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**Statement of Subcommittee Chairman Chris Stewart (R-Utah)  
Hearing on Improving EPA's Scientific Advisory Processes**

**Chairman Stewart:** Welcome to this morning's hearing of the Environment Subcommittee entitled Improving EPA's Scientific Advisory Processes.

Former President Ronald Reagan famously said that "government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it." The Environmental Protection Agency needs no introduction as the primary executor of the regulatory part of this formula.

Whether it is promulgating air quality regulations that could shut down large swaths of the West, undertaking thinly veiled attacks on the safety of hydraulic fracturing, or pursuing job-killing climate regulations that will have no impact on the climate, EPA's reputation as a lightning rod for controversy is well known here in Washington and throughout the country.

Less well known and understood, however, is the underlying regulatory science and scientific advisory mechanisms that the Agency uses to justify its aggressive regulatory approach. The purpose of today's hearing is to examine those processes, with a particular focus on draft legislation to reform the EPA's Science Advisory Board, or SAB.

Established by Congress in 1978, the SAB is intended to provide meaningful, balanced, and independent reviews of the science conducted and used by the Agency. Unfortunately, this vision often goes unrealized in practice. I would like to note just a few examples:

- Despite a statutory requirement that EPA's advisory panels be "fairly balanced in terms of point of view represented" the Agency routinely excludes private sector expertise while stacking these panels with individuals likely to support EPA's perspective. It is no surprise that EPA finalized a regulation on power plants in late 2011 that even the Agency admitted would cost \$11 billion a year; EPA had prevented virtually all industry scientists from participating in the review of the underlying science.
- Similarly, this Committee received testimony stating that, in the case of an SAB panel asked to examine EPA's hydraulic fracturing research, all 22 members had "no experience in hydraulic fracturing and no understanding of current industry practices." This, in an industry whose technology is rapidly changing, with significant improvements incorporated into their process nearly every day. Even worse, the Agency appears ready to double-down on this anti-business attitude by summarily dismissing on-the-ground private sector experts in its next fracking science review.

Meanwhile, there are unsettling Agency trends about how EPA selects its supposedly-independent advisors:

- According to the Congressional Research Service, almost 60 percent of the members of EPA's chartered SAB and the Clean Air Scientific Advisory Committee (also known as "CASAC") have directly received grants from the Agency since 2000. These advisors served as principal or co-investigators for EPA grants totaling roughly \$140 million dollars.
- EPA frequently chooses panelists whose research is directly or indirectly under review. During a recent review of EPA air quality science, 21 of the 25 panelists had their work cited by EPA and the Chair of the panel was footnoted more than 80 times.
- Many of the panelists have clearly taken sides or made public pronouncements on issues they are advising about. For example, a lead reviewer of EPA's hydraulic fracturing study plan published an anti-fracking article entitled "Regulate, Baby, Regulate."

This hardly sounds like a recipe for a critical or balanced examination. Yet EPA routinely touts the work of its "independent science advisors" in promoting and defending its controversial regulatory agenda. The record is clear: the SAB is ripe for improvement.

Accordingly, we will discuss draft legislation that would address these concerns—the EPA Science Advisory Board Reform Act of 2013. This language is similar to a bill introduced in the 112th Congress by then-Chairman Ralph Hall. The draft bill would reform the SAB and its sub-panels by expanding transparency requirements, improving the process for selecting expert advisors, strengthening public participation, and limiting non-scientific policy advice.

The concepts contained in this proposed legislation did not arise out of thin air; rather, they are principles that come from EPA's own Peer Review Handbook, the National Academies' Conflict-Of-Interest Policy, existing federal ethics requirements on Special Government Employees, and recommendations from past Science Committee testimony and other outside groups.

Let me conclude by making this important point: If the EPA scientific process is viewed as being biased, or less than willing to consider every point of view, their credibility suffers. This serves neither the EPA, American businesses nor American citizens.

Independent, balanced, and transparent review of EPA science offers a critical check for an Agency that frequently views the world through its regulatory lenses. Common sense reforms that improve scientific advice should make EPA's regulatory end-products more credible, and I look forward to our witnesses unique perspectives on these issues.