



COALITION FOR
SENSIBLE
SAFEGUARDS

Avoiding the Deregulatory Trap
It's not about fewer rules. It's about
rigging the system for the wealthy and
powerful

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ABOUT THE COALITION

The Coalition for Sensible Safeguards is an alliance of more than 22 consumer, labor, scientific, research, faith, community, environmental, small business, good government, public health, and public interest groups — representing millions of Americans.

We are joined in the belief that our country's system of regulatory safeguards should secure our quality of life, pave the way for a sound economy, and benefit us all.

The coalition is led by an executive committee co-chaired by Public Citizen and Consumer Federation of America. The committee also includes the AFL-CIO, the Center for Progressive Reform, the Economic Policy Institute, the Natural Resources Defense Council, and the Union of Concerned Scientists.

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Key Findings

The Trump administration has adopted “deregulation” as a public frame for its regulatory agenda. But this label is a myth intended to distract from the actual goal: rigging markets to benefit powerful economic actors even at the expense of everyone else. Supporters of sensible safeguards should reject this framing for the messaging gimmick it is.

- The Trump administration has made “deregulation” a central component of its economic agenda.
- A closer examination reveals supposed debates over deregulation are actually about the distribution of power in markets: about who writes the rules that govern a market and, as a result, who benefits from those rules.
- The Trump administration has added unnecessary and burdensome red-tape to the process of applying for public benefits and taken contrary stands on regulatory preemption depending on who would benefit from a single nationwide standard in a particular market, contradicting its claims that it’s laser-focused on reducing the number of regulations.
- Talk of deregulation obscures the fact that every market has rules – if they are not established by the government, then they will be made by powerful economic actors and will benefit those actors at the expense of others.
- Deregulation as a frame shifts focus from the goal of safeguards – keeping people safe and healthy – to their impact on regulated entities. It minimizes the perspective of workers, consumers, and the public, and adopts the viewpoint of the powerful economic actors being regulated.
- Supporters of sensible safeguards should stop using the deregulation frame. In discussing the Trump administration’s actions, efforts to eliminate safeguards should be analyzed in terms of what they reveal about the administration’s goals, meaning who benefits, how, and who is harmed in the process.

The Myth of Deregulation

Conservatives have long held out deregulation as a critical part of their economic agenda, arguing that by limiting the number and scope of regulations they can achieve greater economic growth and individual freedom. Supporters of critical health and safety protections often take this argument head on, correctly noting the dangers and costs unregulated markets impose on people.

But the right’s supposed commitment to deregulation is more rhetoric than reality. They are fine imposing new rules or onerous requirements when it suits their agenda. They are equally fine with a proliferation of regulatory standards when that is consistent with their policy goals.

Rather than an ideological question about how many rules should be in place in a given market, the policy debate is actually about who should hold the power in a market. Put another way, it’s about who the market should work for. By setting the rules of the road, regulations help to

distribute power within a given market, encouraging certain actions and discouraging others. They make it easier or harder for honest brokers to succeed. They make markets work better or worse for consumers. The supposed debates over deregulation are actually about that distribution of power: about who writes the rules that govern a market and who benefits from those rules.

Adopting the frame of deregulation obscures this reality, shifting the debate away from its real terms. It also ignores the fact that in any market, there will be rules. The question is who gets to write them, and thus who benefits from them. Finally, it focuses on the experience of regulated entities instead of the public, ignoring the reason for safeguards in the first place.

The Trump administration has adopted “deregulation” as a public frame for its regulatory agenda. Within his first week in office, President Trump issued an Executive Order (EO) titled “Unleashing Prosperity Through Deregulation,”¹ which directed agencies to identify at least ten regulations to be eliminated for every new one proposed, and has repeatedly trumpeted the number of regulations his administration has sought to eliminate.²

Supporters of sensible safeguards need to stop taking the deregulatory bait. Focusing greater attention on the real terms of the debate is important to better explain both what is at stake in these attacks on regulations and the underlying views that inform the administration's positions. Supporters of commonsense safeguards would do well to make both clearer.

