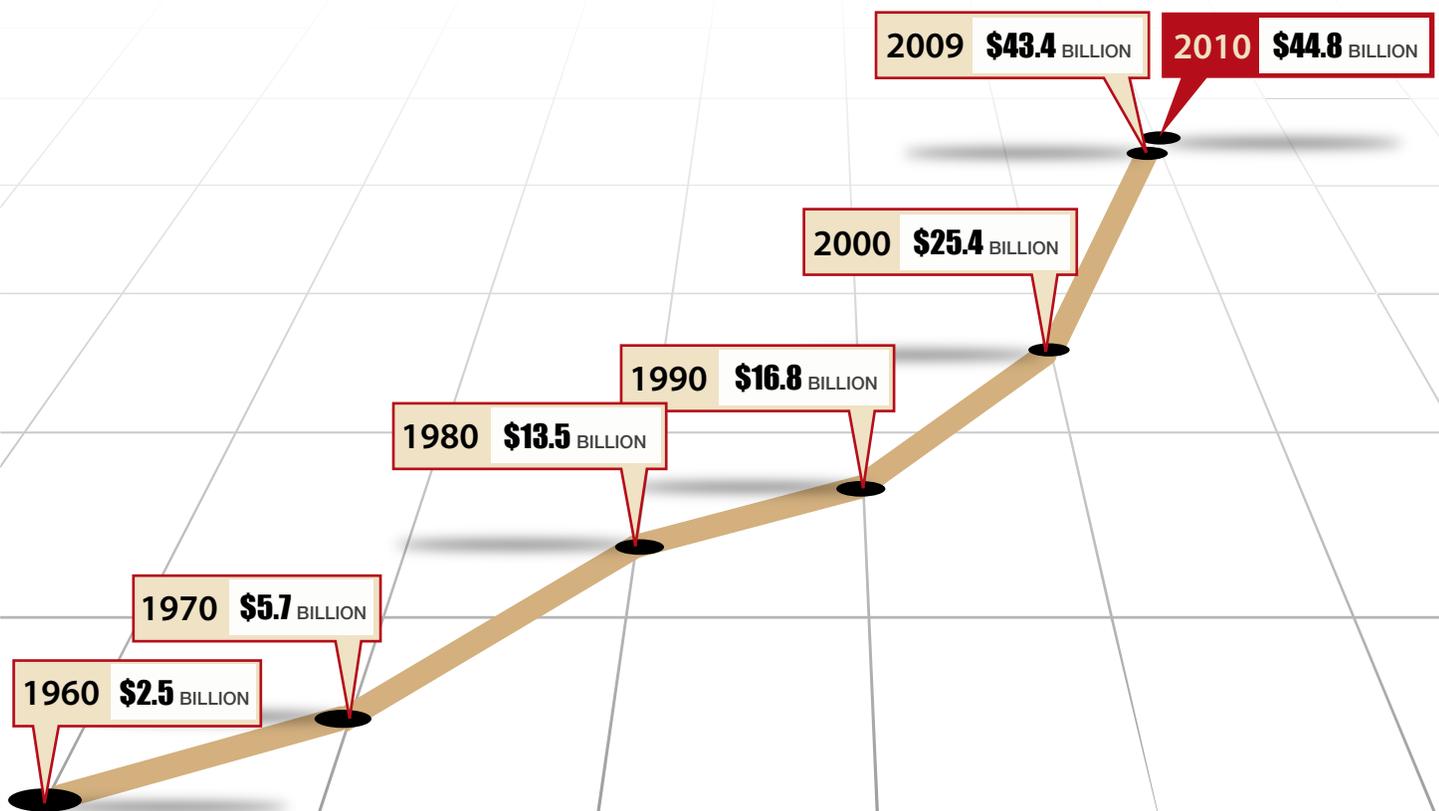


# Expansion of Regulatory Budgets and Staffing Continues in the New Administration:

## An Analysis of the U.S. Budget for Fiscal Years 2009 and 2010

Fiscal Year 2010 Annual Report

By Veronique de Rugy and Melinda Warren



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Fiscal Year 2010 Annual Report

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# Expansion of Regulatory Budgets and Staffing Continues in the New Administration <sup>1</sup>

## Executive Summary

This annual report examines the *Budget of the U.S. Government* presented by the president to Congress for FY 2010 to track the expenditures of federal regulatory agencies and the staff needed to run these agencies. Key findings for the FY 2010 budget include the following:

- The president's 2010 budget calls for expenditures on regulatory activities of \$55.8 billion for the next fiscal year. This 2010 Regulators' Budget request is larger than the estimated budget of \$53.6 billion in FY 2009 and reflects both a nominal increase and an increase in real, inflation-adjusted terms.
- If history repeats itself, the 2010 outlays are likely to be much higher than the budget estimates. To date, the spending on regulatory activities for 2009 has already significantly outpaced the figure requested by the president in February of 2008 for the 2009 budget. Last year, the president requested an increase in spending for 2009 of 6.4 percent over 2008 spending. A year later, the 2009 budget is estimated to be 14.1 percent larger than the 2008 budget.
- Between 2009 and 2010, regulatory spending is projected to grow by 4.2 percent. It is notable that this spending increase follows the sizable regulatory spending increase of FY 2009, the largest estimated spending increase since 1980.
- Staffing at federal regulatory agencies is budgeted to increase 2.3 percent in 2010 to 272,475 full-time equivalent employees. That is an increase of 6,175 employees over the 2009 level of 266,300.
- The Department of Homeland Security (DHS)—especially the Customs and Border Protection portion of DHS's regulatory budget—continues its steady expansion. DHS accounts for the largest staff increases in the 2010 Regulators' Budget. However, the Environment subcategory is scheduled to receive the biggest percentage increase in spending over 2009.
- During both of his terms, President George W. Bush presided over the largest dollar increase in regulatory spending. His 2002 and 2003 regulatory budgets were among the 10 biggest annual increases in regulatory spending in the last 50 years.

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<sup>1</sup> Veronique de Rugy is a senior fellow in the Regulatory Studies Program at the Mercatus Center at George Mason University. Melinda Warren is director of the Weidenbaum Center Forum at Washington University. 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.

- Throughout President George W. Bush's term (FY 2001–2009), regulatory spending grew at an estimated 9 percent annually. However, this number is skewed by the estimated 14.1 percent spending increase in FY 2009 which occurred under both the Bush and Obama administrations.

## Introduction

This report tracks the budget of federal regulatory agencies and the staff needed to run those agencies based on the data of the Office of Management and Budget (OMB) presented by the president in his FY 2010 Budget of the United States. 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 one aspect of the cost of regulations: the direct cost to regulate the economy and taxpayers' lives. We know that if the Regulators' Budget increases, it means that the direct cost of running regulatory agencies increases, and when it goes down, the cost decreases.

However, it does not say anything about these agencies' output. For instance, an increase in the Regulators' Budget could be the sign of an increase in regulatory activities followed by an increase in the amount of regulations issued. But it could also be the result of an effort to apply better oversight to the regulatory process, more science that supports the regulations, more enforcement of existing regulations, or an increase in any number of activities that these agencies undertake.

Also, we know that regulations impose social costs on individuals and businesses beyond the direct tax dollars expended to write and enforce them. First, there is a cost that American businesses, stockholders, and consumers must pay for compliance. Then, regulations by their nature alter choices made by individuals and firms, which imposes opportunity costs on those entities. Both are considerably larger than the costs presented in this report. However, these compliance costs will not be discussed in this report.

As Table 1 shows, the 2010 budget request, the first one of the Obama administration, calls for expenditures on regulatory activities of \$55.8 billion in FY 2010, a 3.2 percent increase (in real, inflation-adjusted terms) from FY 2009. This is a much slower expected growth rate than the 13 percent growth rate between FY2008 and FY 2009. It should be noted, however, that when President Bush requested his budget for 2009, the outlays were expected to increase by only 4.6 percent in real terms over 2008.<sup>2</sup> That is a significant gap between the estimated and the actual outlays.

Staffing at federal regulatory agencies is budgeted to increase 2.3 percent in 2010 to 272,475 full-time equivalent employees. This is an increase of 6,175 employees over the 2009 level of 266,300. Table 2 summarizes the staffing at federal regulatory agencies between 1960 and 2010.

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<sup>2</sup> See Veronique de Rugy and Melinda Warren, *Growth in Regulation Slows: An Analysis of the U.S. Budget for Fiscal Years 2008 and 2009* (Arlington, VA and St. Louis, MO: Mercatus Center and Weidenbaum Center, August 2008).

This report provides detailed statistics on the spending and staffing that have supported federal regulatory activities since 1960, as well as the levels requested for FY 2010. Expenditures are examined in nominal and real (constant 2000) dollars, and staffing levels are examined by agency and by regulatory category.

## **Overview of the 2010 Regulators' Budget**

This report tracks the spending and staffing of 68 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, the Occupational Safety and Health Administration, the Food and Drug Administration, and the 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 regulatory agencies oversee a broad base of activities—in particular, industries using economic controls such as price ceilings or floors, quantity restrictions, and service parameters. The Securities and Exchange Commission, the Federal Communications Commission, and the Federal Energy Regulatory Commission, for example, administer economic regulations. 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 the 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, personnel data in terms of full-time equivalent (FTE) employees are reported. Note that figures for 2009 and 2010 are estimates. The 2009 figures generally reflect the budget Congress appropriated for the current year, while the 2010 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 2010.

The Regulators' Budget request for FY 2010 is \$55.8 billion. This reflects a 4.2 percent nominal increase over FY 2009, or a real increase of 3.2 percent. This growth in budgeted outlays for regulatory activities comes despite the -13 percent real growth projected decrease in real term of the budget for 2009, but represents a slightly lower rate of growth than in other recent years.

About 86 percent of the Regulators' Budget is devoted to social regulations. The FY 2010 budget request for administering and enforcing social regulation is \$48.0 billion, a nominal increase of 4.3 percent from the 2009 social regulation budget of \$46.0 billion. This is a 3.4 percent increase in real terms after a 14.5 percent real increase between fiscal years 2008 and 2009. Budget outlays for social regulation activities in 2007 were \$36.8 billion.

Budget requests for the transportation category reflect a real decrease in outlays over 2009, while all other categories show increased outlays. This year, the environmental category receives the largest dollar and percentage increases among the social regulation subcategories: the president's 2010 budget requests an additional \$872 million in 2010 for environmental regulation. After adjusting for inflation, this reflects an increase of 11.5 percent from 2009. Requested outlays for federal agencies regulating consumer safety and health protection increased 4.6 percent in real terms. After an increase of 19.9 percent last year, the budget for Homeland Security is 3 percent greater in nominal terms than in 2009—a nominal increase of \$766 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 2009. Overall, the 2010 budget request for economic regulatory agencies is \$257 million (or 3.4 percent) higher than estimated for 2009.

