
Introduction

Special interests have launched a sweeping assault on protections for public health, safety, the environment, and corporate responsibility – and unfortunately the Bush administration has given way. Crucial safeguards have been swept aside or watered down; emerging problems are being ignored; and enforcement efforts have been curtailed, threatening to render existing standards meaningless.

This agenda puts special interests above the public interest, sacrificing a safer, healthier, more just America at the behest of industry lobbyists, corporate campaign contributors, and professional ideologues – many of whom the president has appointed to “regulate” the very interests they used to represent.


Over the last 30 years, we have made significant progress through strong public safeguards. Our air and water are cleaner, our food, workplaces, and roads are safer, and corporations and the government are more open and accountable to the public. These protections have saved thousands upon thousands of lives and improved the quality of life for all Americans – without hobbling industry or the economy.

Nonetheless, significant problems remain. Every year, more than 40,000 people die on our nation’s highways. Foodborne illnesses kill an estimated 7,000 and sicken 76 million. Nearly 6,000 workers die as a result of injury on the job, with an additional 50,000 to 60,000 killed by occupational disease. And asthma – linked to air pollution – is rising dramatically, afflicting 17 million, including six million children.

We should address these problems, and others, by building on past successes. Instead, as detailed in this report, the Bush administration has reversed course. Specifically, the administration has:

- **Weakened or repealed a host of important safeguards.** Within months of taking office, the Bush administration moved to kill or weaken a host of Clinton-era health, safety, and environmental protections – including restrictions on hard rock mining, new energy efficiency standards, and ergonomics rules to protect workers, just to name a few.

Over the last three years, this procession has not let up. From giveaways to the timber industry to the slashing of overtime pay to the repeal of food labeling requirements, the Bush administration has consistently put narrow corporate interests over the broader public good.

- **Asserted White House powers to block agency efforts to protect the public and environment.** The administration has sometimes been forced to act because of statutory or judicial requirements. In these cases, John Graham, administrator of the Office of Information and Regulatory Affairs (OIRA), an obscure but powerful office inside the White House Office of Management and Budget, has stepped in and provided a
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roadblock. In one highly dubious case that drew a stinging rebuke from a federal appeals court, Graham forced the National Highway Traffic Safety Administration to adopt a less protective standard – favored by automobile manufacturers – for warning drivers of under-inflated tires, which are linked to thousands of injuries and more than 100 deaths a year. OIRA has also substantially weakened a host of new EPA standards, including proposals to limit construction runoff (the largest source of pollution in U.S. coastal waters), cut diesel emissions from large ships and tankers, and protect the trillions of fish that are sucked up and killed each year by power plants, which use rivers, estuaries, and oceans to cool their systems.

At the same time, Graham has pushed a host of policy changes that make it more difficult for agencies to promulgate new health, safety and environmental standards. This includes new emphasis on monetizing the benefits of prospective regulation, frequently an impossible task; guidelines that allow industry to challenge the information that supports regulation; and a plan that would allow OIRA to demand industry-dominated “peer review,” which could be used to grind regulatory agencies to a halt.

- **Failed to address regulatory gaps.** The administration has refused to update and strengthen existing standards, address regulatory gaps, or take on new emerging problems. For example, of the three “significant” standards completed by EPA over the administration’s first three years, two were required by court order and the other rolled back restrictions on power-plant emissions. By contrast, EPA completed 30 economically significant standards over the first three years of the Clinton administration and 21 over the first three years of the Bush I administration.

In addition, a number of important new standards were still in development at the end of the Clinton administration. This included, for instance, standards to clamp down on air pollution in national parks, prevent workplace Tuberculosis, and limit head and neck injuries in automobile crashes – all of which have since been scuttled. In fact, the Bush EPA has completely abandoned 62 Clinton-era rulemakings, while OSHA has dropped work on 21 and the Food and Drug Administration 57.

- **Relaxed corporate oversight.** For standards that remain on the books, the administration is scaling back enforcement efforts – ignoring lessons from the recent wave of corporate accounting scandals, which were aided by an absentee SEC. For instance, the administration has cut EPA enforcement personnel by 12 percent; the average penalty for willful OSHA violations has fallen by 25 percent; FDA actions against misleading drug promotions have plummeted by almost 80 percent;


and tests for mad cow disease were conducted at fewer than 100 of 700 cattle slaughterhouses between 2001 and 2003. With no cop on the beat, corporate abuses are bound to increase.

