



ADVANCING EARTH
AND SPACE SCIENCE

25 April 2018

The Honorable Greg Walden
2185 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Frank Pallone
237 Cannon House Office Building
Washington, DC 20515

The Honorable John Shimkus
2217 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Paul Tonko
2463 Rayburn House Office Building
Washington, DC 20515

Dear Chairmen Walden and Shimkus and Ranking Members Pallone and Tonko:

On behalf of the American Geophysical Union (AGU) and its 60,000 scientist members, I am writing to express concerns about a rule proposed by the Environmental Protection Agency (EPA) regarding transparency and accuracy of scientific information.

On 24 April 2018, EPA Administrator Scott Pruitt signed a proposed rule to implement new policies that would require the agency to ensure that scientific data and information underlying regulatory action is publicly available in a manner that allows for independent validation. The legislation this policy is based on, the HONEST Act¹, has received significant opposition from the scientific community and other organizations because of the potential for this policy to exclude data vital to informed decision-making.²

AGU is fully committed and would be willing to provide assistance to efforts to ensure that scientific information is communicated openly with policymakers and the public. However, the policies presented in this proposed rule have the potential to exclude vital scientific information from consideration and endanger the agency's ability to fulfill its mission of protecting human health and the environment.

Among our concerns, the policy proposes that scientific information used in "significant regulatory action" must be independently verified – a plan that undermines the peer review process. The peer review process, which remains the global gold standard of academic achievement, affords the type of informed discourse necessary for the objectivity, rigor, and legitimacy of scientific information. Additionally, AGU encourages the open access to data while understanding limitations that may exist in doing so, such as confidential or proprietary information³. Such limitations should not

¹ H.R. 1430, sponsored by Rep. Lamar Smith (R-TX-21), passed the House on 29 March 2017. Sen. Rounds introduced a companion bill, S. 1794

² <https://sciencepolicy.agu.org/files/2013/07/AAAS-Secret-Science-letter-McCarthy-2015.pdf>

³ <https://sciencepolicy.agu.org/files/2013/07/AGU-Data-Position-Statement-Final-2015.pdf>



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impede the use of peer-reviewed science from informing decision-making and ensuring that the agency is able to promote the health and well-being of our nation.

The Congressional Budget Office previously estimated that implementing a secret science policy like the one proposed by EPA would be costly.⁴ At a time when the Administration is proposing significant cuts to EPA funding, this policy would become an unnecessary burden on the agency and further hamstring its ability to protect public health and the environment. In general, to exclude vital scientific information from consideration would put our communities' health and well-being at risk.

AGU and its members work each day to promote discovery for the benefit of humanity. We welcome the opportunity to work with you on these critical issues and ensure that science can continue to appropriately inform decision-making.

Respectfully,

A handwritten signature in black ink that reads 'Lexi Shultz'.

Lexi Shultz
Vice President, Public Affairs
American Geophysical Union

⁴ <https://www.cbo.gov/publication/50025>