

Chapter 15a – Special Groups: Regulators, Earmarks

A. Why the Topics in This Chapter Are Different from Earlier Chapters

1. Treatment of each issue is a short general overview
2. All issues involve the general question, “What is the best way to do good for the nation in this area of its life?”
 - a. Answers come from an evaluation - whether policy fulfills gov’t purpose of doing good for nation as whole
 - b. Proper decision depends on *evaluating the results* of certain policies & actions
3. Biblical justification for this approach
 - a. Responsibility of those in authority is to be “God’s servant *for your good*” (Rom 13:14).
 - b. Gov’t to give “approval” and “praise” to those who do what is good (Rom 13:3, 1 Pet 2:14).
 - c. Gov’t is to serve the people, not be served by the people (argued in ch. 3, pp. 80, 86-87).
 - (1) Examples: Samuel as a model of a good ruler vs. warning against a king in Israel (1 Sam 12:3-4, cf. 8:11–17)
 - d. Gov’t should safeguard human liberty which is valued by God (argued in ch. 3 pp. 91–95)
4. Topics covered in this chap. may result in sincerely held differences of opinion among Bible-believing Christians
 - a. Arguing for or against a policy based on *results*, may lead to a difference of opinion on what exactly the results are.
 - b. Topics are less directly based on specific Scriptures; therefore churches & people should be willing to hear arguments from differing sides within the parameters of encouraging gov’t to seek the good of the nation as a whole.
5. Topics concern laws & policies that give special gov’t benefits to certain special groups, not to the nation as a whole.
 - a. The results *for the nation as a whole* will be the basis of evaluation
 - b. My general argument in this chap: *The United States should abolish several laws and policies that give benefits to special groups* - laws and policies that cost the nation much more than the benefits they bring to the nation.

B. Regulators: Invisible Bureaucrats Who Regulate People’s Lives

1. American lives controlled by an army of bureaucrats at various gov’t agencies: EPA, OSHA, FDA, EEOC, CPSC, etc
 - a. Some regulations are from a passage of laws in Congress, others are simply the rulings of regulators within agencies.
 - b. Necessary product control & safety standards and justice in workplace vs. agencies that become overly intrusive.
See **Phillip K. Howard, *The Death of Common Sense: How Law is Suffocating America***. ** EXCELLENT BOOK!
 - (1) Commitments to *detailed regulatory law* results in no flexibility to make judgments based on need and specific circumstances in an individual situation. Regulations generally applied in a blind & often harmful manner.
 - (2) Governing by “excruciating detail” vs. allowing for the exercise of freedom & common sense to make decisions according to broad guidelines.
 - (3) Loss of human freedom – fines for doing no harm, hundreds of hours spent on paperwork, etc.
 - (4) Sand as poison according to OSHA, ex. Glen-Gery Brick, near Reading, PA.
(silica also contained in beach sand)
 - (5) OSHA Material Safety Data Sheets (MSDS) for Brick Poisoning (silica)
 - (6) MSDS for Windex, employee cited for not putting a warning label on table salt - citation of Florida company
 - (7) So many thousands rules, keeping one may still end up in violating another: ex. home renovation in Brooklyn, p.516
 - (8) Many people shut down their businesses or move out of their homes due to arbitrary enforcement of inflexible rules.
 - (9) ***The Road to Serfdom* by F. A. von Hayek**: Gov’ts tend to nibble away at freedom little by little, until freedom is lost.
2. Citizens, & especially legislators, must continually be on guard against such (see ex.’s above) increasing gov’t regulation.
 - a. Over regulation is anti-democratic - it does not allow people to make their own choices (ex. light bulbs).
 - b. It is anti-free market – gov’t regulators, rather than the wants of the economy, determine economic activity
 - c. Over regulation deteriorates human freedom in incremental steps.
 - (1) Ex. Automobile industry (Murray Weidenbaum, Center for the Study of American Business, Washington Univ. St. Louis) – fuel efficiency standards cause 2200 additional deaths per year. Consumers are forced into smaller vehicles.
 - (2) Safety & emissions requirements add more than \$2,500 to the price of the average new automobile - a hidden tax.
 - (3) People drive old cars longer, can’t afford to replace. Not getting the intended benefit of these very safety regulations
 - (4) Gov’t regulations actually make cars *heavier* because of add-ons for safety requirements thus combatting fuel efficiency requirements.
 - (5) Laws to control emissions also reduce fuel efficiency.
 - (6) The end result of much of this regulation is that consumers often get less safe, more expensive vehicles.
 - d. Report by Eli Lehrer, Competitive Enterprise Institute, 2008:
 - (1) Louisiana – illegal to arrange two or more types of flowers without passing a largely subjective state lic. exam
 - (2) Use of Cardio-Pump during heart attack requires informed consent of the person being saved – FDA regulation.
 - e. California regulates HDTV sales due to power consumption, causing consumers to purchase out of state - further harming the CA economy.

