared to an average of 3.4 percent per year between 1992 and 2000. The Regulators’ Budget actually declined in real terms in 1994 and 1996. On an annual basis, the real rate of increase averaged 4.3 percent over the decade.

Between 2000 and 2005, budgets devoted to regulatory agencies increased 37.6 percent. The budgets of agencies administering social regulations grew 41.2 percent, and those

involved in economic regulation grew 20.1 percent. On average, the Regulators' Budget grew 7.3 percent per year during this five-year period. Double-digit increases in fiscal years 2002 and 2003 (16.4 percent and 24.4 percent, respectively) drive the large average, and reflect the response to the terror attacks of September 11, 2001. The Regulators' Budget declined 9.3 percent in 2004 and grew less than one percent in 2005. In 2006 and 2007, however, the Regulators' Budget increased by 3.1 and 5.2 percent respectively.

The 2008 budget represents a 1.7 percent increase over 2007. The fiscal 2008 budget calls for expenditures that are 51.8 percent higher than in 2000—an increase in real spending on regulatory activities of \$13.2 billion between 2000 and 2008.

Trends in Federal Regulatory Staffing, 1960 – 2008

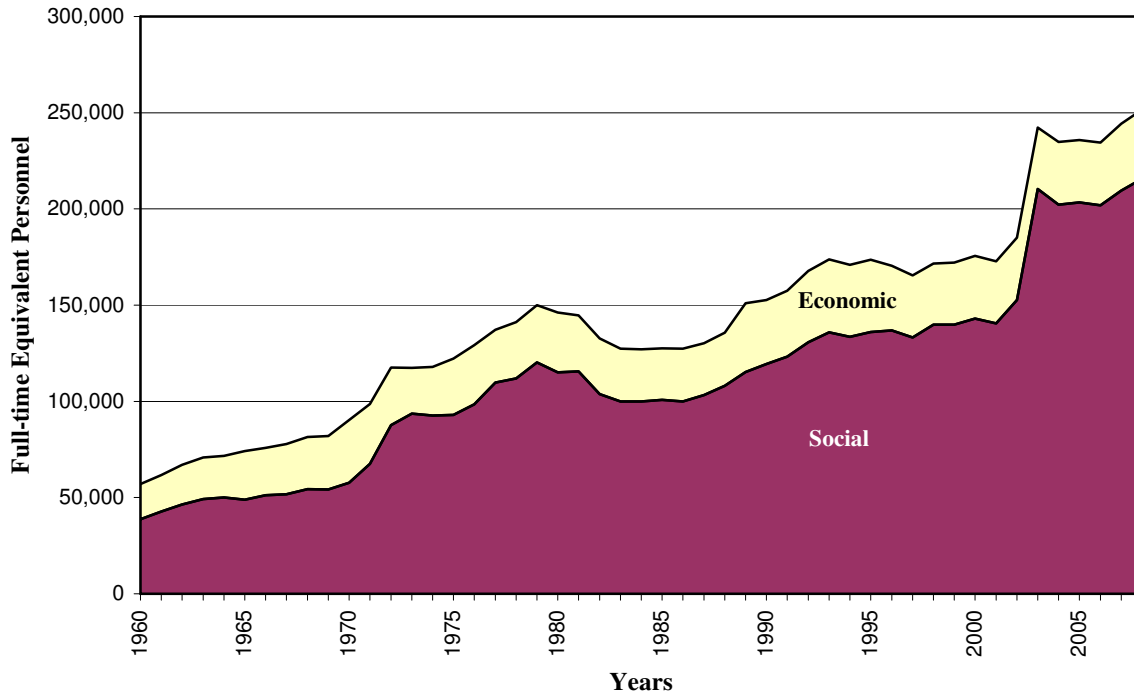
Figure 2 shows the trends in staffing at federal regulatory agencies between 1960 and 2008. In 1960, 57,109 full-time people worked on writing, administering, and enforcing regulations at federal agencies. By 1970, that number had grown 58.1 percent to 90,275, an increase of 33,166 people. While social regulatory staffing grew by 18,866 (48.6 percent), workers at economic regulatory agencies increased 78.2 percent (14,300 new workers) during the decade.

Over the decade of the 1970s, the number of personnel at regulatory agencies grew by almost 55,864, or 61.9 percent. Social regulatory agencies gained 57,362 additional staff, and economic agencies lost nearly 1,500 employees.

Staffing at regulatory agencies was cut back significantly in the early 1980s; between 1980 and 1985, staffing at regulatory agencies declined by 12.7 percent (12.4 percent at the social agencies and 13.8 percent at the economic regulatory agencies). Starting in 1987, the trend reversed, and the second half of the decade saw increases of 19.6 percent—18.5 percent for social regulatory agencies and 23.7 percent for economic regulatory agencies—between 1985 and 1990. By 1990, staffing at federal regulatory agencies was 4.4 percent higher than it had been in 1980 (a net increase of almost 6,500 employees). Social agencies increased staffing by 3.8 percent, and economic regulatory staff grew by 6.6 percent during this decade.

The staffing increases that began in the late 1980s continued in the 1990s. Between 1990 and 1995, the number of full-time personnel at regulatory agencies increased by 13.8 percent overall (21,000 people), with increases of 13.9 percent at social regulatory agencies and 13.4 percent in economic regulatory agencies. After staffing reductions in 1996 and 1997, the decade ended with 22,986 new federal regulatory employees (a 15.1 percent increase). Social agencies added 23,593 employees (a 19.7 percent increase), while economic agencies declined by 1.8 percent (607 people).

**Figure 2
Staffing of Federal Regulatory Agencies**



After a 1.6 percent reduction in 2001, staffing at regulatory agencies has increased dramatically in the 21st century. In 2005, staffing levels for regulatory agencies were more than 60,000 greater than they were in 2000. In 2003, the establishment of the Transportation Security Administration, with its large staff of airport screening agents, caused the federal regulatory workforce to jump 31.0 percent, by far the largest annual increase in the nation’s history.

The 2008 Budget calls for a total regulatory staff with 75,995 more full-time regulatory employees than in 2000, an increase of 43.3 percent. The bulk of this increase in staff was at social regulatory agencies, which are budgeted to have 72,656 more employees on the payroll than in 2000, compared to 3,339 new positions in economic regulatory agencies.

Summary of Federal Regulatory Activity for Fiscal Year 2008

In his 2008 “Budget Message,” the President states that the country’s top priorities are “protecting the homeland and fighting terrorism, keeping the economy strong with low taxes, and keeping spending under control while making Federal programs more effective.”

The 2008 Budget, like that of 2007, attempts to improve or eliminate programs that the administration believes are performing poorly, and the “Budget Overview” estimates savings of \$12 billion from the renewed focus on performance and results. It also “proposes to hold the rate of growth for non-security discretionary spending to one percent, well below the rate of inflation.”

The regulatory items in the 2008 Budget generally reflect this spending restraint; the 1.7 percent increase in the overall Regulators’ Budget is below the projected inflation rate of 2.4 percent. This follows an estimated 7.4 percent increase in 2007, and an actual 6.4 percent increase in 2006. Consistent with the President’s stated priority, the largest dollar increase in the 2008 Regulators’ Budget is for homeland security regulatory activities.

In the more detailed discussion of the fiscal year 2008 Regulators’ Budget below, dollar amounts are presented in nominal terms, while percentage changes are in real (2000 dollar) terms.

Spending

As noted above, regulatory activities are divided into two categories (social and economic) and nine subcategories. The outlays devoted to social regulation are over five times larger than those devoted to economic regulation (\$39.5 billion compared to \$7.1 billion in 2008). Agencies devoted to economic regulation, however, are projected to receive a larger percentage increase overall in 2008 (4.4 percent compared to a 1.2 percent increase for agencies administering social regulation).

Table 1 (on page 4) provides summary statistics, and Appendix Tables A-1 and A-2 provide detail on spending at agencies within each category and subcategory. The slower growth in budget outlays in 2008 follows an estimated 5.2 percent increase in 2007—5.5 percent at the social regulatory agencies and 3.2 percent at the economic regulatory agencies. In fiscal 2006, the most recent year for which the Budget presents actual figures rather than estimates, the total Regulators’ Budget was \$41.8 billion, an increase of 3.1 percent over 2005.

The Department of Homeland Security’s budget for administering regulations is the largest of any agency at over \$21 billion in 2008. It has the largest share of the estimated Regulators’ Budget (45.5 percent), and is budgeted to receive the largest dollar increase in 2008 (\$547 million). This reflects a slight increase in real terms (0.6 percent) and a significantly slower rate of growth than last year, which saw a real growth rate of 15.7 percent. Only Customs and Border Protection and DHS’s Science and Technology Directorate are budgeted for a decrease in 2008; the other regulatory agencies that we track within the Department of Homeland Security are all slated for budget increases in real terms. The post-September 11 budgets for the regulatory agencies that are now housed in the Department of Homeland Security are \$13.3 billion greater than the outlays in 2000.

Spending to administer environmental regulations is the next largest subcategory after “homeland security” (about 15 percent of the total Regulators’ Budget). Spending in this

category, which includes the Environmental Protection Agency as well as several agencies within the Departments of Agriculture, Interior and Defense, is budgeted to increase by 1.5 percent to \$6.9 billion in 2008. Fiscal year 2007 outlays are estimated to be 7.4 percent less than 2006. This is a decrease from the abnormally high fiscal 2006 outlays caused by appropriations for emergency response to environmental issues created by the Gulf hurricanes.

