



U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON
SCIENCE, SPACE, & TECHNOLOGY

Opening Statement

Chairwoman Mikie Sherrill (D-NJ)
of the Subcommittee on Investigations and Oversight

Joint Subcommittee Hearing:
EPA Advisory Committees: How Science Should Inform Decisions
Tuesday, July 16, 2019

Good morning, and welcome to today's joint hearing of the Investigations and Oversight and Environment Subcommittees. I'm pleased to be here with my colleagues, Ranking Member Norman, Chair Fletcher, and Ranking Member Marshall.

We're here today to discuss the vital role that advisory committees play in ensuring EPA's actions are informed and supported by the best available science. Advisory committees have been and continue to be involved in issues of great importance to the advancement of knowledge and the development of national policies and regulations. The EPA currently has 22 federal advisory committees that provide advice to the EPA administrator and other senior leaders on a variety of environmental and health issues. These committees consist of subject matter experts who bring a range of skills and insight. The committee can include scientists, economists, health officials, and business leaders. Federal law, through the Federal Advisory Committee Act, or FACA, formalizes a process to ensure advice is solicited in an objective and transparent manner, and it requires each committee to be balanced in terms of the points of view and the functions to be performed. It is essential that these committees aid EPA in fulfilling its mandate to protect human health and the environment.

Unfortunately, over the course of the last two and a half years, we have seen a multi-pronged attack on these committees. In 2017, former Administrator Pruitt barred EPA grant holders – some of the most prominent researchers in their fields – from serving on advisory committees. Administrator Pruitt claimed this was to prevent conflicts of interest, but he did not prohibit people who are paid by the industries that EPA regulates – an arguably greater conflict of interest – from serving on advisory committees. Administrator Pruitt also broke precedent and declined to renew the memberships of advisory committee members whose terms had not expired, flushing out years of experience and bringing in a number of climate deniers and unqualified individuals, which weakens the quality and integrity of the advice the advisory committee offers.

The attack on advisory committees at the EPA continued with the Administration's manipulations of the Clean Air Scientific Advisory Committee, or CASAC. CASAC was established by Congress on a bipartisan basis as part of the 1977 amendments to the Clean Air

Act. The architects of those amendments – Ed Muskie of Maine and Howard Baker of Tennessee – recognized a generation ago how important independent science advice would be to informing EPA’s air quality programs. And as I see it, healthy air to breathe remains a bipartisan concern for Congress.

Unfortunately, last October, Administrator Wheeler dismissed the Particulate Matter Review Panel of CASAC. This specialized 24-member panel was instituted under CASAC’s authority to ensure that research on particulate matter – a known health hazard – was adequately reviewed before setting an updated health standard. Administrator Wheeler instead tasked the seven-member CASAC with reviewing the science, even though it lacks an epidemiologist, among other vital specialties.

In April, CASAC wrote a letter to Administrator Wheeler, stating that they are ill-equipped to review the draft assessment of particulate matter and requesting that he reinstate the expert subpanel. However, the Administrator still has not acknowledged this request. On Monday, EPA informed Committee staff that there still is not a plan in place to respond to CASAC’s letter, let alone to reestablish the expert panel. It is concerning that EPA intends to develop health standards based on the advice of a committee that admits it is unqualified to review the relevant science.

This month, the Government Accountability Office issued a report outlining another mode of attack on advisory committees – the appointment process. GAO found that for two committees, the EPA Science Advisory Board and CASAC, EPA disregarded its own procedures for evaluating advisory committee candidates and failed to assess nominees’ financial disclosure reports. This undermines the transparency and integrity we expect from these important expert panels. I look forward to hearing more about these findings from our GAO witness today, Mr. Gomez.

The attack on science extends beyond EPA. On June 14, the White House released an executive order requiring agencies to cut one third of the FACA committees instituted under their purview. We know this won’t save the government any money, because this is an experiment we have tried before. When a similar order was issued in the nineties by President Clinton’s administration, it actually drove costs up by 3 percent. It appears that this order is an attempt to hinder agencies’ ability to solicit objective, transparent, expert advice.

I’m pleased to welcome our witnesses appearing here today. Before us we have individuals with a wealth of experience on EPA’s vital scientific advisory committees. I look forward to hearing about how these committees inform EPA’s important work, and we can ensure the agency is best serving the American people. Thank you for your willingness to appear before our Subcommittees for this hearing.