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	2007	2008	2009	2010 (Estimated)	% Change 2008-09	% Change 2009-10
<b>Current (Nominal) Dollars</b>													
<b>Social Regulation</b>													
Consumer Safety and Health	\$102	\$222	\$1,252	\$1,836	\$3,633	\$5,390	\$6,139	\$5,830	\$6,193	\$6,883	\$7,263	11.1%	5.5%
Homeland Security	145	335	1,589	3,359	7,874	17,019	17,468	19,181	21,564	25,853	26,619	19.9%	3.0%
Transportation	42	177	550	810	1,476	1,954	2,360	2,437	2,522	3,266	2,971	29.5%	-9.0%
Workplace	36	115	748	1,012	1,421	1,698	1,753	1,772	1,852	1,932	2,139	4.3%	10.7%
Environment	17	183	1,482	3,675	6,060	6,581	7,007	6,718	6,733	7,002	7,874	4.0%	12.4%
Energy	12	65	437	443	607	733	761	870	903	1,063	1,106	17.6%	4.0%
<b>Total Social Regulation</b>	<b>\$354</b>	<b>\$1,097</b>	<b>\$6,058</b>	<b>\$11,135</b>	<b>\$21,071</b>	<b>\$33,375</b>	<b>\$35,488</b>	<b>\$36,809</b>	<b>\$39,767</b>	<b>\$45,999</b>	<b>\$47,971</b>	<b>15.7%</b>	<b>4.3%</b>
<b>Economic Regulation</b>													
Finance and Banking	\$40	\$98	\$392	\$1,304	\$1,965	\$2,032	\$2,249	\$2,392	\$2,633	\$2,847	\$2,896	8.1%	1.7%
Industry-Specific Regulation	91	276	486	513	744	986	1,048	1,024	1,115	1,263	1,296	13.3%	2.6%
General Business	48	113	357	727	1,674	2,887	3,027	3,306	3,467	3,507	3,681	1.1%	5.0%
<b>Total Economic Regulation</b>	<b>\$179</b>	<b>\$487</b>	<b>\$1,235</b>	<b>\$2,544</b>	<b>\$4,383</b>	<b>\$5,905</b>	<b>\$6,324</b>	<b>\$6,722</b>	<b>\$7,215</b>	<b>\$7,616</b>	<b>\$7,873</b>	<b>5.6%</b>	<b>3.4%</b>
<b>GRAND TOTALS</b>	<b>\$533</b>	<b>\$1,584</b>	<b>\$7,293</b>	<b>\$13,679</b>	<b>\$25,454</b>	<b>\$39,280</b>	<b>\$41,812</b>	<b>\$43,531</b>	<b>\$46,982</b>	<b>\$53,616</b>	<b>\$55,844</b>	<b>14.1%</b>	<b>4.2%</b>
<i>Annualized Percentage Change</i>		11.5%	16.5%	10.2%	7.2%	3.8%	6.4%	4.1%	7.9%	14.1%	4.2%		
<b>Constant (Real) 2000 Dollars</b>													
<b>Social Regulation</b>													
Consumer Safety and Health	\$485	\$806	\$2,316	\$2,250	\$3,633	\$4,768	\$5,262	\$4,866	\$5,066	\$5,575	\$5,831	10.1%	4.6%
Homeland Security	689	1,218	2,938	4,116	7,874	15,056	14,971	16,008	17,638	20,941	21,371	18.7%	2.1%
Transportation	200	643	1,017	992	1,476	1,729	2,023	2,034	2,063	2,645	2,385	28.2%	-9.8%
Workplace	171	418	1,384	1,240	1,421	1,502	1,502	1,479	1,515	1,565	1,717	3.3%	9.7%
Environment	81	665	2,741	4,503	6,060	5,822	6,006	5,607	5,507	5,672	6,321	3.0%	11.5%
Energy	57	236	808	543	607	648	652	726	739	861	888	16.5%	3.1%
<b>Total Social Regulation</b>	<b>\$1,682</b>	<b>\$3,985</b>	<b>\$11,205</b>	<b>\$13,644</b>	<b>\$21,071</b>	<b>\$29,525</b>	<b>\$30,416</b>	<b>\$30,721</b>	<b>\$32,528</b>	<b>\$37,260</b>	<b>\$38,514</b>	<b>14.5%</b>	<b>3.4%</b>
<b>Economic Regulation</b>													
Finance and Banking	\$190	\$356	\$725	\$1,598	\$1,965	\$1,798	\$1,928	\$1,997	\$2,154	\$2,306	\$2,325	7.1%	0.8%
Industry-Specific Regulation	432	1,002	899	629	744	872	898	854	912	1,023	1,041	12.2%	1.7%
General Business	228	410	660	891	1,674	2,554	2,594	2,759	2,836	2,840	2,955	0.2%	4.0%
<b>Total Economic Regulation</b>	<b>\$851</b>	<b>\$1,768</b>	<b>\$2,284</b>	<b>\$3,117</b>	<b>\$4,383</b>	<b>\$5,224</b>	<b>\$5,420</b>	<b>\$5,610</b>	<b>\$5,902</b>	<b>\$6,169</b>	<b>\$6,321</b>	<b>4.5%</b>	<b>2.5%</b>
<b>GRAND TOTALS</b>	<b>\$2,533</b>	<b>\$5,753</b>	<b>\$13,489</b>	<b>\$16,761</b>	<b>\$25,454</b>	<b>\$34,749</b>	<b>\$35,836</b>	<b>\$36,330</b>	<b>\$38,430</b>	<b>\$43,429</b>	<b>\$44,835</b>	<b>13.0%</b>	<b>3.2%</b>
<i>Annualized Percentage Change</i>		8.6%	9.1%	2.3%	4.3%	0.5%	3.1%	1.4%	5.8%	13.0%	3.2%		

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.

After an increase of 0.2 percent in 2009, the Regulators' Budget reflects a 4 percent real increase in 2010 for agencies in the general business category. After a 7.1 percent increase in 2009, the

2010 budget request for finance and banking agencies reflects a more modest growth of 0.8 percent. The same can be said of the budget of industry-specific regulatory agencies, which will grow by 1.7 percent in 2010 after a 12.2 percent increase in 2009.

## Staffing

Staffing at federal regulatory agencies is budgeted to increase 2.3 percent in 2010 to 272,475 FTEs. That is an increase of 6,175 employees over the 2009 level of 266,300. Table 2 summarizes the staffing at federal regulatory agencies between 1960 and 2010.

**Table 2**  
**Staffing Summary for the Federal Regulatory Agencies, Selected Years**  
(Fiscal Years, Full-time Equivalent Employment)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	(Estimated) 2009	(Estimated) 2010	% Change	
												2008-09	2009-10
<b>Social Regulation</b>													
Consumer Safety and Health	11,961	14,734	33,201	28,730	31,749	34,435	34,565	34,389	35,346	37,118	37,607	5.0%	1.3%
Homeland Security	17,514	22,496	35,333	44,158	60,414	118,795	117,796	121,292	130,292	140,918	145,279	8.2%	3.1%
Transportation	3,928	7,788	8,401	7,547	9,041	8,451	8,543	8,363	8,807	9,447	9,709	7.3%	2.8%
Workplace	4,151	7,571	17,894	13,610	12,141	11,279	11,014	10,902	10,998	11,662	12,571	6.0%	7.8%
Environment	1,230	4,876	16,993	22,121	26,784	27,243	26,788	26,396	25,947	26,290	26,435	1.3%	0.5%
Energy	35	220	3,225	3,293	2,923	3,214	3,255	3,551	3,758	3,977	4,065	5.8%	2.2%
<b>Total Social Regulation</b>	<b>38,819</b>	<b>57,685</b>	<b>115,047</b>	<b>119,459</b>	<b>143,052</b>	<b>203,417</b>	<b>201,961</b>	<b>204,893</b>	<b>215,147</b>	<b>229,412</b>	<b>235,667</b>	<b>6.6%</b>	<b>2.7%</b>
<b>Economic Regulation</b>													
Finance and Banking	2,509	5,618	9,524	15,308	13,310	11,204	11,318	11,621	11,803	12,709	12,556	7.7%	-1.2%
Industry-Specific Regulation	10,300	19,791	12,326	8,234	6,723	6,667	6,546	6,369	6,377	6,962	7,101	9.2%	2.0%
General Business	5,481	7,181	9,242	9,613	12,515	14,441	14,703	15,450	16,144	17,217	17,151	6.6%	-0.4%
<b>Total Economic Regulation</b>	<b>18,290</b>	<b>32,590</b>	<b>31,092</b>	<b>33,155</b>	<b>32,548</b>	<b>32,312</b>	<b>32,567</b>	<b>33,440</b>	<b>34,324</b>	<b>36,888</b>	<b>36,808</b>	<b>7.5%</b>	<b>-0.2%</b>
<b>GRAND TOTALS</b>	<b>57,109</b>	<b>90,275</b>	<b>146,139</b>	<b>152,614</b>	<b>175,600</b>	<b>235,729</b>	<b>234,528</b>	<b>238,333</b>	<b>249,471</b>	<b>266,300</b>	<b>272,475</b>	<b>6.7%</b>	<b>2.3%</b>
<i>Annualized Percentage Change</i>		4.7%	5.1%	0.5%	1.5%	0.4%	-0.5%	1.6%	4.7%	6.7%	2.3%		

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 6.6 percent in 2009 and are budgeted for a 2.7 percent increase in 2010. The 2010 budget requests 235,667 full-time employees devoted to social regulation, an increase of 6,255 people above the 229,412 employed in 2009. It is also an increase of 20,520 employees over the 2008 level. The Department of Homeland Security continues to see the largest increases in FTEs with an additional 4,361 employees over 2009, representing a 3.1 percent increase. The second highest increase in the staffing levels reported in the 2010 budget can be found in the workplace subcategory, which grew by 7.8 percent with 909 added employees. None of the social regulatory categories will see a reduction in staff.

Overall, personnel at the economic regulatory agencies are projected to decrease 0.2 percent in 2010 to 36,808 FTEs. Only the industry-specific regulation subcategory is projected to increase

in FY 2010, growing by 139 FTEs (a 2 percent increase over 2009). However, if last year is any guide, these two subcategories will end up growing eightfold above the projected amount.<sup>3</sup> Overall, agencies devoted to economic regulation are budgeted to receive staffing changes amounting to a decrease of 80 FTEs.

## **Trends in Federal Regulatory Spending, 1960–2010**

Figure 1 shows the changes in real (inflation-adjusted) expenditures on regulatory agencies 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, reflecting a desire to move toward deregulation and to downsize government spending and intervention in the economy and in Americans' lives.

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 by federal regulatory agencies had grown to \$1.6 billion (\$5.8 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.

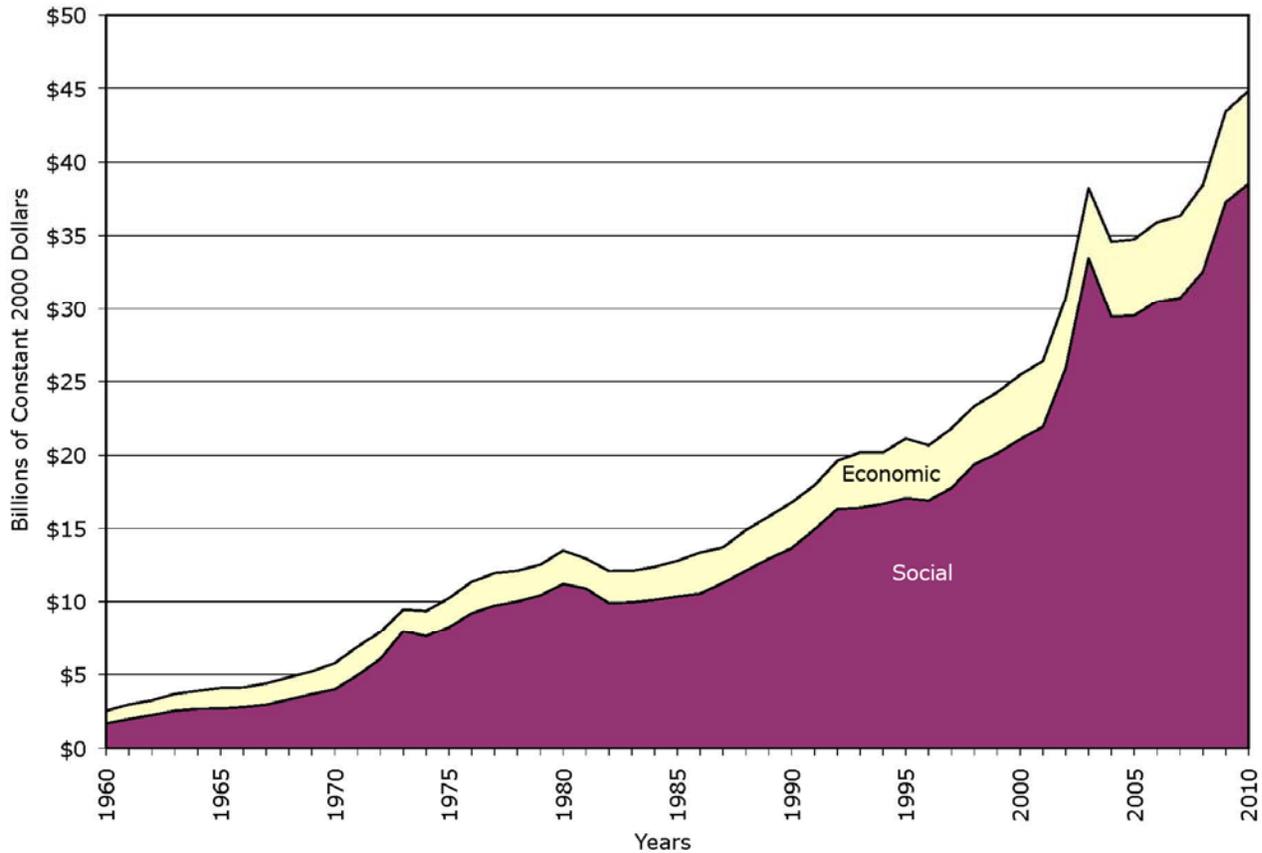
The 1970s brought increased expenditures on federal regulation. Over that decade, real spending at regulatory agencies grew by \$7.7 billion or 134.5 percent (9.1 percent per year on average). Social regulatory expenditures continued to grow rapidly and increased by \$7.2 billion (181.2 percent), while 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, expenditures to fund social regulatory agencies 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.

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<sup>3</sup> For the 2009 projected staffing increase, see Veronique de Rugy and Melinda Warren, "Regulatory Agency Spending Reaches New Height: An Analysis of the U.S. Budget for Fiscal Years 2008 and 2009," Mercatus Center and Weidenbaum Center, August 2008.

Figure 1

Budgetary Costs of Federal Regulation, Adjusted for Inflation



Source: Weidenbaum Center, Washington University and Mercatus Center, George Mason University.  
Author's calculations derived from Appendices to the Budget of the United States and related documents, various fiscal years.