The subcategory with the largest percent change is the energy subcategory, which includes several Department of Energy agencies as well as the Nuclear Regulatory Commission. Spending on energy regulation is budgeted to increase by 17.7 percent, with spending on petroleum regulation slated to rise 23.6 percent. While the increase for the Department of Energy is not substantial in dollar terms (an additional \$164 million in fiscal 2008), the energy subcategory has seen a real increase of 24 percent since 2005.

Also slated for a large increase from 2007 are the agencies in the workplace subcategory. It is slated to increase 4.2 percent in fiscal 2008. In 2007, that subcategory decreased by 2.1 percent from 2006. The transportation category increases by 3.4 percent, mostly due to a 24 percent increase to the Federal Aviation Administration's budget. All other agencies in the subcategory see decreases or slight increases from 2007.

Consumer safety and health agencies, which include a variety of food safety, health, and safety agencies and commissions, receive an additional \$58 million overall, bringing the total to \$5.8 billion. Within the subcategory, the Food and Drug Administration and the Department of Agriculture's Animal and Plant Health Inspection Service see the greatest decreases (7.8 percent and 5.5 percent, respectively). Almost all other programs see increases, including Consumer Protection Programs, which are estimated to grow by 30.7 percent. Overall, however, the consumer safety and health subcategory see a real decrease of 1 percent over last year.

Each of the subcategories in the economic regulation area are budgeted for increases in 2008. General business regulation continues to grow at the fastest rate, with real increases of 5.4 percent in 2008 and 2.5 percent in 2007. The budget request for this subcategory in 2008 is \$3.4 billion. The budget for industry-specific regulation is projected to increase at a real rate of 8.8 percent in 2008, to reach \$1.1 billion (following a 7.1 percent decrease in 2007). After a 9.1 percent increase in 2007, spending on regulatory activity in the finance and banking subcategory is budgeted to grow 1.3 percent, to reach \$2.6 billion in 2008.

The budget request for the Patent and Trademark Office's regulatory activities is \$1.8 billion, a 8.2 percent real increase. This is the fifth year of steady increases for this office. After a large increase in the Security and Exchange Commission's regulators' budget in 2004, spending at that agency leveled off and even declined in real terms over the last two years. Fiscal year 2008 reverses that trend with a real increase of 2.1 percent.

Staffing

Table 2 (on page 5) provides an overview of changes in personnel for each subcategory. Table A-3 provides staffing detail by agency. Fiscal year 2008 staffing levels are budgeted to increase 3 percent to reach 251,595 full-time equivalent employees. Staff at social regulatory agencies is slated to increase by 3 percent, to 215,708 in 2008. Staff levels at economic regulatory agencies are projected to increase by 3.3 percent to 35,887 full-time equivalent workers.

The Department of Homeland Security has the largest regulatory staff, with a budget request of 131,059 in 2008. The 5.3 percent increase for the Department is mainly attributable to personnel growth in two agencies—Customs and Border Protection and Immigration and Customs Enforcement. Staffing at agencies devoted to consumer safety and health are budgeted at 33,593, a decrease of 1,138 from 2007. Most of this decrease can be attributed to the Food and Drug Administration, which drops from 9,117 full-time equivalent workers in 2007 to 8,178 in 2008. The environment category also sees a decrease totaling 498 fewer full-time staff in 2008, bringing the number of employees in the category to 26,541.

The transportation agencies are budgeted for a 8.9 percent increase (755 personnel) to 9,233 full-time personnel. Staffing at the workplace agencies also increases (203 people or 1.8 percent) to 11,547. The energy subcategory is budgeted for a personnel increase of 339 (10 percent).

Staffing in the economic regulation category is budgeted to increase in 2008, though at a slower rate (3.3 percent) than spending. Employees devoted to administering economic regulations are projected to increase by 1,133 to reach 35,887 in 2008. As with spending, the largest increase is for 990 employees in the general business subcategory—a 6.1 percent increase over 2007. The bulk of this increase can be attributed to the Patent and Trademark Office, which will grow by 985 full-time staff in 2008. This is the third straight year of high growth for the Office. The 2008 Budget requests a 0.9 percent staff increase (58 people) in the industry-specific subcategory, and an increase of 85 employees in the finance and banking subcategory.

Conclusion

The fiscal year 2008 *Budget of the United States Government* calls for expenditures on regulatory activities of \$46.6 billion for the next fiscal year. This 2008 Regulators' Budget request is larger than the estimated budget of \$44.9 billion in fiscal year 2007, and reflects both a nominal increase and an increase in real, inflation-adjusted terms. Estimated 2007 outlays are 5.2 percent greater in real terms than actual fiscal year 2006 expenditures. The requested level of staffing on regulatory activities in fiscal year 2008 is 251,595 full-time equivalent workers, or 7,385 (3 percent) more employees than in fiscal year 2007. Although the regulators' budget projected rate of growth for 2008 falls below the rate of inflation (1.7 percent versus 2.4 percent), it nevertheless stands in contrast to the objective expressed in the Budget of "hold[ing] the rate of growth for non-discretionary spending to one percent, well below the rate of inflation."

Consistent with the President’s “Budget Message” statement that his “highest priority is the security of our Nation,” the 2008 Budget requests the largest dollar and staff increases for regulatory components of the Department of Homeland Security. While several agencies within the Department are slated for budget cuts in 2008, the U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement each face large increases in personnel.

Despite the spending restraint evident in the 2008 budget request, regulatory expenditures and staffing are significantly larger in 2008 than they were in 2000. Driven largely by homeland security activities, staffing levels in 2008 are 43 percent larger than they were in 2000. The Budget calls for expenditures that are 51.8 percent higher than in 2000—an increase in real spending on regulatory activities of \$13.2 billion between 2000 and 2008.

Appendix

The Weidenbaum Center at Washington University has monitored trends in federal regulation for 30 years and has compiled 48 years of data on the administrative expenses of federal regulation. In 2002, the Mercatus Center at George Mason University joined the Weidenbaum Center to prepare this annual report on the regulatory administration and enforcement costs embodied in the annual Budget of the United States.

New data for this report were drawn from the *Budget of the United States, Fiscal Year 2008* and supporting documents. This Budget, also known as “the President’s Budget,” is presented to Congress approximately seven months prior to the beginning of each fiscal year (e.g. fiscal year 2008 begins October 1, 2007 and ends September 30, 2008). In this report, all references to specific years refer to fiscal years unless otherwise noted.

Budget figures for the 70 regulatory agencies contained in Table A-1 consist of “outlays.” The data on outlays provide a clear picture of the resources a regulatory agency directs to regulation in a given year. For example, some agencies are funded, partly or totally, by fees collected from businesses and individuals and these fee structures have changed over the years. The outlays reported here are gross of fees collected. These data are expressed in current dollars, rounded to the nearest million. Table A-2 provides comparable information in real terms (constant 2000 dollars). Because these numbers are rounded to the nearest million, the numbers do not necessarily add to totals.

The staffing figures shown in Table A-3 are derived from the full-time equivalent employment numbers for each agency. For example, two employees, each working half time, are counted as one full-time equivalent.

Tables A-4 and A-5 give data from 1960 to 2008 for annual outlays in current and constant dollars for major categories of regulation. Table A-6 provides staffing data for the same time period and categories. Detailed agency-by-agency data are available and can be obtained by contacting the Weidenbaum Center at Washington University or the Mercatus Center at George Mason University.

Agencies that primarily perform taxation, entitlement, procurement, subsidy, and credit functions are excluded from this report. Examples of these organizations are the Internal Revenue Service, the Social Security Administration, the Department of Defense, the Commodity Credit Corporation, and the Federal Housing Administration.

The notes to the appendix, which follow the appendix tables, give background on organizational changes since the Weidenbaum Center began tracking trends in regulatory budgets and staffing in 1977. Some agencies have been abolished while others have been created. Names of agencies have changed over time. These notes help the reader make sense of name and other changes that have occurred over the years.

Table A-1
Agency Detail of Spending on Federal Regulatory Activity: Current Dollars
(Fiscal Years, Millions of Dollars in "Outlays")