I. It’s not about deregulation, but about benefiting favored constituencies at the expense of everyone else.

One of the biggest limitations with adopting the binary frame of regulation versus deregulation is that it does not accurately capture the substantive debate at issue. The Trump administration constantly uses language applauding deregulation, but actions by the administration show that it is not really concerned that there are too many rules in and of themselves. In some cases it seeks to impose more rules or oppose efforts to reduce the total number of rules. Rather, the administration wants to change the rules to benefit favored constituencies, frequently large corporations and other powerful economic actors, at the expense of everyone else, regardless of whether it means more or fewer regulations.

Consider Trump’s approach to administrative burdens in government programs and services. Administrative burdens are the “time tax” people pay in having to fill out confusing forms, provide the same information multiple times, or schedule and attend in-person visits to government offices to access programs or services.³ Reducing this red tape makes it substantially easier for people to apply for and maintain benefits and services, which leads to higher take-up rates for government programs.

¹ Executive Order 14192, “Unleashing Prosperity Through Deregulation,” 90 FR 9065 (Jan. 31, 2025), available at <https://www.federalregister.gov/documents/2025/02/06/2025-02345/unleashing-prosperity-through-deregulation>.

² The White House, “White House Office of Management and Budget’s Office of Information and Regulatory Affairs Releases End of Year Deregulatory Stats: Showing the Trump Administration Has Best Deregulatory Year in History,” (Dec. 19, 2025), available at <https://www.whitehouse.gov/briefings-statements/2025/12/32750/>.

³ Office of Management and Budget, “Tackling the Time Tax,” (July 2023), available at <https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/07/OIRA-2023-Burden-Reduction-Report.pdf>.

Recognizing the importance of reducing administrative burdens to ensuring that people eligible for programs and services actually receive them, the Biden administration made identifying ways to reduce such burdens a priority. That included making it easier to apply for farm loans, maintain Social Security disability benefits, and renew passports.⁴

If the Trump administration's primary concern was reducing the amount of regulation and eliminating rules that impose compliance costs on those least able to pay them, then these types of administrative burdens would be an excellent target. But rather than seeking to reduce administrative burdens, the Trump administration in many cases has sought to increase them.⁵

President Trump's signature reconciliation legislation paid for its tax cuts for the wealthy and corporations by reducing spending on programs like Medicaid and food assistance. It did this by imposing onerous new paperwork and red tape on program recipients, which are estimated to reduce coverage for millions of people.⁶

The Trump administration also has sought to increase burdens on other beneficiaries by weaponizing paperwork. For example, during the Biden administration, the Social Security Administration (SSA) made a number of changes to its process for maintaining eligibility for Supplemental Security Income – a program that serves disabled children, disabled adults, and older Americans with little or no income or resources.⁷ SSA sought to reduce the paperwork burden on recipients and their families by requiring less documentation in most cases; overall, the reforms saved nearly 200,000 hours of people's time.⁸ But now the Trump administration is planning to rescind these changes, which would increase red tape for hundreds of thousands of recipients and cut benefits for over 400,000 low-income older and disabled adults and children.⁹

The Trump administration's approach to administrative burden makes little sense from a standpoint of cutting red tape and reducing federal requirements. But it is fully consistent with a goal of making it harder for people to access government benefits, particularly low-income individuals, as a means to justify lower taxes on corporations and the wealthy.

⁴ *Id.*

⁵ Consider, for example, its support of work requirements in Medicaid and SNAP. Jess Mador, "Work Requirements and Red Tape Ahead for Millions on Medicaid," KFF Health News, Aug. 4, 2025, available at <https://kffhealthnews.org/news/article/work-requirements-medicaid-georgia-red-tape-eligibility/>.

