

## OPENING STATEMENT

**The Honorable Andy Harris (R-MD), Chairman**

Subcommittee on Energy and Environment

*Fostering Quality Science at EPA: Perspectives on Common Sense Reform*

November 30, 2011

I want to welcome everyone to this afternoon's hearing on *Fostering Quality Science at EPA: Perspectives on Common Sense Reform*.

This is the second in a series of hearings this Subcommittee will be conducting to provide ideas and guidance to reform science at EPA. Unfortunately, the Environmental Research, Development and Demonstration Authorization Act, or ERDDAA (ERDA), which is the statute authorizing R&D at EPA as well as the Science Advisory Board, was last reauthorized for fiscal year 1981. Thirty years of Congressional neglect and the aggressive and unjustified regulatory train wreck being pursued by this administration make the time ripe to evaluate reforms to environmental science at the Agency.

Many things have changed since 1981 that demand renewed Congressional attention. Funds appropriated to EPA's science and technology account have more than tripled from 1981 to 2010, and the Agency's overall budget has ballooned to almost \$9 billion dollars. The Agency now employs almost 18,000 people, and maintains nearly 40 laboratories. According to the Office of Management and Budget, the overall effect of all major federal regulations in 1981 was a net cost savings of \$1 billion. In contrast, in 2010, EPA's major rules alone represented over \$23 billion in costs—a figure itself that many believe is a significant underestimate and there have been disagreements as to the real benefits of these regulations.

There are also very pragmatic reasons for us to be keenly interested in reforming and reauthorizing science activities at the EPA. Given the dire fiscal straits that our country is facing, programs, activities, and agencies that are operating under expired or outdated authorizations will have targets on their backs as we seek to get our budgetary house in order. In light of this, the right reforms to EPA R&D programs will not only improve trust in the science that informs regulatory decisions, it will also provide a framework to prioritize the most important functions and reduce unnecessary and wasteful spending elsewhere. For instance, despite 1.2 million examples of successful hydraulically-fractured wells, the Agency is moving forward with an unnecessary study in this area.

Some basic questions need to be asked: What should be the role of EPA in conducting research? Should it be limited to fundamental research? Should R&D be limited to supporting the Agency's regulatory agenda? What is the relationship between EPA's science and policymaking mission, and how do we prevent the politicizing of scientific activities? How can Congress best ensure regulatory science that is reliable, peer reviewed, transparent, understandable, and objective? Are structural changes necessary to improve the quality and independence of the Agency's scientific advisory bodies? And do we have our environmental priorities right, and are we getting the most environmental bang-for-our-buck?

This hearing follows up on testimony received two weeks ago from officials from EPA's Office of Research and Development, Office of the Inspector General, and the Government Accountability Office. Furthermore, in order to build a substantive record, this is actually the ninth hearing on science and process at the Environmental Protection Agency that this Committee has held so far in the 112<sup>th</sup> Congress. The Committee has also sent a series of letters to EPA and the Administration requesting further information about policies on transparency, cost-benefit analysis, and peer review. Unfortunately, we are still waiting for responses to four letters sent since September.

Reforming environmental science should not be a partisan issue. As a 2009 report by the Bipartisan Policy Center's Science for Policy Project, co-chaired by the former Chair of the full Science Committee, Sherry Boehlert, explained: "A tendency to frame regulatory issues as debates solely about science, regardless of the actual subject in dispute, is at the root of the stalemate and acrimony all too present in the regulatory system today." The report went on to recommend that Congress should include their recommendations "in legislation as relevant programs are reauthorized," including suggesting that studies used in developing regulations should be subject to data access requirements, agencies and advisory bodies should be transparent in their approach to evaluating and weighing studies, and that agencies should explicitly differentiate between scientific judgments and policy judgments.

These are reasonable core principles that I hope both sides can agree on and which will advance fulfillment of the President's executive order requiring that "Our regulatory system...must be based on the best available science."

The diverse set of witnesses with us today will offer their views on these and other EPA scientific reform ideas, and offer recommendations for improving and clarifying environmental R&D priorities. I hope these suggestions will highlight some potential avenues for bipartisan cooperation as our Subcommittee continues its work on these issues.

I want to thank the witnesses for appearing before the Subcommittee and I look forward to a constructive discussion.