Social Regulation											
										(Estimated)	% Change
										2006-07	2007-08
										2007	2008
										2005	2006
										1990	2000
										1980	1970
										1960	1970
1. Consumer Safety and Health											
Consumer Product Safety Com.	n/o	n/o	44	35	51	65	64	65	66	1.6%	1.5%
<i>Department of Agriculture:</i>											
Animal and Plant Health Inspection Svc. (1)	59	96	257	406	735	1,211	1,623	1,280	1,234	-21.1%	-3.6%
Food Safety and Inspection Svc. (2)	n/o	n/o	393	475	743	923	968	964	1,055	-0.4%	9.4%
Grain Inspection, Packers and Stockyards (3)	n/o	3	66	50	60	74	76	80	85	5.3%	6.3%
Risk Management Agency	n/o	n/o	n/o	n/o	64	67	74	74	78	0.0%	5.4%
--Subtotal (\$ mil)--	59	99	716	931	1,602	2,275	2,741	2,398	2,452	-12.5%	2.3%
<i>Department of Health and Human Services:</i>											
Food and Drug Admin. (4)	16	72	326	561	1,209	1,727	1,905	1,764	1,659	-7.4%	-6.0%
<i>Department of Housing and Urban Development:</i>											
Consumer Protection Programs (5)	n/o	n/o	2	5	14	10	9	12	16	33.3%	33.3%
Office of Lead Hazard Control and Healthy Homes (5)	n/o	n/o	n/o	n/o	95	133	120	141	154	17.5%	9.2%
Office of Federal Enterprise Oversight	n/o	n/o	n/o	n/o	18	48	62	60	64	-3.2%	6.7%
--Subtotal (\$ mil)--	n/o	n/o	2	5	127	191	191	213	234	11.5%	9.9%
<i>Department of Justice:</i>											
Drug Enforcement Admin. (6)	n/o	2	13	27	74	126	157	204	220	29.9%	7.8%
Alcohol, Tobacco, Firearms, and Explosives (7)	27	49	147	273	555	903	972	978	1,044	0.6%	6.7%
--Subtotal (\$ mil)--	27	51	160	300	629	1,029	1,129	1,182	1,264	4.7%	6.9%
<i>Department of Treasury:</i>											
Alcohol and Tobacco Tax and Trade Bureau (7)	n/o	n/o	n/o	n/o	n/o	87	93	90	95	-3.2%	5.6%
Chemical Safety and Hazard Investigation Bd. (8)	n/o	n/o	n/o	n/o	8	9	9	9	9	0.0%	0.0%
Federal Mine Safety and Health Review Com.	n/o	n/o	4	4	7	7	7	8	8	14.3%	0.0%
TOTAL--Consumer Safety and Health (\$ mil)	102	222	1,252	1,836	3,633	5,390	6,139	5,729	5,787	-6.7%	1.0%
2. Homeland Security											
<i>Department of Homeland Security: (9)</i>											
Area Maritime Security (10)	n/o	n/o	n/o	n/o	n/o	52	n/o	n/o	n/o	-	-
Customs and Border Protection (11)	62	175	837	1,664	2,802	6,947	7,416	9,680	9,252	30.5%	-4.4%
Immigration and Customs Enforcement (12)	38	66	254	786	3,355	3,258	3,411	4,484	4,668	31.5%	4.1%
Coast Guard (13)	45	94	498	909	1,717	1,948	2,182	2,108	2,367	-3.4%	12.3%
Science and Technology (14)	n/o	n/o	n/o	n/o	n/o	68	84	105	71	25.0%	-32.4%
Transportation Security Admin. (15)	n/o	n/o	n/o	n/o	n/o	4,746	4,376	4,280	4,846	-2.2%	13.2%
TOTAL--Homeland Security (\$ mil)	145	335	1,589	3,359	7,874	17,019	17,469	20,657	21,204	18.2%	2.6%
3. Transportation (16)											
<i>Department of Transportation:</i>											
Federal Aviation Admin. (17)	42	124	283	477	881	1,083	1,296	1,273	1,613	-1.8%	26.7%
Federal Highway Admin. (18)	n/o	6	20	98	9	n/o	n/o	n/o	n/o	-	-
Federal Motor Carrier Safety Admin. (19)	n/o	n/o	n/o	n/o	163	379	450	656	529	45.8%	-19.4%
Federal Railroad Admin.	n/o	16	92	52	119	161	210	245	195	16.7%	-20.4%
National Highway Traffic Safety Admin.	n/o	26	137	148	173	166	237	316	294	33.3%	-7.0%
Pipeline & Hazardous Materials Safety Admin. (20)	n/o	n/o	n/o	9	37	67	74	77	79	4.1%	2.6%
Surface Transportation Bd. (21)	n/o	n/o	n/o	n/o	17	21	19	21	21	10.5%	0.0%
--Subtotal (\$ mil)--	42	172	532	784	1,399	1,877	2,286	2,588	2,731	13.2%	5.5%
National Transportation Safety Board	n/o	5	18	26	77	77	74	75	78	1.4%	4.0%
TOTAL--Transportation (\$ mil)	42	177	550	810	1,476	1,954	2,360	2,663	2,809	12.8%	5.5%

Table A-1 (continued)

(Estimated) % Change

1960 1970 1980 1990 2000 2005 2006 2007 2008 2006-07 2007-08

4. Workplace

<i>Department of Labor:</i>											
Employment Standards Admin. (22)	14	36	123	156	227	248	258	270	298	4.7%	10.4%
Office of the American Workplace (23)	n/o	12	55	79	n/o	n/o	n/o	n/o	n/o	-	-
Employee Benefits Security Admin. (24)	n/o	n/o	n/o	n/o	99	131	148	149	165	0.7%	10.7%
Mine Safety and Health Admin. (25)	7	17	142	171	225	282	290	280	315	-3.4%	12.5%
Occupational Safety and Health Admin.	n/o	n/o	180	275	370	456	473	465	489	-1.7%	5.2%
--Subtotal (\$ mil)--	21	65	500	681	921	1,117	1,169	1,164	1,267	-0.4%	8.8%
Arch. & Trans. Barriers Compliance Bd.	n/o	n/o	n/o	2	4	6	5	6	6	20.0%	0.0%
Equal Employment Opportunity Com.	n/o	12	131	181	290	320	320	324	327	1.3%	0.9%
National Labor Relations Bd.	15	38	109	142	198	245	249	250	254	0.4%	1.6%
Occupational Safety and Health Review Com.	n/o	n/o	8	6	8	10	10	10	11	0.0%	10.0%
TOTAL--Workplace (\$ mil)	36	115	748	1,012	1,421	1,698	1,753	1,754	1,865	0.1%	6.3%

5. Environment

Council on Environmental Quality	n/o	n/o	3	1	3	3	3	3	3	0.0%	0.0%
<i>Department of Agriculture:</i>											
Forest and Rangeland Research (26)	n/o	n/o	n/o	n/o	232	325	341	325	340	-4.7%	4.6%
<i>Department of Defense:</i>											
Army Corps of Engineers (27)	1	2	41	66	111	145	154	153	180	-0.6%	17.6%
<i>Department of Interior:</i>											
Fish and Wildlife and Parks (28)	3	7	71	152	236	316	345	328	332	-4.9%	1.2%
Minerals Management Svc.	n/o	n/o	n/o	179	412	203	327	355	437	8.6%	23.1%
Surface Mining Reclamation & Enforcement (29)	n/o	n/o	85	327	392	385	379	384	432	1.3%	12.5%
U.S. Geological Survey (30)	n/o	n/o	n/o	n/o	196	246	256	244	258	-4.7%	5.7%
--Subtotal (\$ mil)--	3	7	156	658	1,236	1,295	1,307	1,311	1,459	0.3%	11.3%
Environmental Protection Agency (31)	13	174	1,282	2,950	4,478	4,813	5,202	4,836	4,882	-7.0%	1.0%
TOTAL -- Environment (\$ mil)	17	183	1,482	3,675	6,060	6,581	7,007	6,628	6,864	-5.4%	3.6%

6. Energy

<i>Department of Energy:</i>											
Petroleum Regulation (32)	n/o	n/o	n/o	14	24	22	24	23	29	-4.2%	26.1%
Federal Inspector Alaska Nat'l Gas Pipeline (33)	n/o	n/o	5	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Energy Conservation (34)	n/o	n/o	54	38	103	67	58	68	82	17.2%	20.6%
--Subtotal (\$ mil)--	n/o	n/o	59	52	127	89	82	91	111	11.0%	22.0%
Nuclear Regulatory Com. (35)	12	65	378	391	480	644	679	727	871	7.1%	19.8%
TOTAL--Energy (\$ mil)	12	65	437	443	607	733	761	818	982	7.5%	20.0%
TOTAL SOCIAL REGULATION (\$ mil)	354	1,097	6,058	11,135	21,071	33,375	35,489	38,249	39,511	7.8%	3.3%

Economic Regulation**1. Finance and Banking**

<i>Department of the Treasury:</i>											
Comptroller of the Currency (36)	11	32	113	256	382	474	538	656	690	21.9%	5.2%
Financial Crimes Enforcement Network	n/o	n/o	n/o	n/o	29	66	75	73	89	-2.7%	21.9%
Office of Thrift Supervision (37)	9	21	20	249	159	175	198	246	256	24.2%	4.1%
--Subtotal (\$ mil)--	20	53	133	505	570	715	811	975	1,035	20.2%	6.2%
Farm Credit Admin.	2	4	12	36	32	40	39	46	48	17.9%	4.3%
Federal Deposit Insurance Corp.	13	30	121	476	660	511	587	659	676	12.3%	2.6%
Federal Housing Finance Bd. (38)	n/o	n/o	n/o	1	18	32	31	31	35	0.0%	12.9%

Table A-1 (continued)

