Index

accountability 7, 22, 34, 144, 152
Administrative Procedure Act (1946) 22, 134
analysis, generally
analysis of analysis 14–16, 37–8, 65-66, 88-90
analyst types 13
back-of-the-envelope analysis 154–5
challenges 3–4, 8, 129–31, 158–9
complexity implications 5, 36, 129–30, 133, 153–5
criticism 3–5, 14–16, 34–6, 64–5, 85, 159
deadlines 69, 72, 75, 77, 124, 131, 152, 161–2
delays 35, 64–5, 89–90, 96, 130–31, 144–6, 161–2
democratic tensions, and 6–8, 64, 136
expertise role 6–8
historical development 8–10, 20, 26–9, 121
ignoring results 48–51, 91, 96–7, 131, 145, 149
improvement proposals 146–56
independence 12–13, 42–3, 45, 75, 79, 138–9, 149–50, 161
legal structure 13, 43, 139–41, 151–3
limitations 4–5, 16–17, 44, 141–2, 153–6, 159–60
process and product, interaction between 150–51
public participation 5, 12, 23, 64–5, 71, 73–4, 86, 91, 94–6, 98, 100, 102, 103, 113, 118, 124–5, 129, 133–5, 146–8, 161
satisficing 4, 149, 160
timing 40–41, 44, 123–4, 138–9, 148, 150, 154–5
Arbuckle, Donald 110
Army Corps 12, 33, 83, 88, 127
aviation sector
cost-benefit analysis case study 45–7, 123, 134, 152
back-of-the-envelope analysis 154–5
Bird, Robert 108
branch method 3–5, 159, 162–3
Brown, Elizabeth 108
bureaucratic influences 122
bureaucratic embedding of analysts 138
cost-benefit analysis 43–4, 124
environmental impact assessments 12, 92–3
ignoring analysis results 48–51, 91, 96–7, 131, 145, 149
Integrated Risk Information System (IRIS) 75
risk assessment 57, 70–72, 75, 79, 124, 138–9
Caldwell, Lynton 85
Carrigan, Christopher 36, 154
Centers for Disease Control and Prevention
infectious disease control guidelines 113–15
Clean Air Act (1963) 59
lifetime risk assessment criteria 59–60
Coglianese, Cary 63–4
comprehensive-rational analysis 3–5, 6, 16–17, 24, 26, 156–7, 159–63
background and development 8–10, 26–9
benefits 7–8, 16–17, 120–21, 126–9
challenges 3–5, 8, 129–32, 162
cost-benefit analysis, compared 32–5, 42, 53
criticism of 3–5, 14, 16, 34–5, 120–21, 153, 162
equipment impact assessments, compared 82–3, 86–7, 88, 90, 98
economic efficiency 35, 54
environmental impact assessment, differences from 87
ethical concerns 34
judicial review 132–3
judicial review 36, 129, 132–3
length and complexity trends 129, 155
not working well 43–4
political influences 27, 35, 79
public participation 41, 123, 134
regulation role 40–41, 122
criticism 34–6
historical development 26–7, 33
deadlines 69, 75, 77, 141, 151–3, 161–2
delays 161–2
cost-benefit analysis 35, 130–31
equipment impact assessments 89–90, 96, 144–6
risk assessment 64–5, 130–31
DeMuth, Christopher 34
dietary supplements
cost-benefit analysis case study 48–51, 131
Dror, Yehezkel 8
equipment impact assessments
application, scope 82
background and development 82–90, 127–8
bureaucratic influences 12, 92–3
case studies
Beluga whales import prohibition 101–2, 125
Mexican truck entry restrictions 99–101, 124–5, 131–2, 135, 137
cost-benefit-rational analysis, compared 82–3, 86–7, 88, 90, 98
cost-benefit analysis case study 51–3
contracting out 93
cost-benefit analysis
Army Corps flood control projects 33
back-of-the-envelope analysis 155
background and development 32–3
bureaucratic influences 43–4, 124
case studies
aviation security 45–7, 134, 152
cooling water intake 51–3
dietary supplements 48–51, 130
comprehensive-rational analysis, compared 32–5, 42, 53

criticism 34–6
delays 35, 130–31
economic efficiency 35, 54

economists’ views 41–5
environmental impact assessment, differences from 87
litigation 84–5, 87, 97–8, 100, 125
mitigated FONSI approach 85, 88, 93–4, 127, 135, 155–6
political influences 86, 88–9, 137, 145
public participation 84, 86, 94–6, 98, 101–3, 124–5, 134–5, 146–7
working poorly 96–7
working well 12, 93–6, 102–3