⁶ Elizabeth Zhang and Gideon Lukens, "Medicaid Work Requirements Will Take Away Coverage From Millions: State and Congressional District Estimates," Center on Budget and Policy Priorities (July 22, 2025), available at <https://www.cbpp.org/research/health/medicaid-work-requirements-will-take-away-coverage-from-millions-state-and>.

⁷ Office of Management and Budget, "Tackling the Time Tax," (July 2024), available at <https://bidenwhitehouse.archives.gov/wp-content/uploads/2024/07/OIRA-2024-Burden-Reduction-Report.pdf>.

⁸ *Id.*

⁹ Kathleen Romig and Devin O'Connor, "Trump Administration Poised to Cut SSI Benefits for Nearly 400,000 Low-Income Disabled and Older People," Center on Budget and Policy Priorities (Aug. 7, 2025), available at <https://www.cbpp.org/research/social-security/trump-administration-poised-to-cut-ssi-benefits-for-nearly-400000-low>.

Similarly, consider the Trump administration’s approach to preemption, meaning the displacement of state standards with federal ones. Replacing multiple state standards with a single federal one can reduce the burden overall, particularly for businesses operating in multiple states. But support for preemption, both from supporters and opponents of safeguards, is not determined by its impact on the overall number of regulations, but on whether it results in stronger or weaker protections.

Where the administration believes it can implement less restrictive federal standards for favored constituencies, then it seeks state preemption.¹⁰ But where states and localities are better positioned to reduce protections that result in costs for such constituencies, the administration seeks to avoid preemption by devolving regulatory authority to them.¹¹ The central concern is not the amount of regulation, but who benefits from the change to the rules and who does not.

That the Trump administration favors wealthy donors and large corporations over the broader public is not a surprising revelation; it is a central thesis of many of the critiques of its policies and practices. But adopting the frame of regulation versus deregulation obscures this fact, making it seem like an argument over the optimal number of rules we should be subject to in various parts of our lives and how burdensome they should be. That is not the actual debate: rather, it’s a question of who should benefit from the rules that will be in place.

II. It’s not about deregulation, but about letting powerful market actors write the rules of the road.

In addition to missing the substance of the debate, framing the issue as regulation versus deregulation obscures how markets operate. Implicit in this framing is that one side, supporters of regulation, want to impose rules on an economic system as opposed to letting individuals freely choose how they interact with others. But that’s not how markets work.

All markets – in fact, all complex systems – have rules. Markets cannot function without well-defined property rights, systems of exchange such as currency, transparent pricing, and means of enforcing the rules of the market, among other things.¹² The issue is not whether we should have rules, but rather what they are and who should write them.

Without rules established by government, rules are instead set by market actors. And when there is an imbalance in power among market actors, as is virtually always the case, those rules are established by the most powerful market actors and are designed to benefit them at the expense of everyone else.

Consider the health insurance market. Prior to the passage of the Affordable Care Act (ACA), insurers could retroactively cancel insurance plans when individuals became sick due to

¹⁰ Gowri Ramachandran, “Trump’s AI Order is More Bark Than Bite,” Brennan Center for Justice (Dec. 16, 2025), available at <https://www.brennancenter.org/our-work/analysis-opinion/trumps-ai-order-more-bark-bite>.

¹¹ Environmental Protection Agency, “EPA & Army Corps Unveil Clear, Durable Water Proposal,” (Nov. 17, 2025), available at <https://www.epa.gov/newsreleases/epa-army-corps-unveil-clear-durable-wotus-proposal>.

¹² Sam Berger, “Regulations Are a Critical Part of a Functioning Economy,” Coalition for Sensible Safeguards (May 27, 2025), available at <https://sensible safeguards.org/regulations-are-a-critical-part-of-a-functioning-economy/>.

paperwork or clerical errors, which would allow insurers to save substantial amounts of money by taking away health care when people need it most. The ACA prohibited this practice and made other pro-consumer changes.¹³

The health insurance market is not unusual in this respect. Recent work by Chad Maisel and Neale Mahoney focuses on the Annoyance Economy – “what we pay in time, fees, and irritation to navigate our daily lives.”¹⁴ Maisel and Mahoney detail the range of such annoyances: everything from long waits when dialing customer service to complicated paperwork to elaborate processes to cancel subscriptions or services.