	1960	1970	1980	1990	2000	2005	2006	(Estimated)		% Change	
								2007	2008	2006-07	2007-08
Federal Reserve System (39)											
Federal Reserve Banks (40)	n/o	n/o	86	212	537	519	550	550	550	0.0%	0.0%
Federal Reserve System Bd. of Governors	2	5	19	30	79	122	129	137	137	6.2%	0.0%
--Subtotal (\$ mil)--	2	5	105	242	616	641	679	687	687	1.2%	0.0%
National Credit Union Admin. (41)											
National Credit Union Admin. (41)	3	6	21	44	69	93	102	108	110	5.9%	1.9%
TOTAL--Finance and Banking (\$ mil)	40	98	392	1,304	1,965	2,032	2,249	2,506	2,591	11.4%	3.4%
2. Industry-Specific Regulation											
<i>Department of Agriculture:</i>											
Agriculture Marketing Svc. (42)	42	186	60	161	198	255	295	258	252	-12.5%	-2.3%
<i>Department of Commerce:</i>											
National Telecommunications and Info. Admin.	n/o	n/o	16	21	30	41	48	63	56	31.3%	-11.1%
<i>Department of the Energy:</i>											
Economic Regulatory Admin. (43)	n/o	n/o	132	16	2	n/o	n/o	n/o	n/o	-	-
<i>Department of the Interior:</i>											
National Indian Gaming Com.	n/o	n/o	n/o	n/o	2	3	2	2	2	0.0%	0.0%
Civil Aeronautics Bd. (44)	7	11	28	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Commodity Futures Trading Com. (45)	1	2	16	36	62	94	100	97	114	-3.0%	17.5%
Federal Communications Com.	11	24	76	108	269	362	363	327	406	-9.9%	24.2%
Federal Energy Regulatory Com. (46)	7	18	67	113	167	212	220	227	253	3.2%	11.5%
Federal Maritime Com.	n/o	4	11	15	14	19	20	21	22	5.0%	4.8%
Interstate Commerce Com. (47)	20	27	80	43	n/o	n/o	n/o	n/o	n/o	-	-
Renegotiation Bd. (48)	3	4	L	n/o	n/o	n/o	n/o	n/o	n/o	-	-
TOTAL--Industry-Specific Regulation (\$ mil)	91	276	486	513	744	986	1,048	995	1,105	-5.1%	11.1%
3. General Business											
Cost Accounting Standards Bd. (49)	n/o	n/o	1	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Council on Wage and Price Stability (50)	n/o	n/o	9	n/o	n/o	n/o	n/o	n/o	n/o	-	-
<i>Department of Commerce:</i>											
International Trade Admin. (51)	3	6	14	23	36	63	61	56	64	-8.2%	14.3%
Bureau of Industry and Security (52)	n/o	n/o	n/o	41	61	71	81	94	81	16.0%	-13.8%
Patent and Trademark Office	22	49	103	320	872	1,402	1,513	1,634	1,804	8.0%	10.4%
--Subtotal (\$ mil)--	25	55	117	384	969	1,536	1,655	1,784	1,949	7.8%	9.2%
<i>Department of Justice:</i>											
Antitrust Division	5	9	49	47	102	136	136	143	153	5.1%	7.0%
Federal Election Com.	n/o	n/o	10	15	40	55	52	54	58	3.8%	7.4%
Federal Trade Com.	7	20	69	71	125	189	201	231	259	14.9%	12.1%
International Trade Com. (53)	2	4	14	37	47	60	64	63	67	-1.6%	6.3%
<i>Library of Congress:</i>											
Copyright Office	1	3	14	19	34	46	47	56	48	19.1%	-14.3%
Securities and Exchange Com.	8	22	74	154	357	865	872	838	873	-3.9%	4.2%
TOTAL--General Business (\$ mil)	48	113	357	727	1,674	2,887	3,027	3,169	3,407	4.7%	7.5%
TOTAL ECONOMIC REGULATION (\$ mil)	179	487	1,235	2,544	4,383	5,905	6,324	6,670	7,103	5.5%	6.5%
GRAND TOTAL	533	1,584	7,293	13,679	25,454	39,280	41,813	44,919	46,614	7.4%	3.8%

Notes:

n/o = agency not operational

L=Less Than \$500,000

(1) through (53): see notes at the end of the Appendix

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Table A-2

Agency Detail of Spending on Federal Regulatory Activity: Constant Dollars

(Fiscal Years, In Millions of Constant 2000 dollars)

Social Regulation

	1960	1970	1980	1990	2000	2005	2006	(Estimated) 2007	2008	% Change 2006-07 2007-08		
1. Consumer Safety and Health												
Consumer Product Safety Com.	n/o	n/o	81	43	51	58	55	55	55	-0.6%	-0.5%	
<i>Department of Agriculture:</i>												
Animal and Plant Health Inspection Svc. (1)	280	349	475	497	735	1,080	1,402	1,082	1,023	-22.8%	-5.5%	
Food Safety and Inspection Svc. (2)	n/o	n/o	727	582	743	823	836	815	874	-2.5%	7.3%	
Grain Inspection, Packers and Stockyards (3)	n/o	11	122	61	60	66	66	68	70	3.0%	4.1%	
Risk Management Agency	n/o	n/o	n/o	n/o	64	60	64	63	65	-2.1%	3.3%	
--Subtotal (\$ mil)--	280	360	1,324	1,141	1,602	2,029	2,368	2,028	2,032	-14.4%	0.2%	
<i>Department of Health and Human Services:</i>												
Food and Drug Admin. (4)	76	261	603	687	1,209	1,540	1,645	1,491	1,375	-9.4%	-7.8%	
<i>Department of Housing and Urban Development:</i>												
Consumer Protection Programs (5)	n/o	n/o	4	6	14	9	8	10	13	30.5%	30.7%	
Office of Lead Hazard Control and Healthy Homes (5)	n/o	n/o	n/o	n/o	97	119	104	119	128	15.0%	7.0%	
Office of Federal Enterprise Oversight	n/o	n/o	n/o	n/o	18	43	54	51	53	-5.3%	4.5%	
--Subtotal (\$ mil)--	n/o	n/o	4	6	127	170	165	180	194	9.2%	7.7%	
<i>Department of Justice:</i>												
Drug Enforcement Admin. (6)	n/o	7	24	33	74	112	136	172	182	27.2%	5.7%	
Alcohol, Tobacco, Firearms, and Explosives (7)	128	178	272	335	555	805	840	827	865	-1.5%	4.6%	
--Subtotal (\$ mil)--	128	185	296	368	629	918	975	999	1,047	2.5%	4.8%	
<i>Department of Treasury:</i>												
Alcohol and Tobacco Tax and Trade Bureau (7)	n/o	n/o	n/o	n/o	n/o	78	80	76	79	-5.3%	3.5%	
Chemical Safety and Hazard Investigation Bd. (8)	n/o	n/o	n/o	n/o	8	8	8	8	7	-2.1%	-2.0%	
Federal Mine Safety and Health Review Com.	n/o	n/o	7	5	7	6	6	7	7	11.9%	-2.0%	
TOTAL--Consumer Safety and Health (\$ mil)	485	806	2,316	2,250	3,633	4,806	5,303	4,844	4,796	-8.7%	-1.0%	
2. Homeland Security												
<i>Department of Homeland Security: (9)</i>												
Area Maritime Security (10)	n/o	n/o	n/o	n/o	n/o	46	n/o	n/o	n/o	-	-	
Customs and Border Protection (11)	295	637	1,547	2,039	2,802	6,195	6,406	8,184	7,667	27.8%	-6.3%	
Immigration and Customs Enforcement (12)	181	240	470	963	3,355	2,905	2,946	3,791	3,868	28.7%	2.0%	
Coast Guard (13)	214	341	921	1,114	1,717	1,737	1,885	1,782	1,961	-5.4%	10.1%	
Science and Technology (14)	n/o	n/o	n/o	n/o	n/o	61	73	89	59	22.4%	-33.7%	
Transportation Security Admin. (15)	n/o	n/o	n/o	n/o	n/o	4,232	3,780	3,619	4,016	-4.3%	11.0%	
TOTAL--Homeland Security (\$ mil)	689	1,218	2,938	4,116	7,874	15,176	15,089	17,466	17,571	15.7%	0.6%	
3. Transportation (16)												
<i>Department of Transportation:</i>												
Federal Aviation Admin. (17)	200	450	523	584	881	966	1,119	1,076	1,337	-3.9%	24.2%	
Federal Highway Admin. (18)	n/o	22	37	120	9	n/o	n/o	n/o	n/o	0.0%	0.0%	
Federal Motor Carrier Safety Admin. (19)	n/o	n/o	n/o	n/o	163	338	389	555	438	42.7%	-21.0%	
Federal Railroad Admin.	n/o	58	170	64	119	144	181	207	162	14.2%	-22.0%	
National Highway Traffic Safety Admin.	n/o	94	253	181	173	148	205	267	244	30.5%	-8.8%	
Pipeline & Hazardous Materials Safety Admin. (20)	n/o	n/o	n/o	11	37	60	64	65	65	1.9%	0.6%	
Surface Transportation Bd. (21)	n/o	n/o	n/o	n/o	17	19	16	18	17	8.2%	-2.0%	
--Subtotal (\$ mil)--	200	625	984	961	1,399	1,674	1,975	2,188	2,263	10.8%	3.4%	
National Transportation Safety Bd.	n/o	18	33	32	77	69	64	63	65	-0.8%	1.9%	
TOTAL--Transportation (\$ mil)	200	643	1,017	992	1,476	1,742	2,038	2,252	2,328	10.5%	3.4%	

Table A-2 (continued)

(Estimated) % Change

1960 1970 1980 1990 2000 2005 2006 2007 2008 2006-07 2007-08

4. Workplace

<i>Department of Labor:</i>											
Employment Standards Admin. (22)	67	131	228	191	227	221	223	228	247	2.4%	8.2%
Office of the American Workplace (23)	n/o	44	102	97	n/o	n/o	n/o	n/o	n/o	-	-
Employee Benefits Security Admin. (24)	n/o	n/o	n/o	n/o	99	117	128	126	137	-1.5%	8.5%
Mine Safety and Health Admin. (25)	33	62	263	210	225	251	250	237	261	-5.5%	10.3%
Occupational Safety and Health Admin.	n/o	n/o	333	337	370	407	409	393	405	-3.8%	3.1%
--Subtotal (\$ mil)--	100	236	925	834	921	996	1,010	984	1,050	-2.5%	6.7%
Arch. & Trans. Barriers Compliance Bd.	n/o	n/o	n/o	2	4	5	4	5	5	17.5%	-2.0%
Equal Employment Opportunity Com.	n/o	44	242	222	290	285	276	274	271	-0.9%	-1.1%
National Labor Relations Bd.	71	138	202	174	198	218	215	211	210	-1.7%	-0.4%
Occupational Safety and Health Review Com.	n/o	n/o	15	7	8	9	9	8	9	-2.1%	7.8%
TOTAL--Workplace (\$ mil)	171	418	1,384	1,240	1,421	1,514	1,514	1,483	1,545	-2.1%	4.2%