Analysis and public policy
Index

Environmental Protection Agency
  cost-benefit analysis
    cooling water intake case study 51–3
  impact assessments
    alleged savings resulting from 110–11
  risk assessment 27
    duty and powers 58–9
    formaldehyde risk assessments 64–5
  Integrated Risk Information System (IRIS) case study 73–6
  pesticide registration case study 76–8
  reform proposals 60–61
  risk management, links between 60–62
  science charade 63–4
  equity impact analysis 107
  executive branch agencies
    criticism 21–2, 25
    discretionary powers 24–5
    historical development 21–2
    notice and comment process 22–3
    restrictions 21–3
    standards-setting powers 24–5
  Executive Order 12291 (1981) 26–7, 33, 134
  Executive Order 12866 (1993) 27–9, 102
  Executive Order 13563 (2011) 28

Federal Motor Carrier Safety Administration
  Mexican truck entry restrictions EIS case study 99–101, 124–5
  Flood Control Act (1936) 33
  Food and Drug Administration 27, 62
    dietary supplements cost-benefit analysis case study 48–51, 120, 122, 131
  Forester, John 4–5, 16
  formaldehyde risk assessment 64–5

Ginsburg, Douglas 34
Glucker, Anne 146–7

Government Accountability Office
  environmental impact assessments 89–90
  Regulatory Flexibility Analysis 108–9
  risk assessment policies of EPA 60–61, 73
  UMRA, analysis 109–10
  Graham, John 15, 28, 65–6, 69, 76
  Greenberg, Michael 88–9
  Greenwood, Ted 64
  Hahn, Robert 35–6
  Harrington, Winston 36
  health impact assessments 106–7, 118
  Homeland Security
    regulations, and cost-benefit analysis 43, 64, 134, 140, 148, 149
    impact analysis see also environmental impact assessments
      adoption trends 105–7
      background and development 105–10
      decision-making influences 105, 110–12, 117, 126
      differences from other analysis methods 117–18
      executive orders 110, 117–18
      judicial review 112, 132
      limitations 106–10, 117
    Regulatory Flexibility Analysis 25, 27, 106–11, 121, 132, 154
    savings resulting from 110–12
    small business (SBREFA) panels 27, 108–9, 112–17, 120, 125–6, 128–9, 135, 137, 140, 145–8
    benefits 117–18
    infectious disease exposure case study 113–17
    incremental decision-making 3–5, 159–61
    infectious disease control
      impact analysis 113–17
      Medical Removal Protection provisions 114–15
      Workplace Infection Control Plan 114–17
      inflationary impact statements 26
Information Quality Act (2000) 28
Integrated Risk Information System (IRIS) 73–6, 121, 123–4, 139, 148, 151, 160
criticisms 73–4, 76, 124, 130–31
legal and bureaucratic influences 75
political influences 74–5, 136–7
risk assessment case study 73–6
Interstate Commerce Commission (ICC) 21

Jackson, Henry 'Scoop' 82
Jasanoff, Sheila 6, 80 (n)
Jay, Stephen 85
Jenkins-Smith, Hank 9, 12, 106
judicial review 140, 141, 152–3
back-of-the-envelope analysis 155
cost-benefit analysis 36, 129, 132–3
environmental impact assessments 12, 87–8, 92–3, 96–8, 125, 127–8, 132–3, 152–3
limitations 132–3

Kagan, Robert 140
Karkkanien, Bradley 85, 87
Kelman, Steven 34

Landy, Marc 21, 37–8
Lavertu, Stéphane 152
legal influences 14, 122, 139–41, 160
see also judicial review; public participation
adversarial system 138–9
Congress, role and powers 43, 151–2
deadlines 69, 75, 77, 141, 151–3, 161–2
risk assessment 57, 70–72, 75, 79
Leman, Christopher 154
Lindstrom, Matthew 85, 87
Livermore, Michael 36
Lynn, Laurence 9

McNamara, Robert 8–9
Marchant, Gary 63

Marine Mammals Protection Act (1972) 101
Mayhew, David 145
Meltzer, Arnold 3–4, 7, 13, 15, 42, 138
mitigated FONSI approach 85, 88, 93–4, 127, 135, 155–6
Morgenstern, Richard 15, 36–8
Morall, John 35

National Academy of Sciences
OIRA risk assessment guidelines, criticism 61
risk assessment studies and reports 58–63, 73–4, 76, 134
National Ambient Air Quality Standards (NAAQS) 63–4
experts, employment trends 140
judicial review 132–3
Nelson, Robert 154
New Deal 21–3
notice and comment process 22–3

Occupational Safety and Health Administration 24, 39, 65, 109
infectious disease impact analysis 113–17, 145
Office of Advocacy of Small Business Administration (SBA) 110–11
Office of Information and Regulatory Affairs 25–6, 28, 34
independence 42, 149–50
political influences 43
risk assessment guidelines 61
role and purpose 42, 69, 149–50
Office of Management and Budget 26, 34, 61
Olson, Erik 34

