

ALLIANCE FOR HEALTHY HOMES

Working for Affordable Healthy Housing for All



December 29, 2009

Dr. Peter Orszag
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Re: Hiring of Randall Lutter to Work in OIRA

Dear Dr. Orszag:

On behalf of the undersigned individuals and organizations, we would like to express our concern over the recently publicized “detailing” of Randall Lutter from FDA to OIRA¹. At a time when the administration is considering a wide range of regulatory initiatives, it is critical that OIRA provide sound analyses and accurate assessments to regulatory agencies. We are concerned about Mr. Lutter’s past public statements and analyses, especially as they relate to sensible environmental and public health regulations widely accepted as cost effective by other experts and the general public.

In particular, as individuals and organizations committed to eliminating health-based hazards in housing, we are deeply concerned with Mr. Lutter’s past work around quantifying the benefits of preventing lead exposure in children. In his 2000 analysis², Mr. Lutter reached the disturbing conclusion that EPA and HUD’s lead standards were overly protective because they measured the benefits to the children, rather than to the parents. He argues that forcing parents and society to invest in protecting children from IQ loss amounted to an inter-generational redistribution of income and, “...such redistribution is inequitable because children are likely to live longer and have much higher incomes than their parents.” It is an unthinkable policy position to suggest that society is better off with a permanent loss of a child’s IQ points since a child’s longer life span and increased earning potential will offset the loss caused by their brain damage. Clearly society as a whole has a strong interest in ensuring future generations have an adequate supply of intelligent and capable leaders, a benefit not measured by Mr. Lutter’s analysis.

Furthermore, his analysis ignores the well-documented fact that the harm caused by lead poisoning is unevenly distributed, more greatly impacting minority and low-income

¹ Eilperin, Juliet. “Controversial economist probing cost of proposed new air pollution rule.” Washington Post, December 3, 2009. <http://www.washingtonpost.com/wp-dyn/content/article/2009/12/03/AR2009120302143.htm>

² Lutter, Randall. “Valuing Children’s Health: A Reassessment of the Benefits of Lower Lead Levels (March 2000).” AEI-Brookings Joint Center Working Paper No. 00-02. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=243537

children. Mr. Lutter's statement, "... the children who would benefit from reduced lead hazards are living in the care of their parents, and their parents have control of such hazards" profoundly ignores the realities of the housing market and the extent to which families are able to identify and select housing that is free from hazards. In addition to the fact that little information is available to parents on the presence or absence of lead hazards in housing, many parents, including those residing in federally subsidized or publically owned housing that the HUD regulations were intended to protect, had little, if any control over the quality of their housing stock.

Although Mr. Lutter's contributions to the literature appropriately belong in an academic discussion of cost-benefit and regulatory analysis, we cannot understand why the Administration, given its public commitment to pursuing many of the very goals and policies viewed as ill advised by Mr. Lutter, would choose to elevate him to the role of a regulatory gatekeeper at OIRA. There is much to accomplish and many important public health regulations pending. The alignment of OIRA with federal policy goals is critical.

Thank you for your attention to our concerns and we look forward to your response. You can reach us through the Alliance for Healthy Homes, 50 F St. NW, Suite 300, Washington, DC 20001 or pmacroy@afhh.org

Sincerely,



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