

November 17, 2014

Dear Representative:

I am writing in strong opposition to H.R. 4012, the Secret Science Reform Act of 2014, up for a vote in the House as early as Nov. 18. The legislation represents a solution in search of a problem, and would greatly impede the agency's mission to protect public health and the environment.

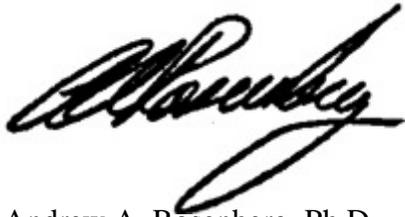
The EPA already makes the data, methodology, and peer-reviewed research it relies on in its rule-making processes as transparent as possible. Moreover, the additional restrictions imposed by this proposed bill would make it almost impossible to base public protections on the best available scientific information. In particular, if enacted, the language appears to indicate that the agency would be inhibited by the following challenges:

- **The EPA wouldn't be able to use most health studies.** The agency would likely be prevented from using any study that uses personal health data. The confidentiality of such data is usually protected by institutional review boards (IRB); thus, the data could not be made publicly available as demanded. Since many EPA rules are health-based standards, this rule would severely restrict the ability of the agency to base rules on science.
- **The EPA wouldn't be able to draw from industry data sources.** The agency would be prevented from using data provided by industry to the agency. Since information from industry sources is often not publicly available, a law requiring as such would prevent the agency from utilizing industry data, a source of information that often provides otherwise unknown data to inform EPA rule-making.
- **The EPA wouldn't be able to use new and innovative science.** New scientific methods and data may be restricted by intellectual property protections or industry trade secret exemptions. This proposed bill would limit EPA's ability to rely on the best available science including novel approaches that may not yet be publicly available.
- **Long-term and meta- analyses would be unavailable.** Many of EPA's health-based standards rely on long-term exposure studies that assess the link between chronic diseases/mortality and pollutants; or on meta- analyses that include many different studies and locations to provide a more robust look at

the science. In HR 4012, the provision that studies be conducted “in a manner that is sufficient for independent analysis and substantial reproduction of research” may prevent use of these vital studies by the EPA, as it is unclear whether such spatially and temporally comprehensive studies would be considered “sufficient for substantial reproduction.”

I strongly urge you to oppose the Secret Science Reform Act of 2014. The proposed bill would inhibit the EPA’s ability to carry out its science-based mission to protect human health and the environment

Sincerely,

A handwritten signature in black ink, appearing to read "A. Rosenberg", with a large, sweeping flourish at the end.

Andrew A. Rosenberg, Ph.D.
Director, Center for Science and Democracy
Union of Concerned Scientists