



February 25, 2015

The Honorable Lamar Smith
Chair,
Committee on Science, Space, and
Technology
2321 Rayburn House Office Building
Washington, DC 20515

The Honorable Eddie Bernice Johnson
Ranking Member,
Committee on Science, Space and
Technology
2321 Rayburn House Office Building
Washington, DC 20515

Dear Chair and Ranking Member:

We are writing in strong opposition to H.R. 1030, the Secret Science Reform Act of 2015. The American Association for Justice (AAJ), formerly the Association of Trial Lawyers of America (ATLA) with members in United States, Canada and abroad, is the world's largest trial bar. It was established in 1946 to safeguard victims' rights, strengthen the civil justice system, promote injury prevention and foster public health and safety of numerous individuals who have been harmed by unsafe chemicals. AAJ is an advocate for strong chemical safety regulation and healthy environment, in combination with a strong civil justice system in order to protect the health and wellbeing of all Americans. In this capacity, AAJ robustly objects to the Secret Science Reform Act of 2015.

This legislation would severely limit the science that the Environmental Protection Agency (EPA) can consider while implementing public protections; upending numerous environmental statutes and longstanding Agency practices and is severely overbroad. In fact, the Secret Science Reform Act of 2015 may make it impossible for the EPA to regulate at all. The EPA would no longer be able to use most health studies including peer-reviewed research as a result of the limitation on using data that is not "publicly available". Many accurate and reliable health studies contain personal health data that is currently and rightfully protected. Under the Secret Science Act, however, these studies would be erroneously excluded from use by the EPA, substantially narrowing the science the EPA may rely when considering public safeguards.

In addition, H.R. 1030 will also restrict the use of new and innovative science and well as long-term exposure studies. Oftentimes the newest and most innovative science and data may not be publically available. However, this shouldn't mean that the EPA is precluded from using it. Lastly, many of EPA's standards rely on long-term exposure studies that assess the link between diseases and pollutants; or on meta analyses that combine many different studies. If the Secret Science Act of 2015 becomes law these studies may also be barred from EPA use because

they will be unable to be “substantially reproduced”. The end result of this legislation is that the EPA will no longer be able to rely on the best science in order to protect American health and the environment.

We urge you to oppose the Secret Science Reform Act of 2015. This bill would seriously inhibit the EPA from protecting human health and the environment through its improper limitation on the use of sound science.

Sincerely,

A handwritten signature in cursive script that reads "Linda Lipsen".

Linda Lipsen
Chief Executive Officer
American Association for Justice