This slower rate of growth continued into the early 1980s. Total annual expenditures on regulatory agencies 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 regulatory agencies, which grew by 21.8 percent over the same period. Spending increased by an average of 2.3 percent per year over the decade.

Spending on regulatory agencies 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 regulations 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 7.5 percent per year between 1990 and 1992, compared to an average of 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 2010, real-term budgets devoted to regulatory agencies increased significantly. The FY 2010 budget calls for expenditures that are 76.1 percent higher than in 2000—an increase in real spending on regulatory activities of \$19.4 billion between 2000 and 2010. The budgets of agencies administering social regulations grew by 82.8 percent, and those involved in economic regulation grew by 44.2 percent in real terms over that period.

On average, the Regulators' Budget has grown a little more than 6.2 percent per year since 2000. Double-digit increases in fiscal years 2002, 2003, and 2009 (16.4, 24.3, and 13 percent respectively) drive the large average and reflect the response to the terrorist attacks of September 11, 2001, and the response to the current economic crisis.

The Regulators' Budget declined 9.5 percent in 2004 and grew by less than 1 percent in 2005. In 2006 and 2007, however, the Regulators' Budget increased by 3.1 and 1.4 percent, respectively. In 2008, the Regulators' Budget increased by 5.8 percent, the 2009 budget represents a 13 percent increase over 2008 in real terms and the 2010 budget represents a further increase of 3.2 percent.

## **Trends in Financial Regulatory Spending**

In light of the recent financial crisis, it is useful to look at the trends in regulatory spending and staffing in the last 50 years. There is a misconception that deregulation, especially during the last eight years, has been the central cause of the financial crisis. In large part, this perception stems from the rhetoric of the Republicans in power at the time and their emphasis on the costly burdens that regulation places on business. As George Mason University Professor Tyler Cowen reminded us recently, rhetoric about regulation does not necessarily reflect reality. For instance, he wrote in the *New York Times* that, contrary to the myth,

[t]he [Bush] administration did little to alter a regulatory structure that was built over many decades. Banks continue to be governed by a hodgepodge of rules and agencies including the Office of the Comptroller of the Currency, the international Basel Accords on capital standards, state authorities, the Federal Reserve and the Federal Deposit Insurance Corporation. Publicly traded banks, like other corporations, are subject to the Sarbanes-Oxley Act.

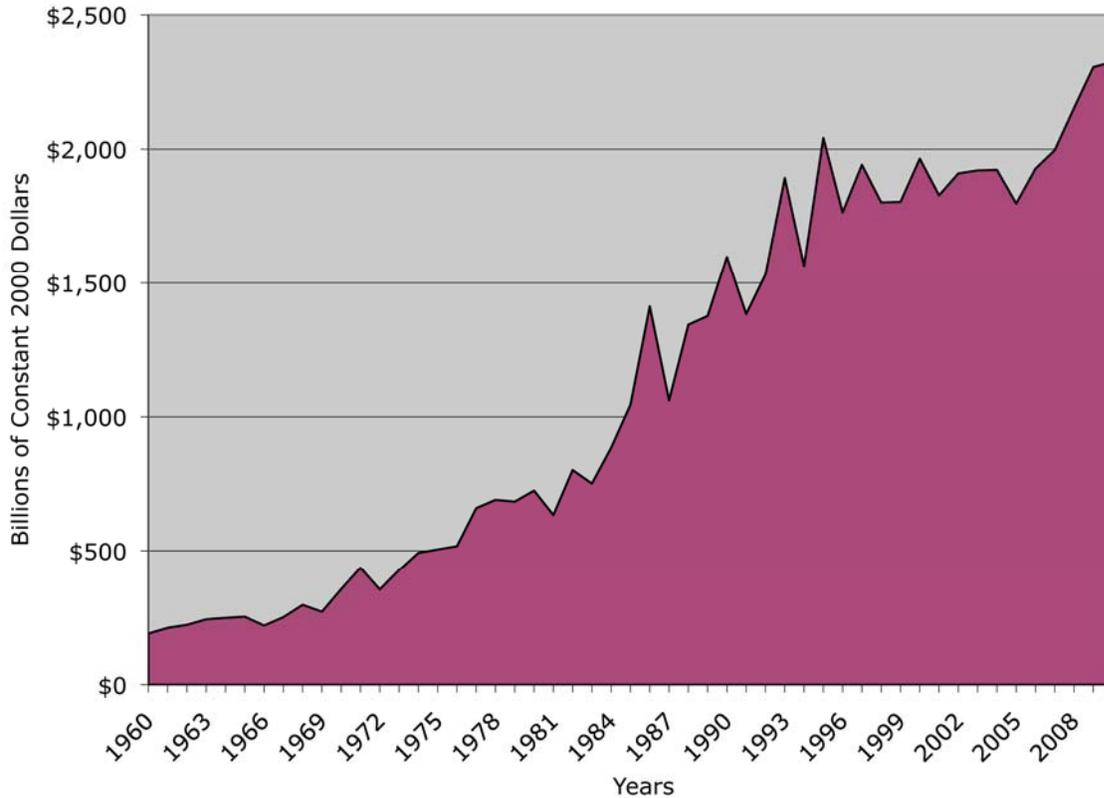
And legislation that has been on the books for years—like the Home Mortgage Disclosure Act and the Community Reinvestment Act—helped to encourage the proliferation of high-risk mortgage loans. Perhaps the biggest long-term distortion in the housing market came from the tax code: the longstanding deduction for mortgage interest, which encouraged overinvestment in real estate.

In short, there was plenty of regulation—yet much of it made the problem worse.

For instance, a look at regulatory spending in this report shows an expansion in financial regulation spending, rather than a decrease. For the proposed 2010 fiscal budget, spending on regulatory agencies is to grow by 0.8 percent, following the 7.1 percent growth rate for last year and continuing a long-term expansionary trend. More specifically, for the regulatory category of finance and banking, inflation-adjusted expenditures have risen 45.5 percent from 1990 to 2010.

This is relatively characteristic of the trend in the last 50 years. Figure 2 shows real federal spending on finance and banking regulations between 1960 and 2010. As we can see, with some exceptions, regulatory spending on finance and banking has steadily increased over the last 50 years. The last 10 years follow the same pattern.

Figure 2  
Federal Spending on Finance and Banking Regulations (1960–2010)



Source: Weidenbaum Center, Washington University and Mercatus Center, George Mason University. Author's calculations derived from Appendices to the Budget of the United States and related documents, various fiscal years.

Finally, in FY 2010 spending on regulatory activity in the finance and banking subcategory is budgeted to grow 0.8 percent to reach \$2.9 billion in 2010. This follows a 7.1 percent increase in 2009. Within this subcategory, the largest percentage increase occurs in the budget of the Financial Crimes Enforcement Network (16 percent) while the largest decrease (28.5 percent) occurs in the Office of Thrift Supervision.

Because of the current financial crisis, there might have been some expectation that spending in the finance and banking subcategory would be substantially higher in this report. Calls for comprehensive reform of the financial regulatory system have intensified in the past year. The FY 2011 budget will most likely include significant increases in this area. Some of the reforms

likely to be considered in the 111th Congress include reform of the securitization process, federal regulation of credit-rating agencies, creation of a risk-management regulator, federal regulation of hedge funds, federal regulation of credit default swaps, and consolidation of federal financial regulatory agencies. There is even talk of creating a Consumer Financial Products Safety Commission.<sup>4</sup>

## **Trends in Federal Regulatory Staffing, 1960–2010**

Figure 3 shows the trends in staffing at federal regulatory agencies between 1960 and 2010. In 1960, 57,109 full-time employees 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 by 14,300 (78.2 percent) during the decade.

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

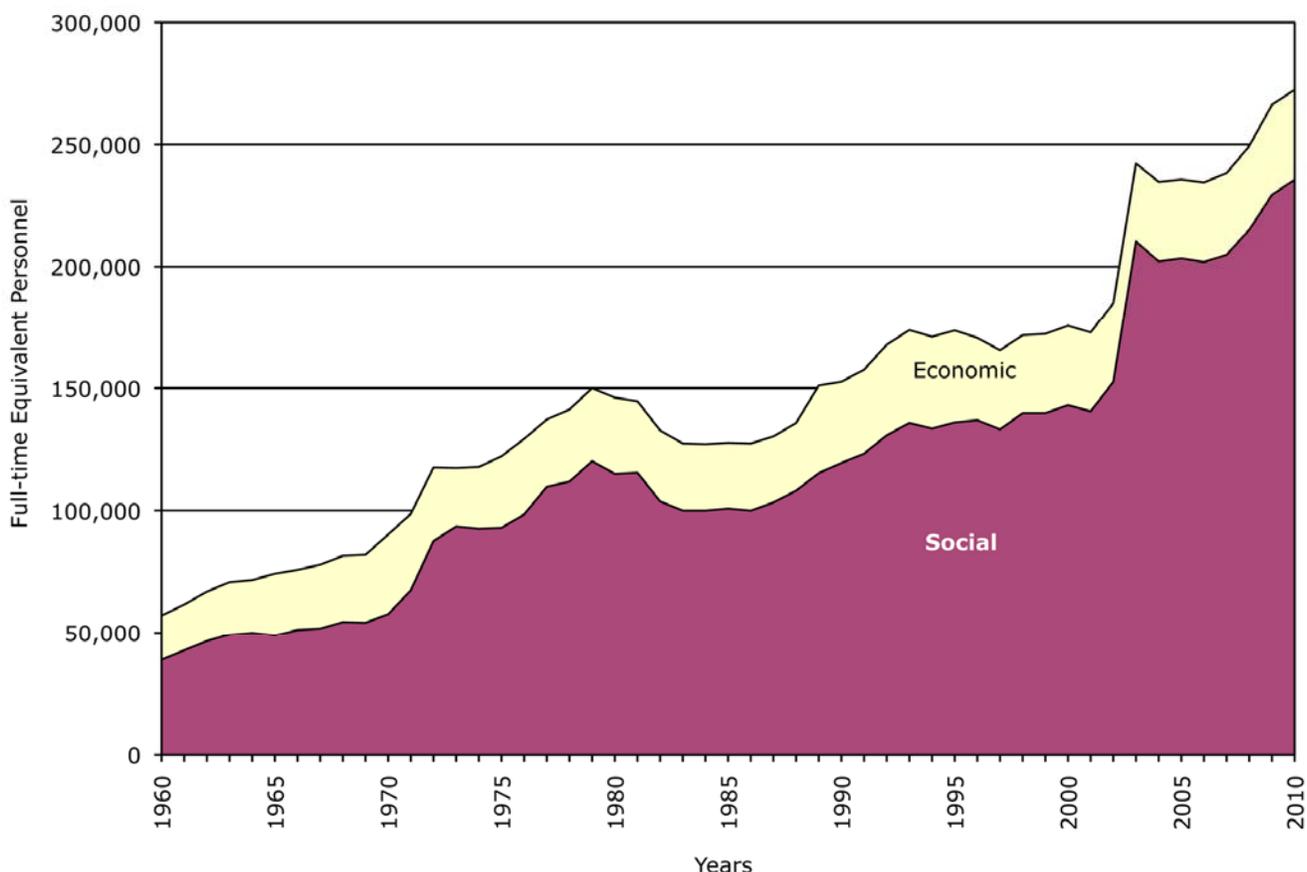
Staffing at regulatory agencies was cut back significantly in the early 1980s; between 1986 and 1990, staffing at regulatory agencies declined by 12.7 percent (12.4 percent at the social agencies and 13.8 percent at the economic regulatory agencies). Starting in 1987, the trend reversed, and the second half of the decade saw increases of 19.8 percent—19.5 percent for social regulatory agencies and 21 percent for economic regulatory agencies. 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 regulatory 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 in 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 regulatory agencies added 23,593 employees (a 19.7 percent increase), while economic regulatory agencies declined by 607 employees (1.8 percent).

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<sup>4</sup> James Hamilton, *Financial Regulation Reform: What to Expect in the 111th Congress*, CCH, 2008.

Figure 3  
Staffing of Federal Regulatory Agencies



Source: Weidenbaum Center, Washington University and Mercatus Center, George Mason University.  
Author's calculations derived from Appendices to the Budget of the United States and related documents, various fiscal years.

After a 1.6 percent reduction in 2001, staffing at regulatory agencies has increased dramatically in the twenty-first century. 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 percent, by far the largest annual increase in the nation's history.

The 2010 budget calls for a total regulatory staff with 96,875 more full-time regulatory employees than in 2000, an increase of 55.2 percent. The bulk of this increase in staff is at social regulatory agencies, which are budgeted to have 92,615 more employees on the payroll than in 2000, compared to 4,260 new positions in economic regulatory agencies.

## Summary of Federal Regulatory Activity for Fiscal Year 2010

In his 2010 Budget Message, *A New Era of Responsibility: Renewing America's Promise*, the president emphasizes his intent to “lay a new foundation for long-term economic growth and prosperity.”<sup>5</sup> As in his presidential campaign, the theme of change runs through the president’s budget address. He emphasizes the stark contrast between our “inherited” fiscal issues and the new climate of responsibility that he hopes to create. The 2010 Budget Message carries with it a strong image of the president’s vision for the future of regulation: he cites a “dogmatic deregulatory approach to our capital markets”<sup>6</sup> as the reason for the current financial crisis.