The authors calculate that these types of annoyances cost American families at least \$165 billion each year in wasted time and lost money. They note that in many cases these annoyances are intentional: “cynical attempts to slow consumers down, wear them out, or quietly extract value. Simply put: Companies make it easy for us to do things that they want, but conspicuously difficult to do things that we want, but are not in their interest.”¹⁵

These types of annoyances are not immutable facts of the market. They can be addressed with sensible regulations, and have been in the past. Prior to regulation by the Federal Trade Commission (FTC), optometrists and ophthalmologists made it difficult for eye exam customers to then buy eyeglasses from someone else, including by charging their customers additional fees or refusing to provide a subscription.¹⁶ But the FTC prohibited those practices, making it easier for customers to purchase eyeglasses from whoever they wanted, resulting in more competition and lower prices.

Not surprisingly, recent efforts to address the Annoyance Economy – *e.g.*, make markets work better for customers instead of large corporations – have been opposed by the Trump administration. For example, Trump’s Department of Transportation (DOT) announced it was ending efforts started in the Biden administration to create airline passenger rights, such as requiring airlines to provide cash refunds to customers who suffered significant flight delays.¹⁷ It is also beginning to roll back rules to protect passengers from hidden and surprise fees.¹⁸ In doing so, Trump’s DOT explicitly cites the president’s executive orders on deregulation as the reason for abandoning these efforts.¹⁹

¹³ Sarah Lueck, “Eliminating Federal Protections for People with Health Conditions Would Mean Return to Dysfunctional Pre-ACA Individual Market,” Center on Budget and Policy Priorities (Oct. 5, 2020), available at <https://www.cbpp.org/research/health/eliminating-federal-protections-for-people-with-health-conditions-would-mean-return>.

¹⁴ Chad Maisel and Neale Mahoney, “Taking on the Annoyance Economy,” Groundwork Collaborative (Feb. 9, 2026), available at <https://groundworkcollaborative.org/work/taking-on-the-annoyance-economy/>.

¹⁵ *Id.*

¹⁶ Sam Berger, “Regulations Are a Critical Part of a Functioning Economy,” Coalition for Sensible Safeguards (May 27, 2025), available at <https://sensiblesafeguards.org/regulations-are-a-critical-part-of-a-functioning-economy/>.

¹⁷ Department of Transportation, “Airline Passenger Rights; Withdrawal,” 90 FR 51230 (Nov. 17, 2025), available at <https://www.federalregister.gov/documents/2025/11/17/2025-20042/airline-passenger-rights-withdrawal>.

¹⁸ Coalition for Sensible Safeguards, “Rigging the Rules in 2025,” (Feb. 19, 2026), available at <https://sensiblesafeguards.org/reports-and-studies/rigging-the-rules-in-2025/>.

¹⁹ Office of Management and Budget, [Reginfo.gov](https://www.reginfo.gov), last accessed Apr. 17, 2026.

There will always be rules within a market; the question is who should write these rules and who should benefit from them.

III. Focusing on solving people's problems.

The government should work for the people, not for the most powerful and largest corporations. It should make our lives easier, support people in pursuing their vision of the good life, and contribute to our well-being. Regulatory safeguards are designed to do just that. But talk of regulation versus deregulation diverts attention from the reason for safeguards – the efforts to solve problems and improve our lives – excluding the perspective of anyone other than regulated entities.

Well-designed rules make markets work better for people, reducing their burdens and freeing up their time and resources for other pursuits. Regulations that ensure food and drug safety save people from having to spend time exhaustively researching risks on their own, to the extent that would even be possible. Consumer safety standards mean people can trust that the products they buy are safe to use without having to conduct their own safety tests. And financial disclosure requirements help people to better understand the relevant costs for major purchases, such as a home mortgage.

