

If you were looking for data-driven regulatory policy, you're not going to find it in this Administration. On the contrary, Trump has marginalized economic analysis and wants to bulldoze environmental science. Thus, we are likely to get policies that are bad for the environment without being cost-justified, while ignoring policies whose environmental benefits outweigh economic costs. Raise your hand if you think this sounds like a good idea.

Let me start with the economic side of things. Since Ronald Reagan, the White House Office of Information & Regulatory Affairs has reviewed all major agency regulations with the aim of ensuring that their benefits exceed their costs. Trump has blown up that process in his executive order entitled, "Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative." As the title of the Executive Order indicates, the DOGE initiative controlled by Elon Musk has muscled into OIRA's territory. And there's no question about who will win if they disagree.

Moreover, cost-benefit analysis is only one in a longer list of factors that OIRA considers. The list includes two other factors which are basically short for "Trump's policy preferences." As the title also indicates, the goal is not "smart regulation" but rather, in Trump's word, "deconstruction of the overbearing and burdensome administrative state."

As to environmental science, recall that an earlier executive order asked the head of EPA to report back on whether to overturn the agency's earlier finding that climate change is real, cause by human activities, and harmful. This is somewhat like asking RFK, Jr. to report back on whether FDA should reconsider the theory that infectious diseases are caused by germs. (Maybe they're caused by vapors.) And in fact, the head of EPA has dutifully reported back in favor of embracing climate change denial.

If there were any doubts about how the regulatory process will work under Trump, they should be dispelled by his reported selection of Jeffrey Clark to head OIRA. Clark is the former Justice Department lawyer who is best known for his plan to be named Attorney General to help Trump overturn the 2020 election. That Clark was even considered for the position speaks volumes. There are many adjectives that could apply to Clark, but "data-driven" and "analytic" are not among them. And his new partner in regulatory affairs, Elon Musk, has so far been much more interested in "moving fast and breaking things" than in thoughtful decisions. (And of course, his DOGE team includes neither scientists nor economists).

Science and economics aren't going to count for much as the Administration rushes to put its agenda into effect. That might not matter much to Trump's followers, but it ought to concern more traditional conservatives who have advocated cost-effective government. The one silver lining is that running roughshod over science and economics is likely to lead to judicial reversals.