



November 3, 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,

9to5, National Association of Working Women
9to5 Colorado
9to5 Poverty Network Initiative
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
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
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
Community Advocacy Training Services
Concerned Consumers of Tallahassee
Cook Inletkeeper
Cumberland Countians for Peace & Justice
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
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 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
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
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
Science and Environmental Health Network
Service Employees International Union (SEIU)
Tax Fairness Oregon
Thalia Spanish Theatre
The Long Island Coalition for a National Health Plan
The Saint Peter Damian Fraternity Secular Franciscan Order
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