



NATIONAL AUTOMOBILE DEALERS ASSOCIATION
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Legal & Regulatory Group

June 15, 2006

The Honorable Steven D. Aitken
Acting Administrator, Office of Information and Regulatory Affairs (OIRA)
Office of Management and Budget (OMB)
Eisenhower Executive Office Building, Room 262
17th Street and Pennsylvania Avenue, NW
Washington, DC 20503

Re: Risk Assessment Bulletin

Dear Mr. Aitken,

The National Automobile Dealers Association (NADA) represents 20,000 franchised automobile and truck dealers who sell new and used motor vehicles and engage in service, repair and parts sales. Together they employ in excess of 1,300,000 people nationwide yet a significant number are small businesses as defined by the Small Business Administration.

Last winter, OIRA published a proposed OMB Risk Assessment Bulletin. 71 Fed. Reg. 2600 (January 17, 2006). In response, NADA offers the following comments and suggestions.

Many federal agencies, including those that directly or indirectly regulate automobile and truck dealerships, develop and use risk assessments as part of their regulatory development process and for other purposes. Agency risk assessments typically involve the assembling, synthesizing, and analyzing scientific and technical information to determine the nature of potential hazards to human health, human safety, and/or the environment. In many instances, these risk assessments are critical to deciding whether regulations should be developed and, if so, what alternative regulatory approaches to consider. Given the critical role federal agency risk assessments often play, they must be unquestionably objective in nature and of the highest technical and scientific quality.

OIRA's Risk Assessment Bulletin must:

1. Set a uniform process for the proper conduct of risk assessments, detailing when and how they should be used by federal agencies. Importantly, the risk assessment process should be transparent, should require a clear statement of goals and objectives, and should allow for appropriate peer review and public involvement. Uniformity of process will serve to increase the public's confidence in agency risk assessments.

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2. Ensure that, consistent with OMB's Information Quality Guidelines, all federal agency risk assessments be conducted using the highest quality and most appropriate scientific and technical information. To the extent assessments involving the same or similar risks have been conducted by others, they should be referenced or incorporated.

3. Establish an oversight process to ensure that all federal agencies incorporate its directives into their processes. As a general rule, federal agencies should train applicable personnel on the need for and use of the Bulletin, should certify compliance with the Bulletin to OMB, and should reevaluate and update risk assessments as new scientific and technical information becomes available.

On behalf of NADA, I thank you for the opportunity to comment on this matter.

Respectfully submitted,

Douglas I. Greenhaus

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Director, Environment, Health and Safety