President Obama plans to cut funding for “programs that are outdated, duplicative, ineffective, or wasteful.”<sup>7</sup> This message is remarkably similar to that of the administration whose fiscal irresponsibility this administration “inherited.” In fact, the FY 2010 budget cuts funding for 100 programs amounting to nearly \$17 billion; in FY 2009, budget cuts amounted to \$18 billion across 151 programs. In general, these goals of tying the budgets of regulatory agencies to results and eliminating those that do not produce, at reasonable costs, real outcomes valued by the American public, are to be praised. Unless both the executive and the congressional branches of government insist on these goals, however, they are unlikely to be met.

The president’s attitude toward regulation is reflected in the FY 2010 budget, which calls for a 4.2 percent increase in the budget for regulatory activities. This increase follows a 14.1 percent increase in the Regulators’ Budget in FY 2009 and includes a 1.7 percent increase in the budget for finance and banking regulation.

If history is any guide, it is likely that this year, as in the past, the proposed budget cuts will not be achieved and growth in regulatory spending will not be contained at 4.2 percent. Actual outlays will be even higher than requested by the president, few programs will be terminated, and regulatory spending will far exceed the budgeted amount. For example, in FY 2009, the 4.6 percent real increase called for in the FY 2009 Regulators’ Budget preceded a 13 percent real increase in regulatory spending.

Unlike previous years, the largest dollar increase in the 2010 Regulators’ Budget is for the environment subcategory. From 2002 to 2008, Homeland Security regulatory activities received the largest increase; last year energy-related regulatory activities received the largest increase.

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<sup>5</sup> Office of Management and Budget, “Presidential Transmittal Letter: Budget FY 2010” (Washington, DC: May 7, 2009)/.

<sup>6</sup> Office of Management and Budget, “A New Era of Responsibility: Renewing America’s Promise,” [http://www.whitehouse.gov/omb/assets/FY\\_2010\\_new\\_era/a\\_new\\_era\\_of\\_responsibility2.pdf](http://www.whitehouse.gov/omb/assets/FY_2010_new_era/a_new_era_of_responsibility2.pdf).

<sup>7</sup> Office of Management and Budget, “Presidential Transmittal Letter: Budget FY 2010.”

In the more detailed discussion of the FY 2010 Regulators' Budget that follows, dollar amounts are presented in nominal terms, while percentage changes are in real (2000 dollar) terms.

## **Spending**

As noted earlier, regulatory activities are divided into two categories—social and economic—and nine subcategories. The outlays devoted to social regulation are over six times larger than those devoted to economic regulation (\$48.0 billion compared to \$7.9 billion in 2010). Furthermore, agencies devoted to social regulation are projected to receive a 3.4 percent increase in 2010, while spending on agencies who administer economic regulation is projected to increase 2.5 percent.

Table 1 (on page 6) provides summary statistics, and appendix tables A-1 and A-2 (on pages 19 and 22, respectively) provide detail on spending at agencies within each category and subcategory. The slower growth in budget outlays in 2010 follows an estimated 13 percent increase in 2009—14.5 percent for social regulatory agencies and 4.5 percent for economic regulatory agencies. In FY 2008, the most recent year for which the budget presents actual figures rather than estimates, the total Regulators' Budget was \$47.0 billion, an increase of 5.8 percent over 2007.

The Department of Homeland Security's budget for administering regulations is the largest of any agency at over \$26.6 billion in 2010. It has the largest share of the estimated Regulators' Budget (47.7 percent) and is budgeted to receive the largest dollar increase in 2010 (\$766 million). This reflects an increase in real terms (2.1 percent) and a significantly slower rate of growth than last year, which saw a real growth rate of 18.7 percent. Only Immigration and Customs Enforcement is budgeted for a decrease in 2010; the other regulatory agencies tracked 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 \$18.7 billion greater than the outlays in 2000.

Spending to administer environmental regulations is the next largest subcategory after Homeland Security (14.1 percent of the total Regulators' Budget) and also reflects the largest percentage change from FY 2009. 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 11.5 percent to \$7.9 billion in 2010. FY 2009 outlays are estimated to be 3 percent more than in 2008.

The energy subcategory, which includes several Department of Energy agencies as well as the Nuclear Regulatory Commission, shows a spending increase of 3.1 percent. In contrast to spending trends of recent years, spending on petroleum regulation is slated to decrease by 21.5 percent and spending for the Department of Energy is projected to decrease by 15.9 percent. Only the Nuclear Regulatory Commission will see a budget increase (\$50 million) in FY 2010. The energy subcategory has seen a real increase of 25.4 percent since 2007.

Also slated for a large increase from 2009 are the agencies in the workplace subcategory, which will see an increase of 9.7 percent in FY 2010. In 2009, that subcategory increased by 3.3

percent from 2008. The transportation category will decrease by 9.8 percent, mostly due to a 43.1 percent decrease to the Federal Railroad Administration's budget.

Consumer safety and health agencies receive an additional \$380 million overall, bringing the total to \$7.3 billion. Within the subcategory, the Department of Justice's Drug Enforcement Administration sees the only nominal decrease (\$33 million). Almost all other programs see increases, including the Food Safety and Inspection Service, which is estimated to grow by 5.6 percent. Overall, the consumer safety and health subcategory sees a real increase of 4.6 percent over 2009.

Each of the subcategories in the economic regulation area is budgeted for increases in 2009. General business regulation will grow the fastest, with a real increase of 4 percent in 2010 after increasing by 0.2 percent in 2008. The budget request for this subcategory in 2010 is \$3.7 billion. The budget for industry-specific regulation is projected to increase at a real rate of 1.7 percent in 2010 to reach \$1.3 billion (following a 12.2 percent increase in 2009). As mentioned previously, after a 7.1 percent increase in 2009, spending on regulatory activity in the finance and banking subcategory is budgeted to grow 0.8 percent to reach \$2.9 billion in 2010. The budget request for the Patent and Trademark Office's regulatory activities is nearly \$2 billion, a 1.2 percent real increase. After the Securities and Exchange Commission's Regulators' Budget declined in real terms in 2006 and 2007, spending has since increased 15.6 percent in real terms. In FY 2010, projected spending is \$997 million, an increase of 6.9 percent over FY 2009.

## **Staffing**

Table 2 (on page 7) provides an overview of changes in personnel for each subcategory. Table A-3 (on page 25) provides staffing detail by agency. FY 2010 staffing levels are budgeted to increase 2.3 percent to reach 272,475 FTEs. Staffing at social regulatory agencies is slated to increase by 2.7 percent to 235,667 in 2009. Staff levels at economic regulatory agencies are projected to decrease by 0.2 percent to 36,808 FTEs.

The Department of Homeland Security has the largest regulatory staff, with a budget request of 145,279 FTEs in 2010. The 3.1 percent increase for DHS is mainly attributable to personnel growth in three agencies—Science and Technology, Customs and Border Protection, and Immigration and Customs Enforcement. Staffing at agencies devoted to consumer safety and health is budgeted at 37,607, an increase of 489 from 2009. Most of this increase can be attributed to the Food and Drug Administration, which grew from 11,064 FTEs in 2009 to 11,756 in 2010. The environment category sees an increase of 145 full-time staff in 2010, bringing the number of employees in the category to 26,435.

The transportation agencies are budgeted for a 2.8 percent increase (262 personnel) to 9,709 full-time personnel. Staffing at the workplace agencies also increases by 909 people, (or by 7.8 percent) to 12,571. The energy subcategory is budgeted for a personnel increase of 88 (2.2 percent).

Staffing in the economic regulation category is budgeted to decrease in 2010 by 0.2 percent, despite the 2.5 percent increase in spending in the category. Employees devoted to administering

economic regulations are projected to decrease by 80 to reach 36,808 in 2010. The only increase in this category is for 139 employees in the industry-specific subcategory—a 2 percent increase over 2009. The bulk of this increase can be attributed to the Federal Energy Regulatory Commission, which will grow by 63 full-time staff in 2010. The 2010 budget requests a 1.2 percent staff decrease in the finance and banking subcategory (153 employees) and a 0.4 percent decrease in the general business subcategory (65 employees).

## **Conclusion**

The FY 2010 *Budget of the United States Government* calls for expenditures on regulatory activities of \$55.8 billion for the next fiscal year. This 2010 Regulators' Budget request reflects both a nominal increase (4.2 percent) and an increase in real, inflation-adjusted terms (3.2 percent). Estimated 2009 outlays are 13 percent greater in real terms than actual FY 2008 expenditures. Staffing at federal regulatory agencies is budgeted to increase 2.3 percent in 2010 to 272,475 full-time equivalent employees. This is an increase of 6,175 employees over the 2009 level of 266,300.

Although the Regulators' Budget's real projected rate of growth for 2010 falls below the rate of growth for 2009 (4.2 percent versus 14.1 percent), it nevertheless stands in contrast to the objective expressed in the budget of holding the rate of growth for non-discretionary spending to 1 percent, well below the rate of inflation. Also, it should be noted that the FY 2009 budget request was that of President Bush, but the FY 2009 budget increase occurred under both President Bush and President Obama.

To conclude, regulatory expenditures and staffing are significantly larger in 2010 than they were in 2000. Driven by homeland security activities and now by the financial crisis, we anticipate that these numbers will keep increasing.

## Appendix

The Weidenbaum Center at Washington University has monitored trends in federal regulation for 31 years and has compiled 50 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 2010* 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 2010 begins October 1, 2009, and ends September 30, 2010). In this report, all references to specific years refer to fiscal years unless otherwise noted.

Budget figures for the 68 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 employee.

Tables A-4 and A-5 give data from 1960 to 2010 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**

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2009	2010	(Estimated)	% Change	
													2008-09	2009-10
<b>1. Consumer Safety and Health</b>														
Consumer Product Safety Com.	n/o	n/o	44	35	51	65	64	62	70	109	114		55.7%	4.6%
<i>Department of Agriculture:</i>														
Animal and Plant Health Inspection Svc. (1)	59	96	257	406	735	1,211	1,623	1,318	1,294	1,198	1,200		-7.4%	0.2%
Food Safety and Inspection Svc. (2)	n/o	n/o	393	475	743	923	968	961	1,071	1,074	1,144		0.3%	6.5%
Grain Inspection, Packers and Stockyards (3)	n/o	3	66	50	60	74	76	79	79	83	85		5.1%	2.4%
Risk Management Agency	n/o	n/o	n/o	n/o	64	67	74	79	76	74	79		-2.6%	6.8%
<b>Subtotal (\$ mil)</b>	59	99	716	931	1,602	2,275	2,741	2,437	2,520	2,429	2,508		-3.6%	3.3%
<i>Department of Health and Human Services:</i>														
Food and Drug Admin. (4)	16	72	326	561	1,209	1,727	1,905	1,842	2,043	2,668	2,913		30.6%	9.2%
<i>Department of Housing and Urban Development:</i>														
Consumer Protection Programs (5)	n/o	n/o	2	5	14	10	9	7	7	16	16		128.6%	0.0%
Office of Lead Hazard Control and Healthy Homes (5)	n/o	n/o	n/o	n/o	95	133	120	147	149	171	194		14.8%	13.5%
Office of Federal Enterprise Oversight (6)	n/o	n/o	n/o	n/o	18	48	62	63	69	n/o	n/o		-	-
<b>Subtotal (\$ mil)</b>	n/o	n/o	2	5	127	191	191	217	225	187	210		-16.9%	12.3%
<i>Department of Justice:</i>														
Drug Enforcement Admin. (7)	n/o	2	13	27	74	126	157	161	211	254	221		20.4%	-13.0%
Alcohol, Tobacco, Firearms, and Explosives (8)	27	49	147	273	555	903	972	1,003	1,011	1,118	1,166		10.6%	4.3%
<b>Subtotal (\$ mil)</b>	27	51	160	300	629	1,029	1,129	1,164	1,222	1,372	1,387		12.3%	1.1%
<i>Department of Treasury:</i>														
Alcohol and Tobacco Tax and Trade Bureau (8)	n/o	n/o	n/o	n/o	n/o	87	93	92	96	100	110		4.2%	10.0%
Chemical Safety and Hazard Investigation Bd. (9)	n/o	n/o	n/o	n/o	8	9	9	9	9	9	10		0.0%	11.1%
Federal Mine Safety and Health Review Com.	n/o	n/o	4	4	7	7	7	7	8	9	11		12.5%	22.2%
<b>TOTALS—Consumer Safety and Health (\$ mil)</b>	102	222	1,252	1,836	3,633	5,390	6,139	5,830	6,193	6,883	7,263		11.1%	5.5%
<b>2. Homeland Security</b>														
<i>Department of Homeland Security: (10)</i>														
Area Maritime Security (11)	n/o	n/o	n/o	n/o	n/o	52	n/o	n/o	n/o	n/o	n/o		-	-
Customs and Border Protection (12)	62	175	837	1,664	2,802	6,947	7,416	8,264	9,470	11,059	11,169		16.8%	1.0%
Immigration and Customs Enforcement (13)	38	66	254	786	3,355	3,258	3,411	4,058	4,753	6,254	6,119		31.6%	-2.2%
Coast Guard (14)	45	94	498	909	1,717	1,948	2,182	2,142	2,275	2,445	2,615		7.5%	7.0%
Science and Technology (15)	n/o	n/o	n/o	n/o	n/o	68	83	92	79	93	95		17.7%	2.2%
Transportation Security Admin. (16)	n/o	n/o	n/o	n/o	n/o	4,746	4,376	4,625	4,987	6,002	6,621		20.4%	10.3%
<b>TOTALS—Homeland Security (\$ mil)</b>	145	335	1,589	3,359	7,874	17,019	17,468	19,181	21,564	25,853	26,619		19.9%	3.0%
<b>3. Transportation (17)</b>														
<i>Department of Transportation:</i>														
Federal Aviation Admin. (18)	42	124	283	477	881	1,083	1,296	1,318	1,347	1,615	1,682		19.9%	4.1%
Federal Highway Admin. (19)	n/o	6	20	98	9	n/o	n/o	n/o	n/o	n/o	n/o		-	-
Federal Motor Carrier Safety Admin. (20)	n/o	n/o	n/o	n/o	163	379	450	472	528	783	575		48.3%	-26.6%
Federal Railroad Admin.	n/o	16	92	52	119	161	210	208	200	366	210		83.0%	-42.6%
National Highway Traffic Safety Admin.	n/o	26	137	148	173	166	237	259	261	299	278		14.6%	-7.0%
Pipeline & Hazardous Materials Safety Admin. (21)	n/o	n/o	n/o	9	37	67	74	76	74	88	103		18.9%	17.0%
Surface Transportation Bd. (22)	n/o	n/o	n/o	n/o	17	21	19	26	29	28	27		-3.4%	-3.6%
<b>Subtotal (\$ mil)</b>	42	172	532	784	1,399	1,877	2,286	2,359	2,439	3,179	2,875		30.3%	-9.6%
National Transportation Safety Board	n/o	5	18	26	77	77	74	78	83	87	96		4.8%	10.3%
<b>TOTALS—Transportation (\$ mil)</b>	42	177	550	810	1,476	1,954	2,360	2,437	2,522	3,266	2,971		29.5%	-9.0%

