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Wednesday, April 04, 2007

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Anti-regulation champion to head regulatory agency

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President Bush plans to bypass the Senate to name conservative Susan Dudley to head up a regulatory agency. While environmentalists are chagrined, big business loves her and her market-oriented approach.

President Bush leaving the White House for the Easter holiday. (Mandel Ngan, Getty Images)

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TEXT OF STORY

KAI RYSSDAL: The already cool relationship between Congressional Democrats and the White House could get chillier this week. President Bush has appointed a woman named Susan Dudley to a job at the Office of Management and Budget.

It's an obscure position, but important in a behind-the-scenes kind of way. Running something called the Office of Information and Regulatory Affairs. The president put her in the job this afternoon with a recess appointment — without a Senate vote.

Marketplace's Steve Henn points out the president has used recess appointments before. But this one, like some others, is gonna be controversial.

STEVE HENN: Article 2 Section 2 of the constitution gives the President the power to appoint members of his

cabinet, or other high ranking officials when the Senate is out of town.

So when a presidential nominee is in trouble, that's one way to push them through. And Susan Dudley's nomination to oversee health and safety regulations for the federal government is in trouble.

RICK MELBERTH: Let's see. She thought that ground level ozone, for example, was beneficial.

That's Rick Melberth at OMB Watch.

MELBERTH: She has proposed the senior discount, which discounts the value of older citizen's lives when you are calculating the costs of regulations and benefits.

Melberth is one of many consumer activists who've been critical of Dudley's nomination. But big business loves her market oriented approach to writing government rules.

JIM TOZY: We're afraid if there is too much regulation.

Jim Tozy at the Center for Regulatory Effectiveness believes government rules impose billions of dollars in cost on American business and should be written as sparingly as possible. For him, Dudley is just about perfect.

TOZY: I think she knows the subject area, I think she is balanced, I think she is very intelligent.

That said, Dudley's confirmation by the senate seems unlikely. And Administration officials have been telling Republican allies on the hill they are going to appoint her while the Senate is in recess.

But Bush's decision today bucks tradition. Typically Presidents only make appointments after the Senate is out for more than 10 days. This Senate recess doesn't last that long.

In Washington, I'm Steve Henn for Marketplace.

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