

OPENING STATEMENT
Ranking Member Suzanne Bonamici

March 20, 2013

Hearing on EPA Science Advisory Board
“Improving EPA’s Scientific Advisory Process”
U.S. House Committee on Science, Space, and Technology
Subcommittee on Environment

Thank you, Chairman Stewart. Today the Subcommittee meets again for a hearing on the quality of the science being used by the Environmental Protection Agency. When I first read the title of this hearing, “Improving EPA’s Scientific Advisory Process,” I felt encouraged that this would be an opportunity to explore areas of bipartisan agreement on how to improve an important federal agency. I am sure my colleagues agree that, if and where there are problems in a government entity for which the mission is to protect public health and the environment, we should be steadfast in identifying any problem and work together to find meaningful solutions.

According to the hearing charter, the purpose of this hearing is to receive independent scientific advice and testimony on draft legislation that seeks to strengthen public participation; improve the process for selecting expert advisors; expand transparency requirements; and limit non-scientific policy advice within the EPA scientific advisory process. All of these are good government principles that I support. Like many of my colleagues on this panel, I have heard from constituents who are frustrated with EPA decisions, EPA processes, or both. Many of those constituents tell me that what they need from EPA is consistency and efficiency.

On closer examination of the discussion draft of the bill, however, I noted provisions that will not improve the Science Advisory Board structure or operation, but that instead would likely limit the quality of scientific advice the EPA receives. These provisions appear to tie the EPA’s hands by denying the agency access to a vast pool of our country’s most expert scientists and researchers in environmental science and health

Last Congress, there was a very similar bill introduced, only the prior version contained a provision that would have resulted in many if not most scientists from academic institutions being eliminated from the EPA’s Scientific Advisory Boards and being replaced by industry-funded experts. I am glad to see that my Republican colleagues have eliminated that provision in this current draft. Although that provision is no longer there, other parts of the draft bill appear to do the same thing by eroding requirements that are in place under the Ethics in Government Act, and by creating an unnecessary legal conundrum because of inconsistencies with the Federal Advisory Committee Act (FACA), under which thousands of boards, including the EPA’s Scientific Advisory Boards, operate and have operated since inception.

To be clear on one point--and I trust that this is an area where my Republican colleagues and I agree: I am not opposed to industry-funded experts participating on the Science Advisory Board or in the peer review process at the EPA. Their expert insight into processes and industry conduct can provide valuable guidance to an advisory body. That said, the Science, Space, and Technology Committee in the House of Representatives should not be putting forth legislation that undermines ethics requirements and other requirements that have governed thousands of advisory boards throughout the executive branch since 1972, with the end result being an overrepresentation of industry voices on Science Advisory Boards.

EPA’s science is tied to a mission to protect public health through environmental regulation. Scientific research, knowledge, and technical expertise are fundamental to EPA’s mission and inform its regulatory functions. That need for expertise is why Congress created advisory bodies such as the Science Advisory Board

(SAB) to provide independent advice on the science, which in turn allows the EPA Administrator to make sound regulatory decisions.

I hope that, instead of undermining the scientific advice EPA receives, we build upon EPA's scientific legacy. I hope that we don't spend our time today condemning American scientists and researchers simply because they are affiliated with a research university. And I want to note that scientists already recuse themselves from activities that directly or indirectly relate to finding decisions that affect them. Besides, suggesting that American scientists and researchers are adversaries of good science is not good for our country.

Before yielding back, I would like to enter into the record letters sent to the Committee by various groups and individuals expressing their concerns about the provisions in the bill. These letters are from concerned citizens, science and environmental organizations, and individuals within the scientific research community around the country.