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## **CPR Reacts to OMB Peer Review Revisions** **New proposal is 'better, but not good'**

Center for Progressive Regulation Member Scholar Sidney A. Shapiro, law professor at the University of Kansas, today reacted to the White House Office of Management and Budget's release of its revised guidelines for peer review of information from federal regulatory agencies. Following is the text of Shapiro's remarks:

OMB's new version of its Peer Review Guidelines is better, but still not good. The new guidelines eliminate some of the most egregious problems of the original proposal, particularly in terms of stacking panels with industry representatives. But the system it would impose on regulatory agencies is insufficiently transparent, and still encourages agencies to avoid open government requirements. And at its core the guidelines continue to reflect OMB's failure to grasp the difference between private research and publishing and government information. Government activity has a unique obligation to be transparent, so that public can know what is being done its name. These guidelines continue to fail that test because the processes it imposes will remain too secretive.

Still, the guidelines are overly broad in their application. Too many routine regulatory processes will be slowed down by OMB's plan. Language in the guidelines limiting peer review to certain issues is simply inadequate, and the likely result is that important regulatory work will be hamstrung by unnecessary review. Vital health and safety protections will languish as a result.

We see again today that the Administration's approach to regulatory matters is to get away with as much as it politically can, and back off only if the firestorm gets too hot. It's good that the Administration has improved this proposal. Plainly, it decided it couldn't stand the heat.

Shapiro authored CPR's December 2003 comments on OMB's initial peer review proposal, available on the web at [http://www.progressiveregulation.org/articles/CPR\\_Peer\\_Review\\_OMB\\_Dec\\_03.pdf](http://www.progressiveregulation.org/articles/CPR_Peer_Review_OMB_Dec_03.pdf).

Founded in 2002, the Center for Progressive Regulation is a nonprofit research and educational organization of university-affiliated academics with expertise in the legal, economic, and scientific issues related to regulation of health, safety, and the environment. CPR supports regulatory action to protect health, safety, and the environment. For more information on CPR or the issues we work on, or to arrange interviews with CPR scholars, send email to [mfreeman@progressiveregulation.org](mailto:mfreeman@progressiveregulation.org), or call 301-762-8980. Visit CPR on the web at [www.progressiveregulation.org](http://www.progressiveregulation.org).