While these types of regulations impose some measure of burden on producers – who themselves benefit from the sale of these products – they vastly reduce burdens on individuals and help producers who want to compete in a fair market. For many businesses, compliance with regulation – even stringent regulatory standards – becomes a selling point for their products and services.

An individual confronted with an insurer's complicated morass of forms and processes is not freer because of a lack of government rules. Rather, they are experiencing burdensome rules established by a powerful market actor; from that perspective, it is the nature of the rules, not whether they are established by the government or private actors, that matters.

The deregulation frame focuses solely on the costs born by industry – and the power dynamic between industry and government – while obscuring the more important power dynamic between individual consumers and far more powerful market actors.

The Trump administration recognizes the value to its overall project in removing the impact on people from the debate. President Trump's EO on deregulation only discusses the cost of regulations, not mentioning their benefits even once.²⁰ This makes no economic sense. And, it defies common sense, too.

If agencies are to consider the costs, they should also consider the benefits of regulations. But the benefits generally reflect the impacts of rules on people – the health, safety, consumer, and environmental benefits that are the reason for the regulations in the first place. The costs, on the

²⁰ Executive Order 14192, "Unleashing Prosperity Through Deregulation," 90 FR 9065 (Jan. 31, 2025), available at <https://www.federalregister.gov/documents/2025/02/06/2025-02345/unleashing-prosperity-through-deregulation>.

other hand, generally reflect the impact of regulations on businesses. By focusing solely on costs, the Trump administration obscures the impact of its actions on people.

The Trump administration has taken other steps to ignore or minimize the benefits of regulation. The Biden administration conducted a lengthy process – including public comment and peer review – to update agency standards for benefit-cost analysis.²¹ These updates, in part, helped agencies to better account for the benefits of regulatory actions. The Trump administration quickly repealed these changes without any public comment or peer review.²²

In perhaps the most egregious illustration of this argument, the Trump administration’s Environmental Protection Agency (EPA) announced that it would no longer account for the health benefits of reducing the most common forms of air pollution.²³ By ignoring hundreds of billions of dollars worth of benefits to people – in the form of reduced deaths, hospitalizations, heart attacks, and more – the Trump EPA is hiding the human impact of its giveaway to large polluters.

IV. A better way to talk about attacks on safeguards.

Whenever possible, supporters of safeguards should be clear about what is actually occurring when the administration attacks agency rules. Regulations, whether they are adding new protections or removing them, shape how our economic system operates. At a fundamental level, they determine who the system works for and who it does not.

In analyzing the Trump administration’s actions, therefore, it is less helpful to talk about deregulation, even when highlighting its dangers. It’s more important to use attacks on existing regulations as a way to understand the administration’s ideology and agenda: who they are working to help, how they are doing so, and who they do not mind hurting in the process.

Proponents of sensible safeguards should do everything they can to center in their analysis the role that power plays in regulations. Regulations make things work better for people, unrig the system, and stop powerful economic actors from cheating and hurting us. These are all constructive ways to explain why proponents of sensible safeguards support them and accurately capture the role that regulations play in our markets and our lives. Most importantly, supporters of regulations should make sure they are always clearly answering two questions: (1) who is writing the rules; and (2) who is benefiting from them.

²¹ Office of Management and Budget, Circular A-4 (Nov. 9, 2023), available at <https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/11/CircularA-4.pdf>.

²² Office of Management and Budget, Memorandum M-25-15, “Rescission and Reinstatement of Circular A-4,” (Feb. 12, 2025), available at <https://www.whitehouse.gov/wp-content/uploads/2025/03/M-25-15-Rescission-and-Reinstatement-of-Circular-A-4.pdf>.

²³ Richard L. Revesz, “The Trump Administration Now Thinks Clean Air is Worthless,” *The New York Times*, Jan. 26, 2026, available at <https://www.nytimes.com/2026/01/26/opinion/epa-air-pollution-asthma-deaths.html>.