

US EPA ARCHIVE DOCUMENT

Testimony of

Lisa P. Jackson

Administrator

U.S. Environmental Protection Agency (EPA)

Hearing on

SCIENTIFIC INTEGRITY

Before the

Environment and Public Works Committee

U.S. Senate

June 9, 2009

Madam Chairman and Members of the Committee, I am delighted to appear before you today to discuss an issue that has been, and will continue to be, the backbone of my leadership at EPA: scientific integrity. In fact, much of the testimony I will be giving this morning was part of a memorandum I sent to all EPA employees entitled: "Scientific Integrity: Our Compass for Environmental Protection."

On March 9, 2009, President Obama issued a Memorandum on Scientific Integrity underscoring that the "public must be able to trust the science and scientific process informing public policy decisions." The public health and environmental laws that Congress has enacted depend on rigorous adherence to the best available science.

That is why, when I became Administrator, I pledged to uphold values of scientific integrity every day.

The President's Memorandum provides important guideposts for how EPA should conduct and use science. Most notable is that "political officials should not suppress or alter scientific or technological findings and conclusions." While the laws that EPA implements leave room for policy judgments, the scientific findings on which of these judgments are based should be arrived at independently using well-established scientific methods, including peer review, to assure rigor, accuracy, and impartiality. This means that policymakers must respect the expertise and independence of the Agency's career scientists and independent advisors while insisting that the Agency's scientific processes meet the highest standards of quality and integrity.

The President's Memorandum stresses that "scientific information ... developed and used by the Federal government should ... ordinarily be made available to the public" and that, where permitted by law, "there should be transparency in the preparation, identification and use of scientific and technological information in policymaking."

Consistent with this principle and my commitment to transparency, I believe that the methodologies and guidelines that EPA uses for scientific analyses should be shared fully with the public. EPA's regulatory decisions should include a full explanation of the science issues addressed by the Agency, the data relevant to those issues, and the interpretations and judgments underlying the Agency's scientific findings and conclusions.

Environmental science is complex and multi-faceted, and able scientists may not always agree on what methodologies should be employed or how studies should be interpreted. I am committed to fostering a culture of robust scientific debate and discussion within the Agency, recognizing that in the end senior scientists must take responsibility for resolving differences of opinions using established science policies and their best professional judgment. I intend to work with our science leadership, unions, and career staff to make sure that we respect and encourage free and honest discussion among our scientists while bringing to closure issues that we must resolve to support decision making.

But actions speak louder than words, and during my first few months as Administrator, I have demonstrated my commitment to scientific integrity in all of my decisions. Notable among these are the new processes for developing Integrated Risk Information System (IRIS) assessments, my commitment to completing the IRIS reassessment for dioxin, and the new process for reviewing National Ambient Air Quality Standards (NAAQS).

The President's strong emphasis on the importance of transparency and scientific integrity in government decision-making compelled a rethinking of the IRIS process. The new process will be more transparent and timely, and it will ensure the highest level of scientific integrity. For example, the interagency review will be entirely managed by EPA. In addition, for the first time, the process calls for all written science comments

received as part of the interagency science consultation and discussion steps in the process to become part of the public record.

To guarantee the scientific quality of the IRIS assessments, the process will include the opportunity for public comment and rely on a rigorous, open and independent external peer review. Changes in EPA's scientific judgments from public comments and peer review will be clearly documented and explained, maximizing the transparency of the final product. While still robust, the assessment development process, will be shortened to 23 months for most assessments, speeding the availability of IRIS assessments to the risk assessor community and the public and providing for more timely action to protect public health.

My commitment to ensuring the quality and integrity of EPA science while providing this information to the public in a timely way was also the impetus for my asking staff to develop a science plan for our activities related to dioxins in the environment. This plan includes completing the comprehensive human health and exposure assessment for dioxin, commonly called the "dioxin reassessment," and a review of dioxin soil clean-up levels currently in use across the United States. The plan identifies important milestones in these efforts, including my goal to complete the dioxin reassessment by the end of 2010.

The National Ambient Air Quality Standards play a central role in enabling EPA to fulfill its mission to protect the nation's public health and the environment, and it is critical that

these standards are grounded in science. With this in mind, I examined the process that the Agency uses to review and update the NAAQS to ensure it takes into account the latest peer-reviewed science and the Clean Air Scientific Advisory Committee's (CASAC) expert advice on the science and the standards. Based on that review, I set out a process that I believe will ensure the attributes of timeliness, scientific integrity, and transparency.

The new process preserves previous changes that contribute to these attributes, such as the kickoff workshop, the integrated review plan, and more concise, policy-relevant assessments of science, and risk and exposure. Many of these changes were based on CASAC's recommendations. At the same time, however, I am discontinuing the use of an advance notice of proposed rulemaking, which was the subject of strong concerns on the part of CASAC and others. In its place, I will reinstate the use of a policy assessment document prepared by EPA staff. By reinstating the policy assessment document in the revised NAAQS process, EPA has ensured that both the public and CASAC will once again be able to see and comment on a transparent staff analysis of the scientific basis for alternative policy options for consideration by the Administrator.

EPA already has a strong foundation of policies and procedures that support the President's scientific integrity goals. EPA's *Principles of Scientific Integrity*, developed in 1999 and reaffirmed in 2002, foster honesty and credibility in the science conducted by *and used by* the Agency. EPA's Quality Program further ensures that the data relied upon for decision making is of known and documented quality and is based on sound

scientific principles, and EPA's *Peer Review Handbook* is recognized for its good peer review practices. The Agency's regulatory development process includes Analytic Blueprints that formalize scientific input. Our Office of Research and Development is an integral part of this regulatory process to help ensure that the decisions made are informed by science and that the science is properly characterized. EPA also has strict rules in place to address scientific misconduct and whistleblower protections not only for the scientific process, but for all of EPA's activities.

EPA will build on this foundation and look for additional opportunities to strengthen the policies and procedures that ensure scientific integrity within the Agency. I have asked EPA's Science Policy Council, which provides leadership in cross-Agency science and science policy issues, to take the lead on this effort. The SPC at my request is inventorying all of our guidelines and policies that relate to scientific integrity to look for gaps and possible areas for improvement. One SPC focus, for example, will be updating and reaffirming EPA's *Peer Review Handbook* and recommending how we can improve implementation of our peer review policies across our programs and regions. I also have asked the SPC to work the National Partnership Council to reaffirm the Agency's *Principles of Scientific Integrity* and update the *Principles of Scientific Integrity* online training.

The President's Memorandum on Scientific Integrity assigns the Director of the White House Office of Science and Technology Policy the responsibility to make recommendations within 120 days to achieve the "highest level of integrity in the

executive branch's involvement with scientific and technological processes." EPA's active involvement with OSTP in this Presidential directive will strengthen our ability to produce top-quality science that meets the highest standards of integrity. Accordingly, I have asked our Acting Science Advisor, Kevin Teichman, in consultation with the SPC, to work closely with OSTP.

The Presidential Memorandum on Scientific Integrity provides us with a unique opportunity to once again demonstrate our deep commitment to scientific integrity, and I commit to seizing this opportunity in the pursuit of EPA's vital mission to protect human health and the environment.

Thank you.