5. Environment

Council on Environmental Quality	n/o	n/o	6	1	3	3	3	3	2	-2.1%	-2.0%
<i>Department of Agriculture:</i>											
Forest and Rangeland Research (26)	n/o	n/o	n/o	n/o	232	290	295	275	282	-6.7%	2.5%
<i>Department of Defense:</i>											
Army Corps of Engineers (27)	5	7	76	81	111	129	133	129	149	-2.7%	15.3%
<i>Department of Interior:</i>											
Fish and Wildlife and Parks (28)	14	25	131	186	236	282	298	277	275	-6.9%	-0.8%
Minerals Management Svc.	n/o	n/o	n/o	219	412	310	282	300	362	6.3%	20.7%
Surface Mining Reclamation & Enforcement (29)	n/o	n/o	157	401	392	343	327	325	358	-0.8%	10.3%
U.S. Geological Survey (30)	n/o	n/o	n/o	196	219	221	206	214	214	-6.7%	3.6%
--Subtotal (\$ mil)--	14	25	289	806	1,236	1,155	1,129	1,108	1,209	-1.8%	9.1%
Environmental Protection Agency (31)	62	632	2,371	3,615	4,478	4,292	4,493	4,089	4,046	-9.0%	-1.1%
TOTAL -- Environment (\$ mil)	81	665	2,741	4,503	6,060	5,868	6,052	5,604	5,688	-7.4%	1.5%

6. Energy

<i>Department of Energy:</i>											
Petroleum Regulation (32)	n/o	n/o	n/o	17	24	20	21	19	24	-6.2%	23.6%
Federal Inspector Alaska Nat'l Gas Pipeline (33)	n/o	n/o	9	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Energy Conservation (34)	n/o	n/o	100	47	103	60	50	57	68	14.8%	18.2%
--Subtotal (\$ mil)--	n/o	n/o	109	64	127	79	71	77	92	8.6%	19.6%
Nuclear Regulatory Com. (35)	57	236	699	479	480	574	586	615	722	4.8%	17.4%
TOTAL--Energy (\$ mil)	57	236	808	543	607	654	657	692	814	5.2%	17.7%
TOTAL SOCIAL REGULATION (\$ mil)	1,682	3,985	11,205	13,644	21,071	29,761	30,654	32,340	32,742	5.5%	1.2%

Economic Regulation**1. Finance and Banking**

<i>Department of the Treasury:</i>											
Comptroller of the Currency (36)	52	116	209	314	382	423	465	555	572	19.4%	3.1%
Financial Crimes Enforcement Network	n/o	n/o	n/o	n/o	29	59	65	62	74	-4.7%	19.5%
Office of Thrift Supervision (37)	43	76	37	305	159	156	171	208	212	21.6%	2.0%
--Subtotal (\$ mil)--	95	192	246	619	570	638	701	824	858	17.7%	4.0%
Farm Credit Admin.	10	15	22	44	32	36	34	39	40	15.5%	2.3%
Federal Deposit Insurance Corp.	62	109	224	583	660	456	507	557	560	9.9%	0.5%

Table A-2 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2006-07	2007-08
								(Estimated)		% Change	
Federal Housing Finance Bd. (38)	n/o	n/o	n/o	1	18	29	27	26	29	-2.1%	10.7%
Federal Reserve System (39)											
Federal Reserve Banks (40)	n/o	n/o	159	260	537	463	475	465	456	-2.1%	-2.0%
Federal Reserve System Bd. of Governors	10	18	35	37	79	109	111	116	114	4.0%	-2.0%
--Subtotal (\$ mil)--	10	18	194	297	616	572	586	581	569	0.0%	-2.0%
National Credit Union Admin. (41)	14	22	39	54	69	83	88	91	91	3.6%	-0.2%
TOTAL--Finance and Banking (\$ mil)	190	356	725	1,598	1,965	1,812	1,943	2,119	2,147	9.1%	1.3%
2. Industry-Specific Regulation											
<i>Department of Agriculture:</i>											
Agriculture Marketing Svc. (42)	200	675	111	197	198	227	255	218	209	-14.4%	-4.3%
<i>Department of Commerce:</i>											
National Telecommunications and Info. Admin.	n/o	n/o	30	26	30	37	41	53	46	28.5%	-12.9%
<i>Department of the Energy:</i>											
Economic Regulatory Admin. (43)	n/o	n/o	244	20	2	n/o	n/o	n/o	n/o	0.0%	0.0%
<i>Department of the Interior:</i>											
National Indian Gaming Com.	n/o	n/o	n/o	n/o	2	3	2	2	2	-2.1%	-2.0%
Civil Aeronautics Bd. (44)	33	40	52	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Commodity Futures Trading Com. (45)	5	7	30	44	62	84	86	82	94	-5.1%	15.2%
Federal Communications Com.	52	87	141	132	269	323	314	276	336	-11.8%	21.7%
Federal Energy Regulatory Com. (46)	33	65	124	138	167	189	190	192	210	1.0%	9.2%
Federal Maritime Com.	n/o	15	20	18	14	17	17	18	18	2.8%	2.7%
Interstate Commerce Com. (47)	95	98	148	53	n/o	n/o	n/o	n/o	n/o	-	-
Renegotiation Bd. (48)	14	15	L	n/o	n/o	n/o	n/o	n/o	n/o	-	-
TOTAL--Industry-Specific Regulation (\$ mil)	432	1,002	899	629	744	879	905	841	916	-7.1%	8.8%
3. General Business											
Cost Accounting Standards Bd. (49)	n/o	n/o	2	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Council on Wage and Price Stability (50)	n/o	n/o	17	n/o	n/o	n/o	n/o	n/o	n/o	-	-
<i>Department of Commerce:</i>											
International Trade Admin. (51)	14	22	26	28	36	56	53	47	53	-10.1%	12.0%
Bureau of Industry and Security (52)	n/o	n/o	n/o	50	61	63	70	79	67	13.6%	-15.5%
Patent and Trademark Office	105	178	191	392	872	1,250	1,307	1,382	1,495	5.7%	8.2%
--Subtotal (\$ mil)--	119	200	216	471	969	1,370	1,430	1,508	1,615	5.5%	7.1%
<i>Department of Justice:</i>											
Antitrust Division	24	33	91	58	102	121	117	121	127	2.9%	4.9%
Federal Election Com.	n/o	n/o	18	18	40	49	45	46	48	1.7%	5.3%
Federal Trade Com.	33	73	128	87	125	169	174	195	215	12.5%	9.9%
International Trade Com. (53)	10	15	26	45	47	54	55	53	56	-3.6%	4.2%
<i>Library of Congress:</i>											
Copyright Office	5	11	26	23	34	41	41	47	40	16.6%	-16.0%
Securities and Exchange Com.	38	80	137	189	357	771	753	709	723	-5.9%	2.1%
TOTAL--General Business (\$ mil)	228	410	660	891	1,674	2,574	2,615	2,679	2,823	2.5%	5.4%
TOTAL ECONOMIC REGULATION (\$ mil)	851	1,768	2,284	3,117	4,383	5,266	5,462	5,639	5,886	3.2%	4.4%
GRAND TOTAL	2,533	5,753	13,489	16,761	25,454	35,026	36,116	37,979	38,628	5.2%	1.7%

Notes:

