

## **Howard Williams' Testimony**

**July 19, 2012**

### **"Continuing Oversight of Regulatory Impediments to Job Creation: Job creators Still Buried by Red Tape" Committee on Oversight and Government Reform**

Early in the 20<sup>th</sup> Century cyanide used as a fumigant was as apt to kill the neighbors as it was the intended vermin.<sup>i</sup>

In *The Secret History of Lead*, Jamie Lincoln Kitman writes that, "in December 1922 the US Surgeon General, H.S. Cumming, wrote Pierre DuPont: "Inasmuch as it is understood that when employed in gasoline engines, this substance will add a finely divided and nondiffusible form of lead to exhaust gasses, and furthermore, since lead poisoning in human beings is of the cumulative type resulting frequently from the daily intake of minute quantities, it seems pertinent to inquire whether there might not be a decided health hazard associated with the extensive use of lead tetraethyl in engines."<sup>ii</sup>

A federal bureau studying the matter decided it would, "refrain from giving out the usual press and progress reports during the course of work, as newspapers are apt to give scare headlines and false impressions before we definitely know what the influence of the material will be."<sup>iii</sup>

Ultimately, the report omitted the word, "Lead", using instead "Ethyl" because, "If it should happen to get some publicity accidentally, it would not be so bad if the word "lead" were omitted as this term is apt to prejudice somewhat against its use."<sup>iv</sup>

Gasoline sales at that time were around eight billion gallons per year. It was then estimated that if Ethyl Gas could corner just 20% of that market, it would yield a profit of \$40 million per year.<sup>v</sup>

Lead was outlawed as an automotive gasoline additive in 1986.

Leaving 1922, and moving ahead 90 years to the more current story in the Chicago Tribune's 4-part series on flame retardants, we see truly "scary headlines" and, again, the need for regulation.

Repeating a comment from my February testimony on Regulatory Reform, "A thriving free market economy self-regulates demand, supply and price, but it does not uniformly, or equitably, regulate health, safety and environmental responsibility."

The invisible hand of the free market does not naturally yield to the good of the whole.

Regulation is its necessary balance, and spirited debate its necessary counter-balance.

Fred Knapp, Jr., in writing for The Hill, cites several independent survey findings pointing to a weak economy and low customer demand to be limiting business and jobs growth; noting a 2011 U.S. Chamber of Commerce poll asking what the top obstacle to hiring new employees was, only 8% said, "too much regulation".<sup>vi</sup>

I manage the Pennsylvania division of an American Owned business specializing in the manufacture of architectural building products.

Our business, as all businesses are, is subject to regulation, but our investment decisions are made on the basis of market research and financial analysis. The cost of regulation has never been the deciding factor in these decisions.

Our marketplace did not experience a double digit growth 2011 over 2010, but we did because we continued to invest in our people, our products and our environment.

We did not lose jobs because of the economy or regulation. We created 94 new jobs at our site since July 2008 and an additional 29 at a new business start-up.

Investments in workplace safety, trade and commerce, and environmental aspects have resulted in reduction in Workers Compensation rates, increased security at each of our 3 sites, and the management and continuous improvement of our environmental aspects.

Our work and investment in Sustainability resonates with our customers. It is within the great free market that, customer demand raises the bar on performance higher than federal or state regulation.

In his 1961 farewell address, President Eisenhower said, "Another factor in maintaining balance involves the element of time. As we peer into society's future, we – you and I, and our government – must avoid the impulse to live only for today, plundering for, for our own ease and convenience, the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without asking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow."<sup>vii</sup>

Regulation is a necessary balance because the invisible hand of the free market does not naturally, or even willingly, yield to the good of the whole.

Business growth and jobs creation will continue to be rooted in the basics of market demand.

Business growth by deregulation has the potential to externalize costs that were otherwise covered at the point of origin.

Business gains from deregulation will not likely be shared with the America of tomorrow, and we will have done what President Eisenhower warned us against. We will have, "mortgaged the material assets of our grandchildren", because we chose, "to live for today, plundering, for our own ease and convenience, the precious resources of tomorrow."

Thank you.

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<sup>i</sup> The Poisoner's Handbook; Deborah Blum

<sup>ii</sup> The Nation, March 2000, The Secret History of Lead, Jamie Lincoln Kitman

**<http://www.thenation.com/article/secret-history-lead?page=full#>**

<sup>iii</sup> The Nation, March 2000, The Secret History of Lead, Jamie Lincoln Kitman;

<http://www.thenation.com/article/secret-history-lead?page=full#>

<sup>iv</sup> The Nation, March 2000, The Secret History of Lead, Jamie Lincoln

Kitman <http://www.thenation.com/article/secret-history-lead?page=full#>

<sup>v</sup> Radford University, Charles F. Kettering and the 1921 Discovery of Tetraethyl Lead In the Context of Technological Alternatives, Bill Kovarik, Ph.D. <http://www.radford.edu/wkovarik/papers/kettering.html>

<sup>vi</sup> <http://thehill.com/blogs/congress-blog/economy-a-budget/207957-small-business-polls-reject-anti-regulation-rhetoric>

<sup>vii</sup> <http://mcadams.posc.mu.edu/ike.htm>

Committee on Oversight and Government Reform  
Witness Disclosure Requirement – "Truth in Testimony"  
Required by House Rule XI, Clause 2(g)(5)

Name: **HOWARD WILLIAMS**

1. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2009. Include the source and amount of each grant or contract.

**NONE**

2. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.

**CONSTRUCTION SPECIALTIES, INC.  
P.O. BOX 380  
MUNSCY, PA 17756**

**RELATIONSHIP: EMPLOYER**

3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2009, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

**NONE**

I certify that the above information is true and correct.  
Signature: 

Date: **7-17-12**

July 17, 2012

Bio:

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**Memberships & Affiliations:**

Evangelical Free Church of America; Evangelical Free Fellowship, Muncy, PA; member  
National Rifle Association; Life Member  
Keystone Sportsman; Life Member  
Business-NGO <http://www.bizngo.org/>  
Green Chemistry in Commerce Council; <http://greenchemistryandcommerce.org/>  
Safer Chemicals Healthy Family; <http://www.saferchemicals.org/>