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House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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May 22, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator Pruitt:

The Committee on Science, Space, and Technology is continuing its longstanding oversight of the Environmental Protection Agency (EPA) and its scientific programs. During the previous administration, the Committee documented numerous instances of the politicization of EPA scientific and regulatory processes. For example, senior EPA officials routinely held secretive meetings or conversed via private email with environmental activist organizations,[1] provided access to draft EPA documents,[2] and offered comments and suggestions on advocacy groups' work products.[3] The Committee learned that the close relationship between the Obama EPA and activist environmental groups was not surprising; many of the EPA's senior officials, including some still working at the agency, previously worked for these organizations.[4]

The Committee recently learned of an invitation-only meeting, described as the "EPA Scientific Integrity Annual Stakeholder Meeting," scheduled for June 14, 2017, at EPA headquarters in Washington.[5] The invitation, sent via email by EPA's Scientific Integrity Official, Dr. Francesca Grifo, invites 45 individuals to EPA where Dr. Grifo will "answer your questions, share current scientific integrity initiatives, and discuss future plans for scientific integrity at EPA."[6]

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[1] Letter from Hon. Lamar Smith, Chairman, H. Comm. on Science, Space, and Technology, to Hon. Gina McCarthy, Administrator, U.S. EPA, May 14, 2015.
[2] *Id.*
[3] *Examining EPA's Predetermined Efforts to Block the Pebble Mine, Part II Before the H. Comm. on Science, Space, and Technology,* 114th Cong. (2016).
[4] *See*, e.g., Darren Samuelsohn, *'NRDC Mafia' Finding Homes on Hill, in EPA*, N.Y. TIMES, Mar. 6, 2009, *available at* http://www.nytimes.com/gwire/2009/03/06/06greenwire-nrdc-mafia-finding-homes-on-hill-in-epa-10024.html.
[5] Email from Francesca Grifo, Scientific Integrity Official, U.S. EPA (on file with author).
[6] *Id.*

The EPA scientific integrity program's website states, "[s]cience is the backbone of EPA's decision-making. The Agency's ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which it relies."[7] In describing its mission, the program's website also provides information on the importance of scientific integrity:

> Scientific integrity helps to build public support. People are more likely to support the Agency if they can trust the quality and integrity of its work ... Since EPA reseach [sic] often involves a great deal of cooperation and coordination among many different people in different disciplines and institutions, scientific integrity promotes the values that are essential to collaborative work, such as trust, accountability, and fairness.[8]

Unfortunately, despite this stated commitment to inclusivity, outreach, and a belief in the importance of promoting scientific integrity to build public support, the June 14 stakeholder meeting appears to be markedly exclusive. While Dr. Grifo included a number of respected scientists and non-political scientific organizations in her 45 meeting invitations, only one invitation was sent to an organization that is readily identifiable as representing the views and interests of industries impacted by agency decisions underpinned by EPA's scientific programs.[9] It does not appear that any state environmental or scientific officials received invitations to attend despite the clear impact of EPA's scientific programs on regulations and other agency actions on states.

On the other hand, a significant number of environmental and other left-leaning activist organizations apparently have received invitations. The in-house lobbyist for Earthjustice received an invitation, as did a non-scientist vice president of Demos. Public Citizen was asked to send two representatives, as was the Natural Resources Defense Council. Three spots were reserved for the Union of Concerned Scientists; Dr. Grifo's affinity for that environmental activist organization can perhaps be explained by the fact that she was employed by the Union of Concerned Scientists prior to joining EPA.[10]

We can think of no scientific or policy-based rationale for limiting invitations to a meeting on EPA Scientific Integrity to a relatively small number of individuals and organizations whose overall mix skews decidedly toward pro-regulation environmental activism. Science does

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[7] U.S. EPA, Programs of the Office of the Science Advisor, Basic Information about Scientific Integrity, *available at* https://www.epa.gov/osa/basic-information-about-scientific-integrity (last visited May 22, 2017).
[8] *Id.*
[9] Email from Francesca Grifo, Scientific Integrity Official, U.S. EPA (on file with author).
[10] U.S. EPA, Careers, Profiles of Women of EPA: Francesca Grifo, *available at* https://www.epa.gov/careers/profiles-women-epa-francesca-grifo (last visited May 21, 2017).

indeed provide the underpinnings for EPA's decision-making, and it is essential in gaining public trust and support that EPA's scientific integrity programs and activities be transparent and accessible to all with an interest in EPA actions.

To ensure transparency and public support for EPA's scientific integrity programs, we urge you to open the planned June 14 "EPA Scientific Integrity Annual Stakeholder Meeting" to the public so that all who wish to may attend and learn about EPA's ongoing protocols and programs. If holding an open meeting is not feasible, we ask that you endeavor to ensure that the invitation list to Dr. Grifo's meeting is balanced and truly representative of those with an interest in scientific integrity at your agency. We ask that you provide an update to the Committee on the June 14 meeting, including a response to the issues raised in this letter, as soon as possible but no later than June 5, 2017.

If you have any questions about this request, please contact Joseph Brazauskas of the Science, Space, and Technology Committee staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,

Lamar Smith

Rep. Lamar Smith
Chairman
Committee on Science,
Space, and Technology

Andy Biggs

Rep. Andy Biggs
Chairman
Subcommittee on
Environment

cc: The Honorable Eddie Bernice Johnson, Ranking Member, Committee on Science, Space, and Technology

The Honorable Suzanne Bonamici, Ranking Member, Subcommittee on Environment