n/o = agency not operational

L=Less Than \$500,000

(1) through (53): see notes at the end of the Appendix

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Table A-3

Agency Detail of Staffing of Federal Regulatory Activity
(Fiscal Years, Full-time Equivalent Employment)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2006-07	2007-08
								(Estimated)		% Change	
1. Consumer Safety and Health											
Consumer Product Safety Com.	n/o	n/o	978	515	468	447	412	420	401	1.9%	-4.5%
<i>Department of Agriculture:</i>											
Animal and Plant Health Inspection Svc. (1)	6,258	6,403	5,440	5,814	6,468	7,078	7,299	7,430	7,186	1.8%	-3.3%
Food Safety and Inspection Svc. (2)	n/o	n/o	12,372	9,433	9,545	9,464	9,424	9,424	9,515	0.0%	1.0%
Grain Inspection, Packers and Stockyards (3)	n/o	221	2,207	989	750	675	645	674	690	4.5%	2.4%
Risk Management Agency	n/o	n/o	n/o	n/o	512	502	477	553	553	15.9%	0.0%
--Subtotal--	6,258	6,624	20,019	16,236	17,275	17,719	17,845	18,081	17,944	1.3%	-0.8%
<i>Department of Health and Human Services:</i>											
Food and Drug Admin. (4)	1,868	4,496	8,045	7,764	8,900	9,980	9,777	9,117	8,178	-6.8%	-10.3%
<i>Department of Housing and Urban Development:</i>											
Office of Federal Enterprise Oversight	n/o	n/o	n/o	n/o	87	198	225	229	259	1.8%	13.1%
<i>Department of Justice:</i>											
Drug Enforcement Admin. (6)	n/o	125	255	294	613	739	807	1,152	1,176	42.8%	2.1%
Alcohol, Tobacco, Firearms, and Explosives (7)	3,835	3,489	3,819	3,873	4,337	4,752	4,884	5,085	4,988	4.1%	-1.9%
--Subtotal--	3,835	3,614	4,074	4,167	4,950	5,491	5,691	6,237	6,164	9.6%	-1.2%
<i>Department of Treasury:</i>											
Alcohol and Tobacco Tax and Trade Bureau (7)	n/o	n/o	n/o	n/o	n/o	523	534	559	559	4.7%	0.0%
Chemical Safety and Hazard Investigation Bd. (8)	n/o	n/o	n/o	n/o	26	37	40	44	44	10.0%	0.0%
Federal Mine Safety and Health Review Com.	n/o	n/o	85	48	43	40	41	44	44	7.3%	0.0%
TOTAL--Consumer Safety and Health	11,961	14,734	33,201	28,730	31,749	34,435	34,565	34,731	33,593	0.5%	-3.3%
2. Homeland Security											
<i>Department of Homeland Security: (9)</i>											
Area Maritime Security (10)	n/o	n/o	n/o	n/o	n/o	3	n/o	n/o	n/o	-	-
Customs and Border Protection (11)	7,402	10,872	15,107	17,340	18,875	40,601	41,136	43,791	47,887	6.5%	9.4%
Immigration and Customs Enforcement (12)	4,660	4,574	8,794	15,931	24,692	14,761	13,241	15,883	16,837	20.0%	6.0%
Coast Guard (13)	5,452	7,050	11,432	10,887	16,847	12,679	13,933	13,203	13,826	-5.2%	4.7%
Science and Technology (14)	n/o	n/o	n/o	n/o	n/o	26	17	31	31	82.4%	0.0%
Transportation Security Admin. (15)	n/o	n/o	n/o	n/o	n/o	50,725	49,469	51,560	52,478	4.2%	1.8%
TOTAL--Homeland Security	17,514	22,496	35,333	44,158	60,414	118,795	117,796	124,468	131,059	5.7%	5.3%
3. Transportation (16)											
<i>Department of Transportation:</i>											
Federal Aviation Admin. (17)	3,928	6,447	6,251	5,640	6,319	5,324	5,460	5,373	6,092	-1.6%	13.4%
Federal Highway Admin. (18)	n/o	201	239	495	66	n/o	n/o	n/o	n/o	-	-
Federal Motor Carrier Safety Admin. (19)	n/o	n/o	n/o	n/o	673	1,031	1,007	1,040	1,062	3.3%	2.1%
Federal Railroad Admin.	n/o	299	607	435	718	791	808	844	850	4.5%	0.7%
National Highway Traffic Safety Admin.	n/o	562	917	602	612	600	605	550	538	-9.1%	-2.2%
Pipeline & Hazardous Materials Safety Admin. (20)	n/o	n/o	n/o	50	97	154	139	170	176	22.3%	3.5%
Surface Transportation Bd. (21)	n/o	n/o	n/o	n/o	135	134	137	130	125	-5.1%	-3.8%
--Subtotal--	3,928	7,509	8,014	7,222	8,620	8,034	8,156	8,107	8,843	-0.6%	9.1%
National Transportation Safety Bd.	n/o	279	387	325	421	417	387	371	390	-4.1%	5.1%
TOTAL--Transportation	3,928	7,788	8,401	7,547	9,041	8,451	8,543	8,478	9,233	-0.8%	8.9%
4. Workplace											
<i>Department of Labor:</i>											
Employment Standards Admin. (22)	1,685	2,135	3,372	2,335	2,211	1,919	1,901	1,906	2,020	0.3%	6.0%
Office of the American Workplace (23)	n/o	877	1,330	980	n/o	n/o	n/o	n/o	n/o	-	-

Table A-3 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2006-07	2007-08
								(Estimated)		% Change	
Employee Benefits Security Admin. (24)	n/o	n/o	n/o	n/o	747	827	840	855	855	1.8%	0.0%
Mine Safety and Health Admin. (25)	690	1,401	3,700	2,679	2,202	2,109	2,078	2,240	2,306	7.8%	2.9%
Occupational Safety and Health Admin.	n/o	n/o	2,950	2,431	2,160	2,155	2,096	2,133	2,186	1.8%	2.5%
--Subtotal--	2,375	4,413	11,352	8,425	7,320	7,010	6,915	7,134	7,367	3.2%	3.3%
Arch. & Trans. Barriers Compliance Bd.	n/o	n/o	n/o	27	30	27	27	27	27	0.0%	0.0%
Equal Employment Opportunity Com.	n/o	845	3,496	2,853	2,852	2,361	2,226	2,361	2,361	6.1%	0.0%
National Labor Relations Bd.	1,776	2,313	2,898	2,227	1,876	1,826	1,788	1,755	1,725	-1.8%	-1.7%
Occupational Safety and Health Review Com.	n/o	n/o	148	78	63	55	58	67	67	15.5%	0.0%
TOTAL--Workplace	4,151	7,571	17,894	13,610	12,141	11,279	11,014	11,344	11,547	3.0%	1.8%

5. Environment

Council on Environmental Quality	n/o	n/o	49	15	20	21	19	24	24	26.3%	0.0%
<i>Department of Agriculture:</i>											
Forest and Rangeland Research (26)	n/o	n/o	n/o	n/o	2,340	2,699	2,286	2,282	2,109	-0.2%	-7.6%
<i>Department of Defense:</i>											
Army Corps of Engineers (27)	n/o	n/o	800	1,201	1,354	1,383	1,357	1,360	1,360	0.2%	0.0%
<i>Department of Interior:</i>											
Fish and Wildlife and Parks (28)	368	452	1,913	2,059	1,848	2,156	2,416	2,415	2,384	0.0%	-1.3%
Minerals Management Svc.	n/o	n/o	n/o	2,064	1,748	1,609	1,619	1,653	1,633	2.1%	-1.2%
Surface Mining Reclamation & Enforcement (29)	n/o	n/o	1,186	1,195	636	542	528	547	547	3.6%	0.0%
U.S. Geological Survey (30)	n/o	n/o	n/o	n/o	1,528	1,598	1,534	1,477	1,440	-3.7%	-2.5%
--Subtotal--	368	452	3,099	5,318	5,760	5,905	6,097	6,092	6,004	-0.1%	-1.4%
Environmental Protection Agency (31)	862	4,424	13,045	15,587	17,310	17,235	17,029	17,281	17,044	1.5%	-1.4%
TOTAL -- Environment	1,230	4,876	16,993	22,121	26,784	27,243	26,788	27,039	26,541	0.9%	-1.8%

6. Energy

<i>Department of Energy:</i>											
Petroleum Regulation (32)	n/o	n/o	n/o	101	122	88	82	118	188	43.9%	59.3%
Federal Inspector Alaska Nat'l Gas Pipeline (32)	n/o	n/o	64	1	n/o	n/o	n/o	n/o	n/o	-	-
Energy Conservation (34)	n/o	n/o	47	31	66	31	23	22	24	-4.3%	9.1%
--Subtotal--	n/o	n/o	111	133	188	119	105	140	212	33.3%	51.4%
Nuclear Regulatory Com. (35)	35	220	3,114	3,160	2,735	3,095	3,150	3,256	3,523	3.4%	8.2%
TOTAL--Energy	35	220	3,225	3,293	2,923	3,214	3,255	3,396	3,735	4.3%	10.0%
TOTAL SOCIAL REGULATION	38,819	57,685	115,047	119,459	143,052	203,417	201,961	209,456	215,708	3.7%	3.0%

Economic Regulation

1. Finance and Banking

<i>Department of the Treasury:</i>											
Comptroller of the Currency (36)	841	1,957	3,234	3,216	2,920	2,686	2,812	2,977	3,041	5.9%	2.1%
Financial Crimes Enforcement Network	n/o	n/o	n/o	n/o	169	268	297	335	357	12.8%	6.6%
Office of Thrift Supervision (37)	n/o	n/o	n/o	3,250	1,254	885	918	1,046	1,046	13.9%	0.0%
--Subtotal--	841	1,957	3,234	6,466	4,343	3,839	4,027	4,358	4,444	8.2%	2.0%
Farm Credit Admin.	251	232	277	530	287	271	252	261	262	3.6%	0.4%
Federal Deposit Insurance Corp.	881	2,705	3,648	4,960	4,236	2,961	2,748	2,955	2,958	7.5%	0.1%
Federal Housing Finance Bd. (38)	n/o	n/o	n/o	54	108	122	133	144	144	8.3%	0.0%
<i>Federal Reserve System (39)</i>											
Federal Reserve Banks (40)	n/o	n/o	1,589	2,217	3,050	2,561	2,663	2,663	2,663	0.0%	0.0%
Federal Reserve System Bd. of Governors	165	298	333	419	668	815	824	824	824	0.0%	0.0%
--Subtotal--	165	298	1,922	2,636	3,718	3,376	3,487	3,487	3,487	0.0%	0.0%
National Credit Union Admin. (41)	371	426	443	662	618	635	657	681	676	3.7%	-0.7%
TOTAL--Finance and Banking	2,509	5,618	9,524	15,308	13,310	11,204	11,304	11,886	11,971	5.1%	0.7%

Table A-3 (continued)