Table A-1 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	(Estimated) 2009	(Estimated) 2010	% Change 2008-09	% Change 2009-10
<b>4. Workplace</b>													
<i>Department of Labor:</i>													
Employment Standards Admin. (23)	14	36	123	156	227	248	258	261	272	301	380	10.8%	26.2%
Office of the American Workplace (24)	n/o	12	55	79	n/o	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Employee Benefits Security Admin. (25)	n/o	n/o	n/o	n/o	99	131	148	147	154	172	172	11.7%	0.0%
Mine Safety and Health Admin. (26)	7	17	142	171	225	282	290	299	346	345	356	-0.3%	3.2%
Occupational Safety and Health Admin.	n/o	n/o	180	275	370	456	473	473	494	516	568	4.5%	10.1%
<b>Subtotal (\$ mil)</b>	21	65	500	681	921	1,117	1,169	1,180	1,266	1,334	1,476	5.4%	10.6%
Arch. & Trans. Barriers Compliance Bd.	n/o	n/o	n/o	2	4	6	5	6	6	7	7	16.7%	0.0%
Equal Employment Opportunity Com.	n/o	12	131	181	290	320	320	323	319	319	364	0.0%	14.1%
National Labor Relations Bd.	15	38	109	142	198	245	249	253	250	261	281	4.4%	7.7%
Occupational Safety and Health Review Com.	n/o	n/o	8	6	8	10	10	10	11	11	11	0.0%	0.0%
<b>TOTALS--Workplace (\$ mil)</b>	36	115	748	1,012	1,421	1,698	1,753	1,772	1,852	1,932	2,139	4.3%	10.7%
<b>5. Environment</b>													
Council on Environmental Quality	n/o	n/o	3	1	3	3	3	2	2	3	3	50.0%	0.0%
<i>Department of Agriculture:</i>													
Forest and Rangeland Research (27)	n/o	n/o	n/o	n/o	232	325	341	335	338	333	356	-1.5%	6.9%
<i>Department of Defense:</i>													
Amy Corps of Engineers (28)	1	2	41	66	111	145	154	162	180	197	204	9.4%	3.6%
<i>Department of Interior:</i>													
Fish and Wildlife and Parks (29)	3	7	71	152	236	316	345	315	411	384	374	-6.6%	-2.6%
Minerals Management Svc.	n/o	n/o	n/o	179	412	348	327	322	317	359	390	13.2%	8.6%
Surface Mining Reclamation & Enforcement (30)	n/o	n/o	85	327	392	385	379	418	411	384	374	-6.6%	-2.6%
U.S. Geological Survey (31)	n/o	n/o	n/o	n/o	196	246	256	258	265	252	275	-4.7%	8.9%
<b>Subtotal (\$ mil)</b>	3	7	156	658	1,236	1,295	1,307	1,312	1,404	1,379	1,413	-1.7%	2.4%
Environmental Protection Agency (32)	13	174	1,282	2,950	4,478	4,813	5,202	4,907	4,809	5,090	5,898	5.8%	15.9%
<b>TOTALS--Environment (\$ mil)</b>	17	183	1,482	3,675	6,060	6,581	7,007	6,718	6,733	7,002	7,874	4.0%	12.4%
<b>6. Energy</b>													
<i>Department of Energy:</i>													
Petroleum Regulation (33)	n/o	n/o	n/o	14	24	22	24	24	27	39	31	41.7%	-20.8%
Federal Inspector Alaska Nat'l Gas Pipeline (34)	n/o	n/o	5	n/o	n/o	n/o	n/o	1	1	8	9	700.0%	12.5%
Energy Conservation (35)	n/o	n/o	54	38	103	67	58	89	n/o	n/o	n/o	-	-
<b>Subtotal (\$ mil)</b>	n/o	n/o	59	52	127	89	82	114	28	47	40	64.8%	-15.2%
Nuclear Regulatory Com. (36)	12	65	378	391	480	644	679	756	875	1,016	1,066	16.1%	4.9%
<b>TOTALS--Energy (\$ mil)</b>	12	65	437	443	607	733	761	870	903	1,063	1,106	17.6%	4.0%
<b>TOTALS--SOCIAL REGULATION (\$ mil)</b>	354	1,097	6,058	11,135	21,071	33,375	35,488	36,809	39,767	45,999	47,971	15.7%	4.3%

## Economic Regulation

<b>1. Finance and Banking</b>													
<i>Department of the Treasury:</i>													
Comptroller of the Currency (37)	11	32	113	256	382	474	538	605	660	749	803	13.5%	7.2%
Financial Crimes Enforcement Network	n/o	n/o	n/o	n/o	29	66	75	80	85	88	103	3.5%	17.0%
Office of Thrift Supervision (38)	9	21	20	249	159	175	198	216	241	251	181	4.1%	-27.9%
<b>Subtotal (\$ mil)</b>	20	53	133	505	570	715	811	901	986	1,088	1,087	10.3%	-0.1%
Farm Credit Admin.	2	4	12	36	32	40	39	40	42	50	55	19.0%	10.0%
Federal Deposit Insurance Corp.	13	30	121	476	660	511	587	572	655	774	814	18.1%	5.2%
Federal Housing Finance Bd. (39)	n/o	n/o	n/o	1	18	32	31	33	37	4	n/o	-89.2%	-

Table A-1 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	(Estimated)		% Change	
										2009	2010	2008-09	2009-10
<i>Federal Reserve System (40)</i>													
Federal Reserve Banks (41)	n/o	n/o	86	212	537	519	556	593	640	640	640	0.0%	0.0%
Federal Reserve System Bd. of Governors	2	5	19	30	79	122	123	154	161	169	169	5.0%	0.0%
<b>Subtotal (\$ mil)</b>	2	5	105	242	616	641	679	747	801	809	809	1.0%	0.0%
National Credit Union Admin. (42)	3	6	21	44	69	93	102	99	111	122	131	9.5%	7.4%
<b>TOTALS—Finance and Banking (\$ mil)</b>	40	98	392	1,304	1,965	2,032	2,249	2,392	2,633	2,847	2,896	8.1%	1.7%
<b>2. Industry-Specific Regulation</b>													
<i>Department of Agriculture:</i>													
Agriculture Marketing Svc. (43)	42	186	60	161	198	255	295	259	310	294	308	-5.2%	4.9%
<i>Department of Commerce:</i>													
National Telecommunications and Info. Admin.	n/o	n/o	16	21	30	41	48	46	52	75	62	44.2%	-17.3%
<i>Department of Energy:</i>													
Economic Regulatory Admin. (44)	n/o	n/o	132	16	2	n/o	n/o	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	3	6	7	100.0%	16.7%
Civil Aeronautics Bd. (45)	7	11	28	n/o	n/o	-	-						
Commodity Futures Trading Com. (46)	1	2	16	36	62	94	100	98	103	154	159	49.5%	3.2%
Federal Communications Com.	11	24	76	108	269	362	363	372	391	438	439	12.0%	0.2%
Federal Energy Regulatory Com. (47)	7	18	67	113	167	212	220	227	235	272	296	15.7%	8.8%
Federal Maritime Com.	n/o	4	11	15	14	19	20	20	21	24	25	14.3%	4.2%
Interstate Commerce Com. (48)	20	27	80	43	n/o	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Renegotiation Bd. (49)	3	4	L	n/o	n/o	-	-						
<b>TOTALS—Industry-Specific Regulation (\$ mil)</b>	91	276	486	513	744	986	1,048	1,024	1,115	1,263	1,296	13.3%	2.6%
<b>3. General Business</b>													
Cost Accounting Standards Bd. (50)	n/o	n/o	1	n/o	n/o	-	-						
Council on Wage and Price Stability (51)	n/o	n/o	9	n/o	n/o	-	-						
<i>Department of Commerce:</i>													
International Trade Admin. (52)	3	6	14	23	36	63	61	63	67	58	67	-14.3%	15.4%
Bureau of Industry and Security (53)	n/o	n/o	n/o	41	61	71	81	86	80	86	99	7.5%	15.1%
Patent and Trademark Office	22	49	103	320	872	1,402	1,513	1,789	1,868	1,822	1,860	-2.5%	2.1%
<b>Subtotal (\$ mil)</b>	25	55	117	384	969	1,536	1,655	1,938	2,015	1,966	2,026	-2.5%	3.0%
<i>Department of Justice:</i>													
Antitrust Division	5	9	49	47	102	136	136	148	170	150	161	-11.8%	7.3%
Federal Election Com.	n/o	n/o	10	15	40	55	52	53	57	64	64	12.3%	0.0%
Federal Trade Com.	7	20	69	71	125	189	201	214	231	276	295	19.5%	6.9%
International Trade Com. (54)	2	4	14	37	47	60	64	63	68	75	83	10.3%	10.7%
<i>Library of Congress:</i>													
Copyright Office	1	3	14	19	34	46	47	61	47	52	55	10.6%	5.8%
Securities and Exchange Com.	8	22	74	154	357	865	872	829	879	924	997	5.1%	7.9%
<b>TOTALS—General Business (\$ mil)</b>	48	113	357	727	1,674	2,887	3,027	3,306	3,467	3,507	3,681	1.1%	5.0%
<b>TOTALS—ECONOMIC REGULATION (\$ mil)</b>	179	487	1,235	2,544	4,383	5,905	6,324	6,722	7,215	7,616	7,873	5.6%	3.4%
<b>GRAND TOTALS</b>	533	1,584	7,293	13,679	25,454	39,280	41,812	43,531	46,982	53,616	55,844	14.1%	4.2%

Notes:

L=Less Than \$500,000

n/o = agency not operational

(1) through (54): 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)

