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Snakes in the Capitol

By Tim Dietz – SSA Sr. VP, Communications & Government Relations



Occasionally when I tell an industry stranger that I represent the Self Storage Association, they will give me a cock-eyed look and say something along the lines of, “There’s an association for that?” They seem genuinely surprised.

But we are now a very robust \$20 billion a year industry. Find an industry with that much cash flow that doesn’t have an industry trade association, and you’ll likely also find millions squandered due to a regulatory structure dictated by unrelated, uninformed, or worse, individuals.

As the industry has matured, we have caught the interest of legislators and other government officials for many reasons, including our remarkable growth as a sector (and perceived revenues), and because we cater to a certain segment of lower-income Americans who are considered vulnerable, particularly during difficult economies. In the recent past, frivolous laws have been introduced to prevent price-gouging, though there has been absolutely no evidence of price-gouging by our industry. Another law would have made storage operators liable for fraud involving abandoned private records, when there is no way a storage operator could possibly know what is stored in a unit.

These are just two small examples of the very real influence that governments—local, state and federal—can have. In September, a group of small business owners sat in front of the U.S. House Government Oversight & Reform Committee to share stories of capitalism stifled by overreaching bureaucrats.

Among them was snake broker Dave Barker, whose mere appearance on Capitol Hill sent every half-witted pundit in Washington clamoring for slithery, slimy clichés. The gray-mustached Texan embodied the independent grit of the Southwest. More importantly, he represented small businesses vulnerable to strangulation via increasing regulatory mandates. You think self storage operators must contend with negative PR on occasion? Barker breeds exotic pythons and delivers them via mail order. I’m fascinated by that, in and of itself. Imagine if his business had the “last known address” problems that our industry faces.

The proposed rule in question falls under an obscure 111-year-old law called the Lacey Act, which made it illegal to transport nine species of snakes across state lines. The new rule interpretation of the U.S. Fish & Wildlife Service (FWS) redefines the python snake as “injurious,” thus making it subject to the law. According to Barker, the rule, which the FWS says is necessary to protect the Florida Everglades from non-native species, would eliminate ninety percent of his business. Committee chairman Darrell Issa (R-CA) says Barker’s plight demonstrates current regulatory trends which ignore economic impact and are based on dubious research.

“The business owners and workers who bear the brunt of these regulations are not Fortune 500 executives; they are main street business owners and workers from around the country,” Issa said. “These firms, their families, suppliers, customers and employees all bear the cost of these new and proposed regulations.”

Barker’s cringe-worthy testimony sheds light on potential impacts of government regulations on small business sectors. In support of him and his colleagues, the U.S. Association of Reptile Keepers (USARK) released a scathing rebuke of the proposed rule change, prompting the question, “There’s an association for *that?*” ❖