	1960	1970	1980	1990	2000	2005	2006	(Estimated) 2007	(Estimated) 2008	% Change 2006-07 2007-08	
2. Industry-Specific Regulation											
<i>Department of Agriculture:</i>											
Agriculture Marketing Svc. (42)	4,385	13,686	2,147	3,164	2,595	2,601	2,541	2,621	2,563	3.1%	-2.2%
<i>Department of Commerce:</i>											
National Telecommunications and Info. Admin.	n/o	n/o	441	255	214	236	237	258	258	8.9%	0.0%
<i>Department of the Energy:</i>											
Economic Regulatory Admin. (43)	n/o	n/o	2,255	184	18	n/o	n/o	n/o	n/o	-	-
<i>Department of the Interior:</i>											
National Indian Gaming Com.	n/o	n/o	n/o	2	71	77	86	115	119	33.7%	3.5%
Civil Aeronautics Bd. (44)	764	692	778	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Commodity Futures Trading Com. (45)	128	180	459	527	556	487	493	458	475	-7.1%	3.7%
Federal Communications Com.	1,441	1,651	2,216	1,734	1,925	1,884	1,797	1,881	1,901	4.7%	1.1%
Federal Energy Regulatory Com. (46)	865	1,178	1,653	1,475	1,216	1,258	1,263	1,295	1,370	2.5%	5.8%
Federal Maritime Com.	n/o	252	336	229	128	124	121	133	133	9.9%	0.0%
Interstate Commerce Com. (47)	2,410	1,917	2,041	664	n/o	n/o	n/o	n/o	n/o	-	-
Renegotiation Bd. (48)	307	235	n/o	n/o	n/o	n/o	n/o	n/o	n/o	-	-
TOTAL--Industry-Specific Regulation	10,300	19,791	12,326	8,234	6,723	6,667	6,538	6,761	6,819	3.4%	0.9%
3. General Business											
Cost Accounting Standards Bd. (49)	n/o	n/o	21	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Council on Wage and Price Stability (50)	n/o	n/o	230	n/o	n/o	n/o	n/o	n/o	n/o	-	-
<i>Department of Commerce:</i>											
International Trade Admin. (51)	228	259	326	240	221	345	301	331	344	10.0%	3.9%
Bureau of Industry and Security (52)	n/o	n/o	n/o	508	398	362	353	416	402	17.8%	-3.4%
Patent and Trademark Office	2,440	2,829	2,660	4,059	6,128	6,825	7,446	8,557	9,542	14.9%	11.5%
--Subtotal--	2,668	3,088	2,986	4,807	6,747	7,532	8,100	9,304	10,288	14.9%	10.6%
<i>Department of Justice:</i>											
Antitrust Division	526	607	971	513	748	792	763	851	851	11.5%	0.0%
Federal Election Com.	n/o	n/o	258	241	343	377	368	391	391	6.3%	0.0%
Federal Trade Com.	758	1,390	1,719	903	989	1,019	907	1,080	1,090	19.1%	0.9%
International Trade Com. (53)	277	274	409	499	357	369	383	383	386	0.0%	0.8%
<i>Library of Congress:</i>											
Copyright Office	245	332	598	520	490	501	487	530	523	8.8%	-1.3%
Securities and Exchange Com.	1,007	1,490	2,050	2,130	2,841	3,851	3,695	3,568	3,568	-3.4%	0.0%
TOTAL--General Business	5,481	7,181	9,242	9,613	12,515	14,441	14,703	16,107	17,097	9.5%	6.1%
TOTAL ECONOMIC REGULATION	18,290	32,590	31,092	33,155	32,548	32,312	32,545	34,754	35,887	6.8%	3.3%
GRAND TOTAL	57,109	90,275	146,139	152,614	175,600	235,729	234,506	244,210	251,595	4.1%	3.0%

Notes:

n/o = agency not operational

(1) through (53): see notes at the end of the Appendix

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Table A-4
Total Spending on Federal Regulatory Activity: Current Dollars
(Fiscal Years, Millions of Dollars)

Year	Social Regulation	Economic Regulation	Total
1960	\$354	\$179	\$533
1961	421	209	630
1962	483	215	698
1963	552	249	801
1964	590	269	859
1965	604	316	920
1966	646	309	955
1967	704	344	1,048
1968	822	375	1,197
1969	958	403	1,361
1970	1,097	487	1,584
1971	1,428	561	1,989
1972	1,825	553	2,378
1973	2,528	486	3,014
1974	2,641	607	3,248
1975	3,127	763	3,890
1976	3,701	863	4,564
1977	4,156	949	5,105
1978	4,581	961	5,542
1979	5,164	1,037	6,201
1980	6,058	1,235	7,293
1981	6,437	1,209	7,646
1982	6,209	1,378	7,587
1983	6,489	1,400	7,889
1984	6,849	1,517	8,366
1985	7,218	1,695	8,913
1986	7,519	1,996	9,515
1987	8,254	1,770	10,024
1988	9,163	2,101	11,264
1989	10,154	2,265	12,419
1990	11,135	2,544	13,679
1991	12,602	2,533	15,135
1992	14,095	2,843	16,938
1993	14,505	3,326	17,831
1994	15,033	3,164	18,197
1995	15,709	3,754	19,463
1996	15,855	3,530	19,385
1997	16,930	3,874	20,804
1998	18,683	3,832	22,515
1999	19,669	4,083	23,752
2000	21,071	4,383	25,454
2001	22,447	4,594	27,041
2002	27,014	5,020	32,034
2003	35,608	5,062	40,670
2004	32,214	5,639	37,853
2005	33,375	5,905	39,280
2006	35,489	6,324	41,813
2007*	38,249	6,670	44,919
2008*	39,511	7,103	46,614

*Estimates

Note: Numbers may not add to totals due to rounding. Data based on outlays.

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Table A-5

Total Spending on Federal Regulatory Activity: Constant Dollars

(Fiscal Years, Millions of 2000 Dollars)

Year	Social	Economic	Total
1960	\$1,682	\$851	\$2,533
1961	1,978	982	2,960
1962	2,239	997	3,236
1963	2,532	1,142	3,674
1964	2,666	1,215	3,881
1965	2,680	1,402	4,082
1966	2,786	1,333	4,119
1967	2,946	1,440	4,385
1968	3,297	1,505	4,802
1969	3,663	1,541	5,204
1970	3,985	1,768	5,753
1971	4,939	1,940	6,879
1972	6,050	1,833	7,883
1973	7,937	1,526	9,463
1974	7,607	1,748	9,355
1975	8,227	2,008	10,235
1976	9,207	2,147	11,353
1977	9,720	2,219	11,939
1978	10,010	2,100	12,110
1979	10,422	2,093	12,515
1980	11,205	2,284	13,489
1981	10,887	2,045	12,932
1982	9,897	2,196	12,093
1983	9,950	2,147	12,097
1984	10,121	2,242	12,363
1985	10,352	2,431	12,783
1986	10,550	2,801	13,350
1987	11,275	2,418	13,693
1988	12,103	2,775	14,878
1989	12,923	2,883	15,806
1990	13,644	3,117	16,761
1991	14,922	2,999	17,921
1992	16,313	3,290	19,603
1993	16,411	3,763	20,173
1994	16,654	3,505	20,159
1995	17,054	4,075	21,129
1996	16,892	3,761	20,653
1997	17,744	4,060	21,804
1998	19,366	3,972	23,338
1999	20,097	4,172	24,269
2000	21,071	4,383	25,454
2001	21,920	4,486	26,406
2002	25,927	4,818	30,745
2003	33,494	4,762	38,256
2004	29,526	5,169	34,695
2005	29,761	5,266	35,026
2006	30,654	5,462	36,116
2007	32,340	5,639	37,979
2008	32,742	5,886	38,628

*Estimates

Note: Numbers may not add to totals due to rounding. Data based on outlays.

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University. Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Table A-6

Total Staffing of Federal Regulatory Activity

(Fiscal Years, Full-time Equivalent Employment)

Year	Social Regulation	Economic Regulation	Total
1960	38,819	18,290	57,109
1961	42,669	18,984	61,653
1962	46,459	20,492	66,951
1963	49,157	21,649	70,806
1964	50,008	21,679	71,687
1965	48,925	25,300	74,225
1966	51,231	24,609	75,840
1967	51,726	26,179	77,905
1968	54,460	27,098	81,558
1969	54,208	27,761	81,969
1970	57,685	32,590	90,275
1971	67,546	31,133	98,679
1972	87,601	30,024	117,625
1973	93,549	23,860	117,409
1974	92,630	25,207	117,837
1975	92,984	29,198	122,182
1976	98,435	30,846	129,281
1977	109,744	27,466	137,210
1978	111,858	29,396	141,254
1979	120,195	29,849	150,044
1980	115,047	31,092	146,139
1981	115,528	29,128	144,656
1982	103,781	28,962	132,743
1983	99,997	27,368	127,365
1984	99,974	27,116	127,090
1985	100,818	26,798	127,616
1986	99,961	27,396	127,357
1987	103,347	26,942	130,289
1988	108,145	27,617	135,762
1989	115,322	35,746	151,068
1990	119,459	33,155	152,614
1991	123,247	34,284	157,531
1992	130,747	36,971	167,718
1993	135,804	37,957	173,761
1994	133,487	37,499	170,986
1995	136,016	37,594	173,610
1996	136,926	33,611	170,537
1997	133,153	32,313	165,466
1998	139,794	31,848	171,642
1999	139,799	32,384	172,183
2000	143,052	32,548	175,600
2001	140,523	32,270	172,792
2002	152,585	32,436	185,021
2003	210,316	31,981	242,297
2004	202,195	32,559	234,754
2005	203,417	32,312	235,729
2006	201,961	32,545	234,506
2007*	209,456	34,754	244,210
2008*	215,708	35,887	251,595

*Estimates

Source: Weidenbaum Center, Washington University and Mercatus Center at George Mason University.

Derived from the *Budget of the United States Government* and related documents, various fiscal years.

