



March 11, 2014

Dear Subcommittee Chair Bucshon and Ranking Member Lipinski:

The Center for Science and Democracy at the Union of Concerned Scientists strongly opposes H.R. 4186, the Frontiers in Innovation, Research, Science and Technology (FIRST) Act of 2014.

The bill, far from being about the U.S. maintaining first-class scientific standards for federal agencies, instead is a deceptively designed bill to achieve many of the unwise objectives more blatantly promoted in the Sound Science Reform Act of 2014, which the Center also strongly opposed.

The bill raises several concerns, but this letter will focus on two:

- The bill appears to be a solution in search of a problem. In 2010, Congress passed the America COMPETES Act Reauthorization Act, which required the Office of Science and Policy (OSTP) to increase the public accessibility of federal research. OSTP has launched a thoughtful and comprehensive effort to work with agencies to achieve this goal. But now, the sponsors of this legislation wish to muddy that process, already in progress, with legislation that is far more proscriptive, usurping the role Congress gave to OSTP and micromanaging the process in ways that are unproductive. This proposal wastes federal resources and jeopardizes the efforts OSTP has made to date to work with federal agencies on increasing the openness and transparency of federal research.
- More seriously, the bill appears to be a back-door attempt to limit the ability of federal agencies to promulgate regulations that are informed by the best available science. By requiring that agencies use only publicly accessible data to inform regulation, Congress has denied access to data in the private sector. Much of this information is protected as confidential business information, and given to agencies under this confidentiality restriction.

This bill does nothing ensure the primary of U.S. research and technology, threatens to undermine OSTP's congressionally mandated efforts on transparency and accessibility, and greatly limits the ability of federal science agencies to protect public health and safety and the environment, informed by the best available science. It should be defeated.

Sincerely,

Andrew A. Rosenberg
Director
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