

TESTIMONY



OPENING STATEMENT OF
SENATOR SUSAN M. COLLINS
SENATE GOVERNMENTAL AFFAIRS COMMITTEE
*Nomination Hearing of Dr. John Graham to be OIRA
Administrator*
March 17, 2001

I look forward to this hearing on Dr. John Graham's nomination to be administrator of the Office of Information and Regulatory Affairs. Along with others on this committee, I have been able to work with Dr. Graham on such issues as the Thompson-Levin regulatory reform bill – legislation that drew the cosponsorship of a diverse group of Senators in both parties.

Dr. Graham's credentials for this position are stellar, and it would be hard to imagine anyone better qualified for the job. OIRA is responsible for reducing government paperwork and ensuring that regulations are drafted in a manner that will achieve their goals, without unnecessary costs and increased risk. Dr. Graham has been a leader in the application of sophisticated tools, such as risk analysis, that let us accomplish such regulatory rationalization in a far more effective manner. Far from being "paralysis through analysis," the risk-analysis tools used by Dr. Graham and his colleagues help avoid regulatory paralysis and enhance public safety and welfare. And it would be difficult to find a person better qualified to use these tools for the public good than Dr. Graham, a professor at the Harvard School of Public Health and the founder of the Harvard Center for Risk Analysis. In the years since its establishment, the Center has provided invaluable research on regulatory health and safety issues.

I am pleased to note that every single person, whether Republican or Democrat, ever to hold the position of OIRA administrator – every person, that is, except for two who are now federal judges and are quite properly prohibited from

making such endorsements – have signed a letter to you, Mr. Chairman, and the Ranking Member, on Dr. Graham’s behalf. In this letter, they urge us to act expeditiously, and with an open mind because, in their words, "we are confident that [Dr. Graham] is not an ‘opponent’ of all regulation but rather is deeply committed to seeing that regulation serves broad public purposes as effectively as possible." This statement from the people who know the job best is clearly a powerful indication of Dr. Graham’s capability. It also highlights the non-ideological, nonpartisan, scholarly approach he will bring to OIRA.

Mr. Chairman, it is unfortunate that a few groups have decided to oppose Dr. Graham’s nomination not by engaging in debate about his beliefs and positions but by attacking his personal character, and that of his academic colleagues at Harvard. Rather than discussing the merits of his analysis, his critics have tried to insinuate that he is somehow "corrupt" because, like most academic institutions, the Harvard Center accepts private donations from industry groups.

Those who make such criticisms clearly know little about the Center. The Harvard Center, after all, receives considerable public funding too, and has tougher conflict-of-interest policies than that of Harvard University as a whole. The Center is funded both by private industry and by the government’s own regulatory and research agencies, including such organizations as the Environmental Protection Agency, the National Science Foundation, and the National Cancer Institute.

Measurement of the effectiveness and efficiency of government regulations makes good sense. And it is ludicrous to suggest that rigorous analysis of government laws and regulations is somehow against the public interest. But to undertake such study is all that Dr. Graham has done.

After all, Dr. Graham is hardly an opponent of well-crafted, common-sense regulation. He has sounded the alarm, for example, over the deteriorating quality of indoor air quality in this country – a subject that has been virtually forgotten in our

debates over clean air standards. Dr. Graham has also been an advocate of such conservation measures as the higher gasoline tax and tax credits for those who purchase vehicles utilizing a variety of energy saving devices. He was also a supporter of efforts to regulate particulate matter. Are all of these the positions of a man whose scholarly views have been "captured" by private industry? Clearly not.

In closing, Mr. Chairman, allow me to make a few observations:

Were Dr. Graham not strongly in favor of effective safety regulations, the American Trauma Society and the Task Force for Child Survival and Development would not have sent strong letters in support of his nomination – but they did.

- Were Dr. Graham not strongly in favor of effective regulations to protect Americans' health, the President of the American Council on Science and Health would

not have
informed me
that Dr.
Graham
would be an
outstanding
OIRA
administrator
– but she
did.

- Were Dr.
Graham not
superbly
qualified for
this position,
he would not
have drawn
the praise of
every former
OIRA
administrator
legally
permitted to
give it, and
he would not
have won a
rousing
chorus of
endorsements
from scholars
of all
political
persuasions
and from
many
different
disciplines –
but he has.

Mr. Chairman, I am confident that, at the end of the day, the American people will be impressed not only with Dr. Graham's qualifications and experience but also with his willingness to leave academia for the public service.

Thank you, Mr. Chairman.

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