Paperwork Reduction Act (1980) 25, 106
Pesticide Registration Improvement Act (2003) 77
pesticides
EPA registration risk assessment case study 76–8, 126–7, 152
Planning, Programming and Budgeting System (PPBS) 8–9, 11, 29, 32, 121, 136, 138
Plato 6
political influences
analysis, generally 9–12, 128–9, 136–7, 144–6, 160
cost-benefit analysis 33, 34, 43, 51
environmental impact assessments
86, 88–9, 137, 145
regulation 20–21
risk assessment 58–60, 70, 72, 74–5, 79, 136–7
SBREFA panels 145–6
Porter, Theodore 33
progressivism 18, 21, 162.
public participation
analysis, relationship between 23, 133–5, 146–8, 161
benefits and limitations of 22–3
cost-benefit analysis 41, 47, 54, 123, 134
environmental impact assessments
84, 86, 94–6, 98, 101–3, 124–5, 134–5, 146–7
risk assessment 71, 124, 134–5
SBREFA panels 135, 146–7
timing, relevance of 148

“Quality of Life” reviews 26
Radin, Beryl 15, 138
Rayner, Steve 5,
Regulation 20
cost-benefit analysis 26–7, 34–8, 40–45, 53–5, 122–3
criticism 34–6
historical development 33
criticism 1–2, 24–5
historical development 21–5, 121
impact analysis 107–110, 125–6
increasing role 1–2, 20
resistance 21–2
retrospective review 28
risk assessment 27–8, 58–66, 67–72, 78–9, 123–4
Regulatory Analysis Review Group 26
regulatory experimentation 155–6
Regulatory Flexibility Act (1981) 25, 27, 106–8, 132–3
Regulatory Impact Analysis
background and introduction 26–7
cost-benefit analysis 32–3
criticism 26–7
reform proposals 36
Renn, Ortwin 6–7, 63
Revesz, Richard 36,
risk assessment
agenda-setting 123
assumptions 70, 72
background and development 27, 58–66
bureaucratic influences 57, 70–72, 75, 79, 124, 138–9
case studies
EPA pesticide registration 76–8, 126–7, 152
Integrated Risk Information System (IRIS) 73–6
challenges and concerns 63–4, 70–71, 76
comprehensive-rational analysis, compared 57, 78
cost-benefit analysis, compared 57–8, 64–5, 71, 78, 123
criticisms 57–8, 60, 69, 78
definition 58
delays 64–5, 130–31
environmental impact assessment, differences from 87
ethical concerns 57
NRC studies and reports 58–63, 73–4, 76, 134
OIRA guidelines 61
political influences 58–60, 70, 72, 79
public participation 71, 124, 134–5
reform proposals 61–2
risk, concept understanding 58, 63
risk management, links between 58, 60–62, 67, 139
science and policy, links between 58–60, 63–4, 71, 123, 128
stages 58
study method 66–7
timing 123–4, 138–9, 150, 154–5
transparency 124
uncertainty 123
working poorly 70–71
working well 68–70, 78, 124, 126–7
Robert, Christopher 13,
root-method analysis see
comprehensive-rational analysis
satisficing 4, 149, 160
SBREFA see Small Business Regulatory Enforcement Fairness Act (1996)
science
analysis benefits 7–8
analysis limitations 6–7
expertise and democracy 6–8
risk assessment, policy links 58–60, 63–4, 71, 123
science charades 7, 63–4, 128
Shapiro, Stuart, 35
Shapiro, Sidney A. 5
Simon, Herbert 3–5, 160
Sinden, Amy 52, 54, 150,
regulation review panels 108–9
impacts 113, 118, 127–9
infectious disease impact analysis case study 113–17
politics and policy interactions 145–6
procedures 112–13
public participation 135, 146–7
role and powers 125–6
small businesses
impact statements 110–112
regulatory burdens 25
regulatory reforms 27, 108–9
Sullivan, William 85
Sunstein, Cass 28, 35–6,
Taylor, Serge 12, 15, 84, 87–88–139, 150,
Tetlock, Paul 35
Toxic Substances Control Act (1976) 69
Transportation Security Administration
cost-benefit analysis case study 45–7
Unfunded Mandates Reform Act (1995) 27, 109–10
Wagner, Wendy 7, 28, 63–4, 76, 110, 141
Walter-Logan Bill 21–2
Weidenbaum, Murray 34
West, William 22
Western Watersheds Project v. Kraayenbrink (2015) 87
whale imports prohibition
EIS case study 101–2, 125
Wildavsky, Aaron 8–9, 13
Williams, Richard 38
Williams, Walter 9,
Yackee, Susan 23, 152
Yost, Nicholas 87
Zeckhauser, Richard 13,