



November 20, 2006

Dear Senator:

We are writing to oppose the nomination of Susan Dudley to the position of administrator of the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget.

As the OIRA administrator, Susan Dudley would be granted enormous power over regulatory policy, which she will abuse to promote corporate special interests over the public interest. OIRA has the ability to weaken or eliminate safeguards of the public health, safety, civil rights, privacy rights, and environment through oversight power the White House has granted it under Executive Order No. 12,866, and it can distort or suppress needed information through its information management powers under the Paperwork Reduction Act. We know from Dudley's writings and past positions that she is deeply hostile to regulatory safeguards and that she brings a radical agenda to this obscure but incredibly powerful office.

Dudley's record is one of unrelenting hostility to protective standards for the public interest. The following is just a sample of her extreme positions:

- Smog is good for you — and all those poor asthmatic children who would suffer in peak ozone periods should just stay indoors.
- There is no economic justification for protecting workers through the Davis-Bacon Act or the Occupational Safety and Health Act.
- Improved standards lowering the levels of arsenic in our drinking water were an “unwelcome distraction.”
- We are too irrational to exercise our right to know about the toxic hazards to which we are exposed.
- Advanced air bag designs should not be mandatory in all vehicles, because if the public truly wanted them the market would have already provided them.

These positions are just the tip of the iceberg. Our reasons for opposing Dudley are more fully explained in the recent report by Public Citizen and OMB Watch, *The Cost Is Too High: How Susan Dudley Threatens Public Protections*. There are three main objections to Dudley's nomination:

1. *She would block needed safeguards for the public health, safety, civil rights, the environment, or other public interest needs by making it impossible for agencies to ever justify a new protective standard.* Dudley insists that the only justification for a regulatory protection is to correct a “market failure” — but, as she has unilaterally redefined this macroeconomic term of art, there never is such a thing as market failure. Moreover, she would demand impossible levels of scientific proof that would block any precautionary measures intended to protect the public before it has suffered irreversible harm. Additionally, she has argued against national standards from the federal

government, even in the case of preserving wild spaces *in national forests owned by the federal government.*

2. *She comes to the office with a radical agenda that would put the public at risk.* Dudley has called for such radical policies as regulatory “sunsets,” or drop-dead dates by which agencies would be forced to review all the rules on the books and re-establish the need for them (even such proven protections as the ban on lead in gasoline), or else the safeguards would be erased. She has also called for the distortion of safety-first laws such as the Occupational Safety and Health Act and the Mine Safety and Health Act, which forbid the use of bean-counting cost-benefit analysis as the dispositive test for public protections. This proposal is especially troubling given that the Mine Safety and Health Administration is currently working on new protections for miners, which Congress required after the fatal mine tragedy in Sago.
3. *She has deep and troubling ties to regulated industry.* Dudley has spent the last several years as a mouthpiece for corporate special interests at the industry-funded think tank Mercatus Center. There, she penned regulatory comments attacking proposed safeguards and coordinated industry demands for regulatory rollbacks. OIRA has already set itself up as one-stop shopping for corporate special interests seeking to stall, weaken, or eliminate regulatory safeguards; Dudley would take that role to new extremes.

For these reasons, we believe that Susan Dudley is the least appropriate nominee ever submitted since OIRA was created, and we urge you to oppose her nomination.

Sincerely,

9 to5 Colorado

9 to5 Poverty Network Initiative

9 to5, National Association of Working
Women

Action for a Clean Environment

ActionPA

AFL-CIO

Alliance for Healthy Homes

American Federation of State, County and
Municipal Employees

American Federation of Teachers - Oregon

American Optometric Association

Armstrong Family Trust

AZ Pain and Rehab Clinic

Black Warrior Riverkeeper, Inc.

Calegislation

Caney Fork Headwaters Association

Center for a Competitive Waste Industry

Center for Independent Living of South
Florida

Center for International Environmental Law

Chicago Committee for New Priorities

Child Care Law Center

Citizen Action of New York

Citizens Against Factory Farms, Inc.

Citizens for a Clean Columbia River-
Wenatchee

City and County of San Francisco,
Department on the Status of Women

Common Sense Party

Communications Workers of America
(CWA) Local 1180

Community Advocacy Training Services

Concerned Consumers of Tallahassee

Cook Inletkeeper

Cumberland Countians for Peace & Justice

Department on the Status of Women, City
and County of San Francisco

Environmental Health Project Ecology
Center

Ethical Society of Philadelphia

Fairmont, MN Peace Group

Flagstaff Nuclear Awareness Project

Food & Water Watch

Food First/Institute for Food and
Development Policy

FOR THE CHILDREN of America

Franciscan Province of Our Lady of
Guadalupe--New Mexico and Arizona

Fresno Coalition Against the Misuse of
Pesticides

FRIA (Friends and Relatives of
Institutionalized Aged)

Friends of Hurricane Creek

Friends of Perdido Bay

Fund for Innovative TV

Genesis Community Loan Fund

Georgia Rural Urban Summit

Government Accountability Project

Green Party of Clallam County, Washington
State

Gulf Restoration Network

Hackensack Riverkeeper, Inc.

Hamtramck Environmental Action Team
(HEAT)

HIVictorious, Inc.

Housing Association of Delaware Valley

Huron Environmental Activist League

Institute for Peace and Justice (St. Louis,
MO)

International Brotherhood of Teamsters

International Union, United Auto Workers

Iowa City Area NOW

JOBS NOW Coalition

Joyful Spirits Consulting

“Just” People

Kansas Chapter of The National Action
Network

L.A. Gay & Lesbian Center

LI Health Access Monitoring Project

Long Island Coalition for a National Health
Plan

Long Term Care Community Coalition

Low Income Investment Fund

Macomb Audubon Society

Maryland Association of Nonprofit
Organizations

MT-CHEER (MT Coaltn. for Health, Econ.
& Env. Rights)

N.H. Citizens for Health Freedom

National Association of Social Workers –
Maryland Chapter

National Organization for Women

National Women’s Law Center

Natural Resources Defense Council

Nature’s Nurture

Needful Provision, Inc. (NPI)

Network for Environmental & Economic
Responsibility

New York Committee for Occupational
Safety and Health

NorthEast Development Alliance

Ocean Outfall Group

Office of Justice, Peace and Integrity of
Creation Franciscan Province of Our
Lady of Guadalupe--New Mexico and
Arizona

OMB Watch

Prince William Soundkeeper

Privacy Rights Clearinghouse

PrivacyActivism

Progressive Leadership Alliance of Nevada

Public Citizen

Radio Free Nashville, Inc.

Residents for Affordable Housing (RAH)

RESULTS

Russian Riverkeeper

Saint Peter Damian Fraternity Secular
Franciscan Order

Science and Environmental Health Network

Service Employees International Union
(SEIU)

Sierra Club

Tax Fairness Oregon

Thalia Spanish Theatre

TII CANN - Title II Community AIDS
National Network

United Food and Commercial Workers
International Union

USAction/USAction Education Fund

Valley Watch, Inc.

Virginia Organizing Project

Waimaha/Sunflower Residents' Association
Inc.

Western Lake Erie WATERKEEPER

Women's International League for Peace
and Freedom

WV Citizen Action Group