Notes to Appendix Tables A-1, A-2, and A-3

1. The 1960-1970 data for the Animal and Plant Health Inspection Service are for the Agricultural Research Service.
2. Prior to the fiscal year 1983 budget, data for the Food Safety and Inspection Service are for the Food Safety and Quality Service.
3. As of the fiscal year 1996 budget, the Federal Grain Inspection Service and Packers and Stockyards Administration budgets were merged under the name Grain Inspection, Packers and Stockyards.
4. The 1969 Food and Drug Administration data are for the Consumer Protection and Environmental Health Service, Food and Drug Control.
5. The Consumer Protection Programs of the Department of Housing and Urban Development have been listed under several sources. Data prior to 1975 are for the Office of Interstate Land Sales Registration; the data for 1980 are for the Office of Neighborhoods, Voluntary Associations and Consumer Protection. Staffing figures are not available for the Consumer Protection Programs or the Office of Lead Hazard Control and Healthy Homes.
6. Prior to the fiscal year 1974 budget, data for the Drug Enforcement Administration are for the Bureau of Narcotics and Dangerous Drugs.
7. In fiscal 2004, the Bureau of Alcohol, Tobacco, and Firearms was divided into two agencies—one within the Department of Treasury and one within the Department of Justice. These agencies—Treasury's Alcohol and Tobacco Tax and Trade Bureau and Justice's Bureau of Alcohol, Tobacco, Firearms, and Explosives are both listed for consistency. Prior to fiscal year 1973 budget, data for the Bureau of Alcohol, Tobacco and Firearms data were located under the Internal Revenue Service, Compliance.
8. The Chemical Safety and Hazard Investigation Board did not receive funding in 1996 or 1997. Its responsibilities were allocated to the Environmental Protection Agency and the Occupational Safety and Health Administration for those years. In 1998, this agency began once again to receive funding.
9. On January 24, 2003, the law creating the United States Department of Homeland Security came into effect, creating the 15th executive department of the president's Cabinet. The Department analyzes threats; guards borders and airports; safeguard critical infrastructure and coordinates the response of our nation to future emergencies. (This description is based upon the press release "Ridge Sworn In Friday as Secretary of Homeland Security," Remarks by the President at Swearing-In of Tom Ridge, Secretary of the Department of Homeland Security, January 24, 2003.)

10. Port security activities required by the Area Maritime Security regulations (33 CFR Part 103) were reported under the Department of Homeland Security's Department Operations State and Local Program Urban Area Security Initiative. This program is only reported in the fiscal year 2005 Budget of the United States Government.
11. Customs and Border Protection is a Department of Homeland Security agency, first appearing in the fiscal year 2004 budget. Data from 1973 to 2001 are from the Department of Treasury, United States Customs Service. From 1960-1972, numbers are for the Department of Treasury, Bureau of Customs.
12. Numbers for the Immigration and Customs Enforcement in the Department of Homeland Security in 2001 and before are taken from the Department of Justice's Immigration and Naturalization Services' Immigration Enforcement (and Border Affairs).
13. Coast Guard was moved from the Department of Transportation to the Department of Homeland Security in the fiscal year 2004 Budget.
14. In the fiscal year 2005 budget, research and development activities were moved from the Federal Highway Administration to the Department of Homeland Security's Science and Technology.
15. On November 19, 2001, the Transportation Security Administration was created to "protect the nation's transportation systems to ensure freedom of movement for people and commerce." Its activities largely replace private-sector activities.
16. Reports prior to 2003 (Regulatory Budget Report 24) included transportation-related agencies in the consumer safety and health category.
17. The Federal Aviation Administration is listed as an independent agency in 1960.
18. In the fiscal year 2005 budget, funding for research and development was moved from the Department of Transportation's Federal Highway Administration to the Department of Homeland Security's Science and Technology agency. As of the fiscal year 2005 budget, no regulatory activity takes place in the Federal Highway Administration.
19. In the fiscal year 2004 budget, funding of the Motor Carrier Safety portion of the Federal Motor Carrier Safety Administration was shifted to Motor Carrier Safety Grants.
20. Prior to the fiscal year 2006 budget, data for the Pipeline and Hazardous Materials Safety Administration are for the Research and Special Programs Administration, Pipeline Safety.
21. The Surface Transportation Board was created on January 1, 1996 as a successor organization to the Interstate Commerce Commission.

22. Data for the Employment Standards Administration are for the Workplace Standards Administration from 1970-1972; data from 1963-1969 are under the Wage and Labor Standards Administration; and data from 1960-1962 are from the Bureau of Labor Standards, Women's Bureau and Wage Hour Division.
23. Prior to the fiscal year 1995 budget, the Office of the American Workplace was called the Labor Management Services Administration. Labor-management standards, enforcement, and related administrative functions were transferred to the Employment Standards Administration in 1996. Data from 1991-1993 is for Labor-Management Standards; data from 1970-1990 is for Labor-Management Services; and data from 1960-1969 is for Labor-Management Relations. The U.S. Department of Labor's Office of the American Workplace (OAW) was disbanded due to lack of funding in July 1996.
24. In the fiscal year 2004 budget, the Pension and Welfare Benefits Administration was renamed the Employee Benefits Security Administration. Prior to the fiscal year 1993 budget, data for the Pension and Welfare Benefits Administration were part of the Labor Management Services Administration.
25. The 1960-1972 data for the Mine Safety and Health Administration are for the Health and Safety Division of the Bureau of Mines, Department of the Interior; 1973-1978 data are for the Mining Enforcement and Safety Administration, Department of the Interior.
26. In 2000, the Forest & Rangeland Research division of the U.S. Forest Service at the Department of Agriculture began devoting resources to developing and implementing forest-planning regulations.
27. The 1960-1985 cost data for the Army Corps of Engineers were for the Protection of Navigation under the Operation and Maintenance category.
28. As of the fiscal year 1997 budget, the Fish and Wildlife's research and development budget was eliminated. Data for R&D after 1994 are listed under the U.S. Geological Survey. Before 1974, Fish and Wildlife and Parks were known as the Bureau of Sport Fisheries and Wildlife.
29. The 1990 costs for the Office of Surface Mining Reclamation and Enforcement reflect a major cut in federal support for the abandoned mine reclamation fund. The 1995 spending figures reflect a similar cut.
30. In the fiscal year 1997 budget, the U.S. Geological Survey picked up the research and development formerly done at the Fish and Wildlife Service.
31. Construction grants are excluded from the calculation of the regulatory expenditure and staffing of the Environmental Protection Agency. Before 1970, EPA functions were scattered throughout the Budget. Data for this report were taken from these Department of Health, Education and Welfare agencies: 1968-1969, National Air Pollution Control Administration; 1968-1969, Environmental Health Service; 1960-

1967, Public Health Service. Data from the Department of the Interior's Federal Water Quality Administration were used for 1968-1969. 1962-1969 data from the Federal Radiation Council were also included.

32. These figures had included program and staffing costs for Import/export authorizations under the Department of Energy's Fossil Energy Research and Development. After 2006, these activities will be transferred to the Office of Electricity Delivery and Energy Reliability.
33. The Office of the Federal Inspector for the Alaska Natural Gas Pipeline was eliminated in 1997. It was no longer funded as of the fiscal year 1987 budget.
34. The Department of Energy's Office of Energy Efficiency and Renewable Energy issue energy conservation standards. These data reflect obligations under the non-grant portion of "Building technology, State and community programs."
35. Prior to the fiscal year 1974, the Atomic Energy Commission performed the activities of the Nuclear Regulatory Commission.
36. For the 1964 data for Comptroller of the Currency, only an estimate was found.
37. Prior to the fiscal year 1990 budget, data for the Office of Thrift Supervision was for the Federal Home Loan Bank Board.
38. The Federal Housing Finance Board regulates the 12 Federal Home Loan Banks that were created in 1932 to improve the supply of funds to local lenders that, in turn, finance loans for home mortgages.
39. All data for the Federal Reserve System are presented on a calendar-year basis until the fiscal year 2005 budget. Staffing figures are found in Federal Reserve System's *Annual Report: Budget Review*, various years. Numbers are estimated for the most recent fiscal years.
40. Data are from the Board of Governors of the Federal Reserve System's *Annual Report: Budget Review*, various years. Numbers are estimated for the most recent fiscal years.
41. The 1960-1969 data for the National Credit Union Administration are for Department of Health, Education and Welfare, Bureau of Federal Credit Unions.
42. Agricultural Marketing Service was formerly the Consumer and Marketing Service. Starting with our 2003 report, these expenditures are included in the economic regulatory category.
43. As of the fiscal year 2006 budget, the Economic Regulatory Administration is no longer funded. Starting with our 2003 report, these expenditures are included in the economic regulation category. Data for 1974 are for the Federal Energy Office; data for 1975 are for the Federal Energy Administration; data for 1977 are for the Regulation and Energy Information Categories of Exploration, Development and

Operations of Petroleum Reserves; data for 1981 are for the Department of Commerce, Emergency Preparedness and Energy Regulation and Department of Justice, Petroleum Regulatory Activities.

44. The Civil Aeronautics Board was abolished in 1984.
45. Prior to the fiscal year 1976 budget, the Commodity Futures Trading Commission data are for the Commodity Exchange Authority, Department of Agriculture.
46. Prior to the fiscal year 1980 budget, data for the Federal Energy Regulatory Commission are for the Federal Power Commission, the predecessor agency.
47. The Interstate Commerce Commission was abolished in 1996.
48. The Renegotiation Board was abolished in 1979.
49. The Cost Accounting Standards Board was abolished in 1980.
50. The Council on Wage and Price Stability was abolished in 1981.
51. The 1960-1971 data for the International Trade Administration are for International Activities-Export Control; the 1972-1976 data are for the Domestic and International Business Administration; the 1977-1979 data are for the Industry and Trade Administration.
52. Regulation of both imports and exports was once performed by the International Trade Administration. From 1988 until 2003, the regulation of exports was shown under the Export Administration of the Department of Commerce. In 2004, the Export Administration was renamed the Bureau of Industry and Security of the Department of Commerce.
53. Prior to the fiscal year 1976 budget, the data for the International Trade Commission are for the Tariff Commission, the predecessor agency.