



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

Opening Statement

**Chairwoman Eddie Bernice Johnson (D-TX)**

Full Committee Hearing:

*Strengthening Transparency or Silencing Science? The Future of Science in EPA Rulemaking*

Wednesday, November 13, 2019

Good morning. I would like to welcome our witnesses to today's hearing -- "Strengthening Transparency or Silencing Science? The Future of Science in EPA Rulemaking."

We are here today to discuss a proposed rule that EPA released last year, entitled "Strengthening Transparency in Regulatory Science." This is not a new issue for this Committee. Between 2014 through 2017, we saw three markups of legislation mirroring the so-called "transparency" principles of the proposed rule. The Secret Science Reform Acts, the HONEST Act, and now the "Strengthening Transparency in Regulatory Science" rule have all been met with the same passionate negative response from the scientific community.

This rule makes dangerous, sweeping assertions about what does and does not count as good science. With the public availability of data as the determining factor, EPA will eliminate many foundational public health studies from consideration, effectively gutting health-protective regulations that keep our air and water clean. I am attaching to my statement a letter from over 60 public health groups – including the Michael J. Fox Foundation and the Center for Open Science, both represented on our second panel – where they express serious concerns about this proposed rule's impact on public health.

No one in this room is against the principle of transparency in science or in our government. However, this rule warps the noble goal of transparency into a misleading, black-or-white test of the legitimacy of individual studies. I've said it many times in this very hearing room: The requirement for data to be publicly available is nothing more than an attempt to undercut EPA's mandate to use the best available science. I believe this is part of an effort to destroy regulations that protect public health but are opposed by some regulated industries.

The public comment period for this rule was remarkable. Around 600,000 comments were filed, the vast majority of which were highly critical. Commenters panned the harmful consequences of the rule for public health and the dubious legal justification for the rule. Because EPA neglected

to offer definitions for some of the fundamental terms it describes – terms like “reproducible” and even “data” – many commenters wondered what parts of the rule even mean.

In his September appearance before this Committee, Administrator Wheeler announced that a supplemental rule would be issued in early 2020. I think today’s hearing is critically important so that Committee Members, as well as our distinguished second panel of scientists, can express our concerns before the rule is finalized.

I am very worried that EPA is ignoring its mission to protect human health and the environment in an effort to make life easier for regulated industry. However, I am hopeful that the Agency takes to heart what our esteemed panel of scientists has to say about this rule as it works to finalize a supplemental proposal.

Thank you.