- f. Consumer Product Safety Improvement Act of 2008 – broad law over reacting to fear of lead poisoning in toys imported from China (in 2008, one child in the entire United States was injured by lead poisoning from toys).
Results:
- (1) Thrift shops cleared supplies of books and toys - not because of presence of lead, but because testing to prove books contained no lead was massively expensive.
 - (2) Toy shops and toy manufacturers driven into bankruptcy
 - (3) Goodwill and Salvation Army predicted destruction of \$100 million in inventory. – Direct loss of overall wealth for the nation and direct loss of availability of toys for low income families.
 - (4) Toy stores predicted loss of \$600 million in discarded toys
 - (5) Motorcycle and ATV makers predicted loss of \$1billion (items could be sold to “older” children).
 - (6) Children’s clothing stores suffered huge losses
 - (7) All of this is not because any of these products contained any lead, but because the manufacturers could not afford to have independent third-party testing and labeling to demonstrate that they did not have any lead!
 - (8) Congressman Henry Waxman, D-California, Chairman of House Energy Committee refuses to even hold hearings concerning reform of the law.
3. The examples above demonstrate that government bureaucrats who regulate people’s lives have obtained far too much power, and the nation as a whole is poorer as a result.

- C. Earmarks - spending directives inserted by members of Congress into laws and congressional committee reports.
1. Members of Congress can, without accountability, direct many millions of gov’t dollars to pet projects anonymously.
 - a. See quote from Sunlight Foundation, p.520.
 - b. The earmarks process gives immense power to more senior members of Congress to direct funds, especially member of appropriation committees in the House and Senate.
 - c. Earmarks often serve as a reward to large campaign contributors with federal funds directed to some pet project or other – according to the Sunlight Foundation
 - d. Some reforms to this process were instituted in the 110th Congress (2007-9), but the process is still a basis for the widespread funding of pet projects & special interests. (Update: Republicans agreed to substantial earmark reform in 2011 Congress – need details.)
 - e. Earmarks account for 2% of the federal budget (a huge amount)
 - f. According to Citizens for Government Waste, in 2009 there were 10,160 earmarks, totaling \$19.6 billion. Examples:
 - (1) \$3.8 million for the Old Tiger Stadium Conservancy in Detroit;
 - (2) \$1.9 million for the Pleasure Beach water taxi service in Connecticut;
 - (3) \$1.8 million for swine odor and manure management research in Ames, Iowa;
 - (4) \$380,000 for a recreation and fairgrounds area in Kotzebue, Alaska;
 - (5) \$143,000 for the Greater New Haven Labor History Association in Connecticut;
 - (6) \$95,000 for the Canton Symphony Orchestra Association in Ohio; and
 - (7) \$71,000 for Dance Theater Etcetera in Brooklyn for its Tolerance through Arts initiative.
 - g. Major Problem: individual members of Congress direct millions in gov’t money that will benefit certain groups in their own states.
 - h. Not the process of budget direction intended for the U.S. Gov’t
 - (1) Congress has the responsibility to pass the overall budgets, but it’s the responsibility of the Executive Branch under the President and the agencies in his charge to allocate funds in the various categories.
 - (2) This process should not be taken over secretly and with no vote and no accountability by members of Congress.