<b>Social Regulation</b>													(Estimated)		% Change	
	1960	1970	1980	1990	2000	2005	2006	2007	2008	2009	2010	2008-09	2009-10			
<b>1. Consumer Safety and Health</b>																
Consumer Product Safety Com.	n/o	n/o	81	43	51	58	55	52	57	88	92	54.2%	3.7%			
<i>Department of Agriculture:</i>																
Animal and Plant Health Inspection Svc. (1)	280	349	475	497	735	1,071	1,391	1,100	1,058	970	963	-8.3%	-0.7%			
Food Safety and Inspection Svc. (2)	n/o	n/o	727	582	743	817	830	802	876	870	918	-0.7%	5.6%			
Grain Inspection, Packers and Stockyards (3)	n/o	11	122	61	60	65	65	66	65	67	68	4.0%	1.5%			
Risk Management Agency	n/o	n/o	n/o	n/o	64	59	63	66	62	60	63	-3.6%	5.8%			
<b>Subtotal (\$ mil)</b>	280	360	1,324	1,141	1,602	2,013	2,349	2,034	2,061	1,968	2,014	-4.5%	2.3%			
<i>Department of Health and Human Services:</i>																
Food and Drug Admin. (4)	76	261	603	687	1,209	1,528	1,633	1,537	1,671	2,161	2,339	29.3%	8.2%			
<i>Department of Housing and Urban Development:</i>																
Consumer Protection Programs (5)	n/o	n/o	4	6	14	9	8	6	6	13	13	126.3%	-0.9%			
Office of Lead Hazard Control and Healthy Homes (5)	n/o	n/o	n/o	n/o	97	118	103	123	122	139	156	13.6%	12.4%			
Office of Federal Enterprise Oversight (6)	n/o	n/o	n/o	n/o	18	42	53	53	56	n/o	n/o	-	-			
<b>Subtotal (\$ mil)</b>	n/o	n/o	4	6	127	169	164	181	184	151	169	-17.7%	11.3%			
<i>Department of Justice:</i>																
Drug Enforcement Admin. (7)	n/o	7	24	33	74	111	135	134	173	206	177	19.2%	-13.8%			
Alcohol, Tobacco, Firearms, and Explosives (8)	128	178	272	335	555	799	833	837	827	906	936	9.5%	3.4%			
<b>Subtotal (\$ mil)</b>	128	185	296	368	629	910	968	971	1,000	1,111	1,114	11.2%	0.2%			
<i>Department of Treasury:</i>																
Alcohol and Tobacco Tax and Trade Bureau (8)	n/o	n/o	n/o	n/o	n/o	77	80	77	79	81	88	3.2%	9.0%			
Chemical Safety and Hazard Investigation Bd. (9)	n/o	n/o	n/o	n/o	8	8	8	8	7	7	8	-1.0%	10.1%			
Federal Mine Safety and Health Review Com.	n/o	n/o	7	5	7	6	6	6	7	7	9	11.4%	21.1%			
<b>TOTALS—Consumer Safety and Health (\$ mil)</b>	485	806	2,316	2,250	3,633	4,768	5,262	4,866	5,066	5,575	5,831	10.1%	4.6%			
<b>2. Homeland Security</b>																
<i>Department of Homeland Security: (10)</i>																
Area Maritime Security (11)	n/o	n/o	n/o	n/o	n/o	46	n/o	n/o	n/o	n/o	n/o	-	-			
Customs and Border Protection (12)	295	637	1,547	2,039	2,802	6,146	6,356	6,897	7,746	8,958	8,967	15.6%	0.1%			
Immigration and Customs Enforcement (13)	181	240	470	963	3,355	2,882	2,923	3,387	3,888	5,066	4,913	30.3%	-3.0%			
Coast Guard (14)	214	341	921	1,114	1,717	1,723	1,870	1,788	1,861	1,980	2,099	6.4%	6.0%			
Science and Technology (15)	n/o	n/o	n/o	n/o	n/o	60	71	77	65	75	76	16.6%	1.2%			
Transportation Security Admin. (16)	n/o	n/o	n/o	n/o	n/o	4,199	3,751	3,860	4,079	4,862	5,316	19.2%	9.3%			
<b>TOTALS—Homeland Security (\$ mil)</b>	689	1,218	2,938	4,116	7,874	15,056	14,971	16,008	17,638	20,941	21,371	18.7%	2.1%			
<b>3. Transportation (17)</b>																
<i>Department of Transportation:</i>																
Federal Aviation Admin. (18)	200	450	523	584	881	958	1,111	1,100	1,102	1,308	1,350	18.7%	3.2%			
Federal Highway Admin. (19)	n/o	22	37	120	9	n/o	n/o	n/o	n/o	n/o	n/o	-	-			
Federal Motor Carrier Safety Admin. (20)	n/o	n/o	n/o	n/o	163	335	386	394	432	634	462	46.9%	-27.2%			
Federal Railroad Admin.	n/o	58	170	64	119	142	180	174	164	296	169	81.2%	-43.1%			
National Highway Traffic Safety Admin.	n/o	94	253	181	173	147	203	216	213	242	223	13.4%	-7.8%			
Pipeline & Hazardous Materials Safety Admin. (21)	n/o	n/o	n/o	11	37	59	63	63	61	71	83	17.8%	16.0%			
Surface Transportation Bd. (22)	n/o	n/o	n/o	n/o	17	19	16	22	24	23	22	-4.4%	-4.4%			
<b>Subtotal (\$ mil)</b>	200	625	984	961	1,399	1,660	1,959	1,969	1,995	2,575	2,308	29.1%	-10.4%			
National Transportation Safety Board	n/o	18	33	32	77	68	63	65	68	70	77	3.8%	9.4%			
<b>TOTALS—Transportation (\$ mil)</b>	200	643	1,017	992	1,476	1,729	2,023	2,034	2,063	2,645	2,385	28.2%	-9.8%			

Table A-2 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	(Estimated) 2009	2010	2008-09	% Change 2009-10
<b>4. Workplace</b>													
<i>Department of Labor:</i>													
Employment Standards Admin. (23)	67	131	228	191	227	219	221	218	222	244	305	9.7%	25.1%
Office of the American Workplace (24)	n/o	44	102	97	n/o	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Employee Benefits Security Admin. (25)	n/o	n/o	n/o	n/o	99	116	127	123	126	139	138	10.6%	-0.9%
Mine Safety and Health Admin. (26)	33	62	263	210	225	249	249	250	283	279	286	-1.3%	2.3%
Occupational Safety and Health Admin.	n/o	n/o	333	337	370	403	405	395	404	418	456	3.4%	9.1%
<b>Subtotal (\$ mil)</b>	100	236	925	834	921	988	1,002	985	1,035	1,081	1,185	4.4%	9.7%
Arch. & Trans. Barriers Compliance Bd.	n/o	n/o	n/o	2	4	5	4	5	5	6	6	15.5%	-0.9%
Equal Employment Opportunity Com.	n/o	44	242	222	290	283	274	270	261	258	292	-1.0%	13.1%
National Labor Relations Bd.	71	138	202	174	198	217	213	211	204	211	226	3.4%	6.7%
Occupational Safety and Health Review Com.	n/o	n/o	15	7	8	9	9	8	9	9	9	-1.0%	-0.9%
<b>TOTALS--Workplace (\$ mil)</b>	171	418	1,384	1,240	1,421	1,502	1,502	1,479	1,515	1,565	1,717	3.3%	9.7%
<b>5. Environment</b>													
Council on Environmental Quality	n/o	n/o	6	1	3	3	3	2	2	2	2	48.5%	-0.9%
<i>Department of Agriculture:</i>													
Forest and Rangeland Research (27)	n/o	n/o	n/o	n/o	232	288	292	280	276	270	286	-2.4%	6.0%
<i>Department of Defense:</i>													
Army Corps of Engineers (28)	5	7	76	81	111	128	132	135	147	160	164	8.4%	2.6%
<i>Department of Interior:</i>													
Fish and Wildlife and Parks (29)	14	25	131	186	236	280	296	263	336	311	300	-7.5%	-3.5%
Minerals Management Svc.	n/o	n/o	n/o	219	412	308	280	269	259	291	313	12.1%	7.7%
Surface Mining Reclamation & Enforcement (30)	n/o	n/o	157	401	392	341	325	349	336	311	300	-7.5%	-3.5%
U.S. Geological Survey (31)	n/o	n/o	n/o	n/o	196	218	219	215	217	204	221	-5.6%	7.9%
<b>Subtotal (\$ mil)</b>	14	25	289	806	1,236	1,146	1,120	1,095	1,148	1,117	1,134	-2.7%	1.5%
Environmental Protection Agency (32)	62	632	2,371	3,615	4,478	4,258	4,459	4,095	3,934	4,123	4,735	4.8%	14.9%
<b>TOTALS--Environment (\$ mil)</b>	81	665	2,741	4,503	6,060	5,822	6,006	5,607	5,507	5,672	6,321	3.0%	11.5%
<b>6. Energy</b>													
<i>Department of Energy:</i>													
Petroleum Regulation (33)	n/o	n/o	n/o	17	24	19	21	20	22	32	25	40.3%	-21.5%
Federal Inspector Alaska Nat'l Gas Pipeline (34)	n/o	n/o	9	n/o	n/o	n/o	n/o	1	1	6	7	692.2%	-
Energy Conservation (35)	n/o	n/o	100	47	103	59	50	74	n/o	n/o	n/o	-	-
<b>Subtotal (\$ mil)</b>	n/o	n/o	109	64	127	79	70	95	23	38	32	63.2%	-15.9%
Nuclear Regulatory Com. (36)	57	236	699	479	480	570	582	631	716	823	856	15.0%	4.0%
<b>TOTALS--Energy (\$ mil)</b>	57	236	808	543	607	648	652	726	739	861	888	16.5%	3.1%
<b>TOTALS-- SOCIAL REGULATION (\$ mil)</b>	1,682	3,985	11,205	13,644	21,071	29,525	30,416	30,721	32,528	37,260	38,514	14.5%	3.4%

**Economic Regulation****1. Finance and Banking**

<i>Department of the Treasury:</i>													
Comptroller of the Currency (37)	52	116	209	314	382	419	461	505	540	607	645	12.4%	6.3%
Financial Crimes Enforcement Network	n/o	n/o	n/o	n/o	29	58	64	67	70	71	83	2.5%	16.0%
Office of Thrift Supervision (38)	43	76	37	305	159	155	170	180	197	203	145	3.1%	-28.5%
<b>Subtotal (\$ mil)</b>	95	192	246	619	570	633	695	752	807	881	873	9.3%	-1.0%
Farm Credit Admin.	10	15	22	44	32	35	33	33	34	41	44	17.9%	9.0%
Federal Deposit Insurance Corp.	62	109	224	583	660	452	503	478	536	627	654	16.9%	4.3%

Table A-2 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2009	2010	(Estimated) 2009-09	% Change 2009-10
Federal Housing Finance Bd. (39)	n/o	n/o	n/o	1	18	28	27	28	30	3	n/o	-89.3%	-
<i>Federal Reserve System (40)</i>													
Federal Reserve Banks (41)	n/o	n/o	159	260	537	459	477	495	523	518	514	-1.0%	-0.9%
Federal Reserve System Bd. of Governors	10	18	35	37	79	108	105	129	132	137	136	3.9%	-0.9%
<b>Subtotal (\$ mil)</b>	10	18	194	297	616	567	582	623	655	655	650	0.0%	-0.9%
National Credit Union Admin. (42)	14	22	39	54	69	82	87	83	91	99	105	8.4%	6.4%
<b>TOTALS—Finance and Banking (\$ mil)</b>	190	356	725	1,598	1,965	1,798	1,928	1,997	2,154	2,306	2,325	7.1%	0.8%
<b>2. Industry-Specific Regulation</b>													
<i>Department of Agriculture:</i>													
Agriculture Marketing Svc. (43)	200	675	111	197	198	226	253	216	254	238	247	-6.1%	4.0%
<i>Department of Commerce:</i>													
National Telecommunications and Info. Admin.	n/o	n/o	30	26	30	36	41	38	43	61	50	42.8%	-18.1%
<i>Department of Energy:</i>													
Economic Regulatory Admin. (44)	n/o	n/o	244	20	2	n/o	n/o	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	5	6	98.1%	15.6%
Civil Aeronautics Bd. (45)	33	40	52	n/o	-	-							
Commodity Futures Trading Com. (46)	5	7	30	44	62	83	86	82	84	125	128	48.1%	2.3%
Federal Communications Com.	52	87	141	132	269	320	311	310	320	355	352	10.9%	-0.7%
Federal Energy Regulatory Com. (47)	33	65	124	138	167	188	189	189	192	220	238	14.6%	7.9%
Federal Maritime Com.	n/o	15	20	18	14	17	17	17	17	19	20	13.2%	3.2%
Interstate Commerce Com. (48)	95	98	148	53	n/o	-	-						
Renegotiation Bd. (49)	14	15	L	n/o	-	-							
<b>TOTALS—Industry-Specific Regulation (\$ mil)</b>	432	1,002	899	629	744	872	898	854	912	1,023	1,041	12.2%	1.7%
<b>3. General Business</b>													
Cost Accounting Standards Bd. (50)	n/o	n/o	2	n/o	-	-							
Council on Wage and Price Stability (51)	n/o	n/o	17	n/o	-	-							
<i>Department of Commerce:</i>													
International Trade Admin. (52)	14	22	26	28	36	56	52	52	55	47	53	-15.1%	14.4%
Bureau of Industry and Security (53)	n/o	n/o	n/o	50	61	63	69	72	65	70	79	6.5%	14.1%
Patent and Trademark Office	105	178	191	392	872	1,240	1,297	1,493	1,528	1,476	1,493	-3.4%	1.2%
<b>Subtotal (\$ mil)</b>	119	200	216	471	969	1,359	1,418	1,617	1,648	1,592	1,626	-3.4%	2.1%
<i>Department of Justice:</i>													
Antitrust Division	24	33	91	58	102	120	117	124	139	122	129	-12.6%	6.4%
Federal Election Com.	n/o	n/o	18	18	40	49	45	44	47	52	51	11.2%	-0.9%
Federal Trade Com.	33	73	128	87	125	167	172	179	189	224	237	18.3%	5.9%
International Trade Com. (54)	10	15	26	45	47	53	55	53	56	61	67	9.2%	9.7%
<i>Library of Congress:</i>													
Copyright Office	5	11	26	23	34	41	40	51	38	42	44	9.6%	4.8%
Securities and Exchange Com.	38	80	137	189	357	765	747	692	719	748	800	4.1%	6.9%
<b>TOTALS—General Business (\$ mil)</b>	228	410	660	891	1,674	2,554	2,594	2,759	2,836	2,840	2,955	0.2%	4.0%
<b>TOTALS—ECONOMIC REGULATION (\$ mil)</b>	851	1,768	2,284	3,117	4,383	5,224	5,420	5,610	5,902	6,169	6,321	4.5%	2.5%
<b>GRAND TOTALS</b>	2,533	5,753	13,489	16,761	25,454	34,749	35,836	36,330	38,430	43,429	44,835	13.0%	3.2%