- **Moved to restrict access to health and safety information.** In the most high profile example, the administration refused to provide documents related to Vice President Cheney's energy task force, which among other things, resulted in proposals to boost supplies of oil and coal rather than alternative energy sources. Unfortunately, this is just the tip of the iceberg. The administration's commitment to secrecy runs wide and deep.

In October 2001, Attorney General John Ashcroft issued guidance to federal agencies on implementing the Freedom of Information Act, which is frequently used by outside parties to obtain health and safety information. The memo, in essence, encouraged agencies to withhold information whenever possible – a fundamental reversal of past policy, which stressed disclosure where possible.

This same principle has also been applied in dealings with Congress. For example, EPA withheld analysis showing that the administration's plan to reduce power plant emissions – the "Clear Skies Initiative" – is far less effective than alternative bipartisan legislation. Meanwhile, the administration has punished federal employees who have stepped in to blow the whistle. In one case, the Federal Aviation Administration transferred Bogdan Dzakovic, who formerly led mock raids on airports, to bureaucratic Siberia after he publicly faulted the agency for suppressing warnings and rigging security tests.

The administration has also moved to broadly restrict access to health and safety information – including data on chemical facilities – in the aftermath of the terrorist attacks of Sept. 11, 2001, without taking into account the benefits of disclosure. In the past, the public has used such information to hold corporate interests and government accountable to achieve significant safety improvements. By restricting access, the administration is inviting complacency and a false sense of security, without addressing the actual danger. Indeed, public disclosure can actually make us safer – by providing necessary incentives for change – while honoring our democratic values.

- **Put politics over science.** From clean air and water to worker safety to a healthy food supply, science is at odds with the Bush agenda. The administration has responded by suppressing and censoring government reports, misrepresenting scientific information, and stacking scientific advisory committees with its corporate and ideological allies. For instance, the administration blocked EPA from reporting scientific findings that linked global warming to human activity; doctored
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information to support increased drilling; and placed industry affiliates on an advisory committee on childhood lead poisoning.

- **Awarded federal contracts and grants in secret, without accountability, and for apparently political purposes.** The administration's approach to federal contracting and grantmaking provides one of the best examples of its willingness to put special interests over the public interest. Of course, there's the secret, no-bid contract awarded to Halliburton, the former employer of Vice President Cheney, for work in Iraq. However, the administration has undermined accountability for contracting in numerous other ways as well.

Upon taking office, the administration immediately moved to repeal Clinton-era contractor responsibility standards, which sought to ensure that the government does not contract with chronic lawbreakers, including violators of protections for public health, safety, the environment, and civil rights.

At the same time, the administration pressed forward with plans designed to steer money to its political and corporate allies. This includes new rules for privatizing the federal workforce, which threaten to create a modern-day spoils system, and administrative actions to award social-service grants to religious congregations – which are not subject to the same civil rights and financial disclosure requirements as other federal grantees. Meanwhile, grantees that disagree with the administration's policies have faced continuous harassment, including retaliatory audits.

Needless to say, this special interest takeover puts the public at significant risk. More power-plant pollution – permitted by an administration rollback – means more birth defects and premature death. The administration's refusal to act on reactive chemicals in the workplace – ignoring the advice of its own chemical safety board – means more workers killed and injured. The dramatic decline in enforcement actions against improper drug advertising makes it more likely that consumers will be misled about a drug's effectiveness and cheated out of their money. The administration's decision to withhold tire-safety information at the behest of the auto industry prevents consumers from making informed purchases to protect themselves and their loved ones. Downplaying the risk of Salmonella and Listeria, without scientific evidence, fosters a false sense of security over the nation's food supply. And the administration's privatization plan allows political appointees to award taxpayer dollars based on a subjective "best value" standard rather than cost, paving the way for corruption and waste.

Unfortunately, these are just a few examples. The following pages detail a government of special interests, by special interests, and for special interests. The people are no longer in control.