



President George W. Bush  
The White House  
Washington, D.C. 20500

March 7, 2001

Dear President Bush:

We are troubled by the nomination of John D. Graham, currently the director of the Harvard Center for Risk Analysis (HCRA), to serve as the administrator of OMB's Office of Information and Regulatory Affairs. Given the enormous impact that office can have on the public welfare -- in matters ranging from environmental protection to occupational safety -- it is vital that the holder of that office both be and appear fair-minded.

Under Dr. Graham's direction the HCRA has received substantial funding from government and from such corporate entities as the American Petroleum Institute, Association of American Railroads, Boise Cascade Corporation, Ford Motor Company, Goodyear Tire & Rubber Company, Kraft Foods, Merck & Company, Monsanto Company, Dow Chemical Company, Frito-Lay, Novartis Corporation, Pfizer, and the Union Carbide Foundation. That funding suggests an allegiance to corporate interests that would be improper for the director of OIRA. More troubling, and as documented in the Public Citizen report, Dr. Graham's and HCRA's positions, studies, speeches, and testimonies all too regularly support the positions of their industry funders.

We are concerned that Dr. Graham's preoccupation with risk-benefit analyses will be invoked to prevent many vitally important regulations. Artfully chosen assumptions may be used by industry to create misleading estimates of risks and benefits that could then be used as an excuse to undermine needed regulations. Moreover, while risk-benefit analyses can be useful, too often they are inappropriate or impossible to conduct. The inability to conduct accurate analyses could be used to prevent the adoption of important federal regulations that could provide significant -- but non-quantifiable -- health and environmental benefits. For instance, protecting wilderness areas and improving the utility of food labels are perceived by the general public as beneficial, but may reflect values that do not lend themselves to computation on an economist's calculator.

We commend your oft-stated goal of adhering to high ethical standards. Appointing high-level officials with real or perceived conflicts of interest is, however, contrary to such goals. Even when an individual is academically qualified for a position, a real or perceived conflict of interest undermines ethical norms and is also likely to jeopardize public confidence in an agency.

Therefore, we oppose the confirmation of John D. Graham to head the Office of Information and Regulatory Affairs. Individuals with conflicts of interest or strong ties to the industries to be regulated ought not to serve in government positions such as the one for which Dr. Graham is being considered. Qualified individuals without such conflicts or ties can surely be found.

Sincerely yours,

Michael F. Jacobson, Ph.D.  
Executive Director

Ronald Collins  
Director, Integrity in Science Project