

Echols, Mabel E.

From: gunier,
Sent: Monday, March 16, 2009 4:44 PM
To: FN-OMB-OIRA-Submission
Subject: comments on Federal Regulatory Review

Dear Director,

Thank you for the opportunity to comment on the regulatory review process by the Office of Management and Budget (OMB). My experience with OMB reviews comes primarily from the process of setting environmental regulations. I believe the relationship between OMB and other agencies should more closely reflect the purpose of OMB reviews which are to coordinate regulatory policy, ensure consistency with the President's priorities and to offer a second opinion. Unfortunately, OMB's role has become much greater than that, where the relationship becomes that of gatekeeper and final authority for approval.

For example, OMB's role in reviewing new chemical assessments for the USEPA's Integrated Risk Information System is currently to provide two reviews of each document which has resulted in further delays for new and updated assessments. Even worse is the lack of transparency of the process and fact that the comments from these reviews are considered secret under executive privilege. Contrary to the opinion of the former Vice President, the review of federal regulations is the business of the people and should be made publicly available just like all other comments.

Public participation is critical to prevent the regulatory process from becoming a series of back room deals between political appointees and industry lobbyists.

The role of cost-benefit analysis has been very central to several OMB reviews of recent regulations. For example, the cost benefit analysis for the new ozone standard included all costs but only a single year of health benefits. These analyses should consider the entire benefits of a proposed change, albeit at a discounted rate, to better reflect the interests of future generations. The right future generations to inherit a livable planet and country is paramount to future regulatory reviews that OMB will no doubt be conducting related to climate change and where delays and watered down regulations will be more costly than ever.

Sincerely,

Robert Gunier