Section II: Regulations in the Real World

Critics of regulations would have their audience believe two basic things: that regulations are created without accountability by "unelected government bureaucrats"[1] and that these regulations impose adverse effects that far outweigh any good that they do.

The reality is much different. In fact, the government officials who are in charge of creating regulations are among the most regulated professionals in the United States.[2] The road to completing a regulation is full of check points involving numerous mandatory analyses and multiple opportunities for comment by potentially affected parties, particularly small businesses.

Many of these requirements were created during the past three decades. The net effect has been to create obstacles in the rulemaking process that frustrate the implementation of clearly needed measures to protect the public's health and safety.

Our enumeration in *Cranes & Derricks* of the decade-long saga to create an uncontroversial standard that was actually requested by industry illustrates the disproportionately cumbersome requirements that stand in the way of implementing life-saving safeguards.

OSHA Inaction illustrates that the cranes saga was not an exception. Here, we document the degree to which the creation of worker-safety rules in general has slowed since 2001.

The crawling pace with which the government completes new rules is not limited to worker-safety protections. *Public Safeguards Past Due* shows that 79 percent of pending regulations missed deadlines set by Congress.

The hostility toward regulation is predicated on the assumption that regulations are harmful to business and do not do much good, anyways. But, here too, the rhetoric is at odds with reality.

The Unsung Hero in American Innovation reports on five cases in which new rules spurred industries to develop products or processes that yielded unexpected benefits, both for the public and the industries, themselves.

Similarly, *Regulations at Work* chronicles five stunningly successful workplace safety rules. For example, a 1970s rule aimed at preventing a form of lung disease in textile workers reduced the incidence of the illness by 97 percent, with nothing but benefits for industry.

Industry Repeats Itself illustrates that the recent-vintage hysteria over regulations is nothing new. Here, we have the benefit of hindsight to evaluate the merits of doomsday predictions. Advocates for the financial services industry, including the U.S. Chamber of Commerce, predicted dire consequences for creating the Securities and Exchange Commission and the Federal Deposit Insurance Corp. Today, these institutions are almost universally held up as bedrocks of our system.

The volume of critics' attacks against regulations in recent years drowned out any serious contemplation of the merits of their charges. The facts we lay out here illustrate the need for policy makers to discern between demagoguery and reality.