Notes:

n/o = agency not operational

L=Less Than \$500,000

(1) through (54): 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 Employees)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	(Estimated) 2009	2010	2008-09	% Change 2008-10
<b>1. Consumer Safety and Health</b>													
Consumer Product Safety Com.	n/o	n/o	978	515	468	447	412	393	396	483	530	22.0%	9.7%
<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	7,463	7,743	7,864	7,455	1.6%	-5.2%
Food Safety and Inspection Svc. (2)	n/o	n/o	12,372	9,433	9,545	9,464	9,424	9,276	9,474	9,671	9,696	2.1%	0.3%
Grain Inspection, Packers and Stockyards (3)	n/o	221	2,207	989	750	675	645	631	647	657	664	1.5%	1.1%
Risk Management Agency	n/o	n/o	n/o	n/o	512	502	477	488	481	553	568	15.0%	2.7%
<b>Subtotal</b>	<b>6,258</b>	<b>6,624</b>	<b>20,019</b>	<b>16,236</b>	<b>17,275</b>	<b>17,719</b>	<b>17,845</b>	<b>17,858</b>	<b>18,345</b>	<b>18,745</b>	<b>18,383</b>	<b>2.2%</b>	<b>-1.9%</b>
<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	9,643	9,889	11,064	11,756	11.9%	6.3%
<i>Department of Housing and Urban Development:</i>													
Office of Federal Enterprise Oversight (6)	n/o	n/o	n/o	n/o	87	198	225	230	251	n/o	n/o	-	-
<i>Department of Justice:</i>													
Drug Enforcement Admin. (7)	n/o	125	255	294	613	739	807	857	998	1,184	1,190	18.6%	0.5%
Alcohol, Tobacco, Firearms, and Explosives (8)	3,835	3,489	3,819	3,873	4,337	4,752	4,884	4,799	4,869	5,012	5,080	2.9%	1.4%
<b>Subtotal (\$ mil)</b>	<b>3,835</b>	<b>3,614</b>	<b>4,074</b>	<b>4,167</b>	<b>4,950</b>	<b>5,491</b>	<b>5,691</b>	<b>5,656</b>	<b>5,867</b>	<b>6,196</b>	<b>6,270</b>	<b>5.6%</b>	<b>1.2%</b>
<i>Department of Treasury:</i>													
Alcohol and Tobacco Tax and Trade Bureau (8)	n/o	n/o	n/o	n/o	n/o	523	534	533	520	540	565	3.8%	4.6%
Chemical Safety and Hazard Investigation Bd. (9)	n/o	n/o	n/o	n/o	26	37	40	39	38	40	46	5.3%	15.0%
Federal Mine Safety and Health Review Com.	n/o	n/o	85	48	43	40	41	37	40	50	57	25.0%	14.0%
<b>TOTALS—Consumer Safety and Health (\$ mil)</b>	<b>11,961</b>	<b>14,734</b>	<b>33,201</b>	<b>28,730</b>	<b>31,749</b>	<b>34,435</b>	<b>34,565</b>	<b>34,389</b>	<b>35,346</b>	<b>37,118</b>	<b>37,607</b>	<b>5.0%</b>	<b>1.3%</b>
<b>2. Homeland Security</b>													
<i>Department of Homeland Security: (10)</i>													
Area Maritime Security (11)	n/o	n/o	n/o	n/o	n/o	3	n/o	n/o	n/o	n/o	n/o	-	-
Customs and Border Protection (12)	7,402	10,872	15,107	17,340	18,875	40,601	41,136	43,537	48,065	54,091	57,230	12.5%	5.8%
Immigration and Customs Enforcement (13)	4,660	4,574	8,794	15,931	24,692	14,761	13,241	14,739	16,102	19,218	20,461	19.4%	6.5%
Coast Guard (14)	5,452	7,050	11,432	10,887	16,847	12,679	13,933	12,997	13,407	13,772	13,620	2.7%	-1.1%
Science and Technology (15)	n/o	n/o	n/o	n/o	n/o	26	17	20	26	30	32	15.4%	6.7%
Transportation Security Admin. (16)	n/o	n/o	n/o	n/o	n/o	50,725	49,469	49,999	52,692	52,692	53,807	0.0%	2.1%
<b>TOTALS—Homeland Security (\$ mil)</b>	<b>17,514</b>	<b>22,496</b>	<b>35,333</b>	<b>44,158</b>	<b>60,414</b>	<b>118,795</b>	<b>117,796</b>	<b>121,292</b>	<b>130,292</b>	<b>140,918</b>	<b>145,279</b>	<b>8.2%</b>	<b>3.1%</b>
<b>3. Transportation (17)</b>													
<i>Department of Transportation:</i>													
Federal Aviation Admin. (18)	3,928	6,447	6,251	5,640	6,319	5,324	5,460	5,351	5,772	6,166	6,398	6.8%	3.8%
Federal Highway Admin. (19)	n/o	201	239	495	66	n/o	n/o	n/o	n/o	n/o	n/o	-	-
Federal Motor Carrier Safety Admin. (20)	n/o	n/o	n/o	n/o	673	1,031	1,007	1,011	1,018	1,119	1,119	9.9%	0.0%
Federal Railroad Admin.	n/o	299	607	435	718	791	808	811	812	869	883	7.0%	1.6%
National Highway Traffic Safety Admin.	n/o	562	917	602	612	600	605	531	532	553	553	3.9%	0.0%
Pipeline & Hazardous Materials Safety Admin. (21)	n/o	n/o	n/o	50	97	154	139	146	147	191	204	29.9%	6.8%
Surface Transportation Bd. (22)	n/o	n/o	n/o	n/o	135	134	137	136	138	150	150	8.7%	0.0%
<b>Subtotal (\$ mil)</b>	<b>3,928</b>	<b>7,509</b>	<b>8,014</b>	<b>7,222</b>	<b>8,620</b>	<b>8,034</b>	<b>8,156</b>	<b>7,986</b>	<b>8,419</b>	<b>9,048</b>	<b>9,307</b>	<b>7.5%</b>	<b>2.9%</b>
National Transportation Safety Board	n/o	279	387	325	421	417	387	377	388	399	402	2.8%	0.8%
<b>TOTALS—Transportation (\$ mil)</b>	<b>3,928</b>	<b>7,788</b>	<b>8,401</b>	<b>7,547</b>	<b>9,041</b>	<b>8,451</b>	<b>8,543</b>	<b>8,363</b>	<b>8,807</b>	<b>9,447</b>	<b>9,709</b>	<b>7.3%</b>	<b>2.8%</b>
<b>4. Workplace</b>													
<i>Department of Labor:</i>													
Employment Standards Admin. (23)	1,685	2,135	3,372	2,335	2,211	1,919	1,901	1,900	1,927	1,997	2,508	3.7%	25.6%
Office of the American Workplace (24)	n/o	877	1,330	980	n/o	n/o	n/o	n/o	n/o	n/o	n/o	-	-

Table A-3 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2009	2010	(Estimated)	% Change	
													2008-09	2008-10
Employee Benefits Security Admin. (25)	n/o	n/o	n/o	n/o	747	827	840	829	837	847	940		1.2%	11.0%
Mine Safety and Health Admin. (26)	690	1,401	3,700	2,679	2,202	2,109	2,078	2,161	2,271	2,361	2,376		4.0%	0.6%
Occupational Safety and Health Admin.	n/o	n/o	2,950	2,431	2,160	2,155	2,096	2,059	2,089	2,168	2,408		3.8%	11.1%
<b>Subtotal (\$ mil)</b>	2,375	4,413	11,352	8,425	7,320	7,010	6,915	6,949	7,124	7,373	8,232		3.5%	11.7%
Arch. & Trans. Barriers Compliance Bd.	n/o	n/o	n/o	27	30	27	27	27	29	29	31		0.0%	6.9%
Equal Employment Opportunity Com.	n/o	845	3,496	2,853	2,852	2,361	2,226	2,137	2,159	2,556	2,556		18.4%	0.0%
National Labor Relations Bd.	1,776	2,313	2,898	2,227	1,876	1,826	1,788	1,729	1,628	1,637	1,685		0.6%	2.9%
Occupational Safety and Health Review Com.	n/o	n/o	148	78	63	55	58	60	58	67	67		15.5%	0.0%
<b>TOTALS--Workplace (\$ mil)</b>	4,151	7,571	17,894	13,610	12,141	11,279	11,014	10,902	10,998	11,662	12,571		6.0%	7.8%
<b>5. Environment</b>														
Council on Environmental Quality	n/o	n/o	49	15	20	21	19	17	18	24	24		33.3%	0.0%
<i>Department of Agriculture:</i>														
Forest and Rangeland Research (27)	n/o	n/o	n/o	n/o	2,340	2,699	2,286	2,400	2,140	2,160	2,160		0.9%	0.0%
<i>Department of Defense:</i>														
Army Corps of Engineers (28)	n/o	n/o	800	1,201	1,354	1,383	1,357	1,374	1,402	1,400	1,420		-0.1%	1.4%
<i>Department of Interior:</i>														
Fish and Wildlife and Parks (29)	368	452	1,913	2,059	1,848	2,156	2,416	2,260	2,220	2,147	2,163		-3.3%	0.8%
Minerals Management Svc.	n/o	n/o	n/o	2,064	1,748	1,609	1,619	1,582	1,560	1,573	1,637		0.8%	4.1%
Surface Mining Reclamation & Enforcement (30)	n/o	n/o	1,186	1,195	636	542	528	528	525	525	515		0.0%	-1.9%
U.S. Geological Survey (31)	n/o	n/o	n/o	n/o	1,528	1,598	1,534	1,496	1,507	1,331	1,359		-11.6%	2.1%
<b>Subtotal (\$ mil)</b>	368	452	3,099	5,318	5,760	5,905	6,097	5,866	5,812	5,576	5,675		-4.1%	1.8%
Environmental Protection Agency (32)	862	4,424	13,045	15,587	17,310	17,235	17,029	16,739	16,575	17,130	17,156		3.3%	0.2%
<b>TOTALS--Environment (\$ mil)</b>	1,230	4,876	16,993	22,121	26,784	27,243	26,788	26,396	25,947	26,290	26,435		1.3%	0.5%
<b>6. Energy</b>														
<i>Department of Energy:</i>														
Petroleum Regulation (33)	n/o	n/o	n/o	101	122	88	82	81	85	130	121		53.5%	-6.5%
Federal Inspector Alaska Nat'l Gas Pipeline (34)	n/o	n/o	64	1	n/o	n/o	n/o	1	6	30	30		400.0%	0.0%
Energy Conservation (35)	n/o	n/o	47	31	66	31	23	32	n/o	n/o	n/o		-	-
<b>Subtotal (\$ mil)</b>	n/o	n/o	111	133	188	119	105	114	91	160	151		76.5%	-5.3%
Nuclear Regulatory Com. (36)	35	220	3,114	3,160	2,735	3,095	3,150	3,437	3,667	3,817	3,914		4.1%	2.5%
<b>TOTALS--Energy (\$ mil)</b>	35	220	3,225	3,293	2,923	3,214	3,255	3,551	3,758	3,977	4,065		5.8%	2.2%
<b>TOTALS-- SOCIAL REGULATION (\$ mil)</b>	38,819	57,685	115,047	119,459	143,052	203,417	201,961	204,893	215,147	229,412	235,667		6.6%	2.7%

**Economic Regulation**

**1. Finance and Banking**

<i>Department of the Treasury:</i>														
Comptroller of the Currency (37)	841	1,957	3,234	3,216	2,920	2,686	2,812	2,954	3,028	3,127	3,161		3.3%	1.1%
Financial Crimes Enforcement Network	n/o	n/o	n/o	n/o	169	268	297	302	312	331	332		6.1%	0.3%
Office of Thrift Supervision (38)	n/o	n/o	n/o	3,250	1,254	885	918	974	1,029	1,095	847		6.4%	-22.6%
--Subtotal (\$ mil)--	841	1,957	3,234	6,466	4,343	3,839	4,027	4,230	4,369	4,553	4,340		4.2%	-4.7%
Farm Credit Admin.	251	232	277	530	287	271	252	253	251	271	286		8.0%	5.5%
Federal Deposit Insurance Corp.	881	2,705	3,648	4,960	4,236	2,961	2,748	2,858	2,872	3,664	3,711		27.6%	1.3%
Federal Housing Finance Bd. (39)	n/o	n/o	n/o	54	108	122	133	133	138	n/o	n/o		-	-
<i>Federal Reserve System (40)</i>														
Federal Reserve Banks (41)	n/o	n/o	1,589	2,217	3,050	2,561	2,658	2,656	2,671	2,671	2,671		0.0%	0.0%
Federal Reserve System Bd. of Governors	165	298	333	419	668	815	843	846	838	838	838		0.0%	0.0%
<b>Subtotal (\$ mil)</b>	165	298	1,922	2,636	3,718	3,376	3,501	3,502	3,509	3,509	3,509		0.0%	0.0%
National Credit Union Admin. (42)	371	426	443	662	618	635	657	644	664	712	710		7.2%	-0.3%
<b>TOTALS--Finance and Banking (\$ mil)</b>	2,509	5,618	9,524	15,308	13,310	11,204	11,318	11,621	11,803	12,709	12,556		7.7%	-1.2%

Table A-3 (continued)

	1960	1970	1980	1990	2000	2005	2006	2007	2008	2009	2010	(Estimated) % Change	
												2008-09	2008-10
<b>2. Industry-Specific Regulation</b>													
<i>Department of Agriculture:</i>													
Agriculture Marketing Svc. (43)	4,385	13,686	2,147	3,164	2,595	2,601	2,541	2,399	2,420	2,527	2,541	4.4%	0.6%
<i>Department of Commerce:</i>													
National Telecommunications and Info. Admin.	n/o	n/o	441	255	214	236	237	232	241	258	258	7.1%	0.0%
<i>Department of Energy:</i>													
Economic Regulatory Admin. (44)	n/o	n/o	2,255	184	18	n/o	n/o	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	96	103	110	115	6.8%	4.5%
Civil Aeronautics Bd. (45)	764	692	778	n/o	-	-							
Commodity Futures Trading Com. (46)	128	180	459	527	556	487	493	437	449	572	610	27.4%	6.6%
Federal Communications Com.	1,441	1,651	2,216	1,734	1,925	1,884	1,805	1,783	1,767	1,899	1,918	7.5%	1.0%
Federal Energy Regulatory Com. (47)	865	1,178	1,653	1,475	1,216	1,258	1,263	1,303	1,282	1,465	1,528	14.3%	4.3%
Federal Maritime Com.	n/o	252	336	229	128	124	121	119	115	131	131	13.9%	0.0%
Interstate Commerce Com. (48)	2,410	1,917	2,041	664	n/o	-	-						
Renegotiation Bd. (49)	307	235	n/o	-	-								
<b>TOTALS--Industry-Specific Regulation (\$ mil)</b>	<b>10,300</b>	<b>19,791</b>	<b>12,326</b>	<b>8,234</b>	<b>6,723</b>	<b>6,667</b>	<b>6,546</b>	<b>6,369</b>	<b>6,377</b>	<b>6,962</b>	<b>7,101</b>	<b>9.2%</b>	<b>2.0%</b>
<b>3. General Business</b>													
Cost Accounting Standards Bd. (50)	n/o	n/o	21	n/o	-	-							
Council on Wage and Price Stability (51)	n/o	n/o	230	n/o	-	-							
<i>Department of Commerce:</i>													
International Trade Admin. (52)	228	259	326	240	221	345	301	293	286	291	288	1.8%	-0.8%
Bureau of Industry and Security (53)	n/o	n/o	n/o	508	398	362	353	366	357	373	376	4.5%	0.8%
Patent and Trademark Office	2,440	2,829	2,660	4,059	6,128	6,825	7,446	8,291	8,962	9,691	9,552	8.1%	-1.4%
<b>Subtotal (\$ mil)</b>	<b>2,668</b>	<b>3,088</b>	<b>2,986</b>	<b>4,807</b>	<b>6,747</b>	<b>7,532</b>	<b>8,100</b>	<b>8,950</b>	<b>9,605</b>	<b>10,355</b>	<b>10,216</b>	<b>7.8%</b>	<b>-1.3%</b>
<i>Department of Justice:</i>													
Antitrust Division	526	607	971	513	748	792	763	767	790	851	851	7.7%	0.0%
Federal Election Com.	n/o	n/o	258	241	343	377	368	350	349	375	375	7.4%	0.0%
Federal Trade Com.	758	1,390	1,719	903	989	1,019	907	1,061	1,094	1,122	1,155	2.6%	2.9%
International Trade Com. (54)	277	274	409	499	357	369	383	374	343	386	386	12.5%	0.0%
<i>Library of Congress:</i>													
Copyright Office	245	332	598	520	490	501	487	483	452	475	475	5.1%	0.0%
Securities and Exchange Com.	1,007	1,490	2,050	2,130	2,841	3,851	3,695	3,465	3,511	3,653	3,693	4.0%	1.1%
<b>TOTALS--General Business (\$ mil)</b>	<b>5,481</b>	<b>7,181</b>	<b>9,242</b>	<b>9,613</b>	<b>12,515</b>	<b>14,441</b>	<b>14,703</b>	<b>15,450</b>	<b>16,144</b>	<b>17,217</b>	<b>17,151</b>	<b>6.6%</b>	<b>-0.4%</b>
<b>TOTALS--ECONOMIC REGULATION (\$ mil)</b>	<b>18,290</b>	<b>32,590</b>	<b>31,092</b>	<b>33,155</b>	<b>32,548</b>	<b>32,312</b>	<b>32,567</b>	<b>33,440</b>	<b>34,324</b>	<b>36,888</b>	<b>36,808</b>	<b>7.5%</b>	<b>-0.2%</b>
<b>GRAND TOTALS</b>	<b>57,109</b>	<b>90,275</b>	<b>146,139</b>	<b>152,614</b>	<b>175,600</b>	<b>235,729</b>	<b>234,528</b>	<b>238,333</b>	<b>249,471</b>	<b>266,300</b>	<b>272,475</b>	<b>6.7%</b>	<b>2.3%</b>

## Notes:

n/o = agency not operational

(1) through (54): 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 in Outlays)

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	35,488	6,324	41,812
2007	36,809	6,722	43,531
2008	39,767	7,215	46,982
2009*	45,999	7,616	53,616
2010*	47,971	7,873	55,844

\*Estimates

*Note: Numbers may not add to totals due to rounding. Data are based upon obligations incurred.*

*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 Regulation	Economic Regulation	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	33,463	4,757	38,220
2004	29,429	5,152	34,581
2005	29,525	5,224	34,749
2006	30,416	5,420	35,836
2007	30,721	5,610	36,330
2008	32,528	5,902	38,430
2009*	37,260	6,169	43,429
2010*	38,514	6,321	44,835

\*Estimates

*Note:* Numbers may not add to totals due to rounding. Data are based upon obligations incurred.

*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 Employees)**

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	32,567	234,528
2007	204,893	33,440	238,333
2008	215,147	34,324	249,471
2009*	229,412	36,888	266,300
2010*	235,667	36,808	272,475

\*Estimates

*Note: Numbers may not add to totals due to rounding. Data are based upon obligations incurred.*

*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 FY 1983 budget, data for the Food Safety and Inspection Service are for the Food Safety and Quality Service.
3. As of the FY 1996 budget, the Federal Grain Inspection Service and Packers and Stockyards Administration budgets were merged under the name Grain Inspection, Packers and Stockyards Administration.
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. Staffing data are unavailable for both Consumer Protection Programs and the Office of Lead Hazard Control and Healthy Homes.
6. The Office of Federal Housing Enterprise Oversight was abolished on July 29, 2009, as required by the Housing and Economic Recovery Act of 2008. The Federal Housing Finance Agency will effectively absorb all remaining resources prior to the termination date.
7. Prior to the FY 1974 budget, data for the Drug Enforcement Administration are for the Bureau of Narcotics and Dangerous Drugs.
8. In FY 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 the FY 1973 budget, data for the Bureau of Alcohol, Tobacco and Firearms were located under the Internal Revenue Service, Compliance.
9. 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 to the Occupational Safety and Health Administration for those years. In 1998, this agency began once again to receive funding.
10. 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 the United States government to future emergencies.<sup>8</sup>

11. 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 FY 2005 Budget of the United States Government.
12. Customs and Border Protection is a Department of Homeland Security agency, first appearing in the FY 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.
13. 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).
14. Coast Guard was moved from the Department of Transportation to the Department of Homeland Security in the FY 2004 budget.
15. In the FY 2005 budget, research and development activities were moved from the Federal Highway Administration to the Department of Homeland Security's Science and Technology Directorate.
16. 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.
17. Reports prior to 2003 (Regulatory Budget Report 24) included transportation-related agencies in the consumer safety and health category.
18. The Federal Aviation Administration is listed as an independent agency in 1960.
19. In the FY 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 FY 2005 budget, no regulatory activity takes place in the Federal Highway Administration.
20. In the FY 2004 budget, funding of the Motor Carrier Safety portion of the Federal Motor Carrier Safety Administration was shifted to Motor Carrier Safety Grants.
21. Prior to the FY 2006 budget, data for the Pipeline and Hazardous Materials Safety Administration are for the Research and Special Programs Administration, Pipeline Safety.

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<sup>8</sup> This description is based on 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.

22. The Surface Transportation Board was created on January 1, 1996, as a successor organization to the Interstate Commerce Commission.
23. 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.
24. Prior to the FY 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 are for Labor-Management Standards; data from 1970–1990 are for Labor-Management Services; and data from 1960–1969 are 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.
25. In the FY 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.
26. 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.
27. 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.
28. The 1960–1985 cost data for the Army Corps of Engineers were for the Protection of Navigation under the Operation and Maintenance category.
29. As of the FY 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.
30. 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.
31. In the FY 1997 budget, the U.S. Geological Survey picked up the research and development formerly done at the Fish and Wildlife Service.
32. 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.

33. These figures had included program and staffing costs for import/export authorizations under the Department of Energy’s Office of Fossil Energy’s Research and Development. After 2006, these activities were transferred to the Office of Electricity Delivery and Energy Reliability.
34. The Office of the Federal Inspector for the Alaska Natural Gas Pipeline was eliminated in 1997. It was no longer funded as of the FY 1987 budget. In the FY 2008 budget, the independent agency Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects was added pursuant to the Alaska Natural Gas Pipeline Act of 2004. The first numbers from this agency appear in 2007.
35. In years prior to 2007, the Department of Energy’s Office of Energy Efficiency and Renewable Energy issued energy conservation standards. These data reflect obligations under the non-grant portion of “Building technology, State and community programs.” This agency was discontinued in the FY 2009 Budget.
36. Prior to FY 1974, the Atomic Energy Commission performed the activities of the Nuclear Regulatory Commission.
37. For the 1964 data for the Comptroller of the Currency, only an estimate was found.
38. Prior to the FY 1990 budget, data for the Office of Thrift Supervision was for the Federal Home Loan Bank Board.
39. The Federal Housing Finance Board (FHFB) regulated 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. As required by the Housing and Economic Recovery Act of 2008, FHFB was abolished on July 29, 2009. The Federal Housing Finance Agency will effectively absorb all remaining resources prior to its termination date.
40. All data for the Federal Reserve System are presented on a calendar-year basis until the FY 2005 budget. Staffing figures are found in the Federal Reserve System’s *Annual Report: Budget Review*, various years. Numbers are estimated for the most recent fiscal years.
41. 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.
42. The 1960–1969 data for the National Credit Union Administration are for the Department of Health, Education and Welfare, Bureau of Federal Credit Unions.

43. The Agricultural Marketing Service was formerly the Consumer and Marketing Service. Starting with our 2003 report, these expenditures are included in the economic regulatory category.
44. As of the FY 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.
45. The Civil Aeronautics Board was abolished in 1984.
46. Prior to the FY 1976 budget, the Commodity Futures Trading Commission data are for the Commodity Exchange Authority, Department of Agriculture.
47. Prior to the FY 1980 budget, data for the Federal Energy Regulatory Commission are for the Federal Power Commission, the predecessor agency.
48. The Interstate Commerce Commission was abolished in 1996.
49. The Renegotiation Board was abolished in 1979.
50. The Cost Accounting Standards Board was abolished in 1980.
51. The Council on Wage and Price Stability was abolished in 1981.
52. 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.
53. 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.
54. Prior to the FY 1976 budget, the data for the International Trade Commission are for the Tariff Commission, the predecessor agency.