



## Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

**Oral Testimony of Francesca T. Grifo, Ph.D.  
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**Before the U.S. House Committee on Oversight and Government Reform**

**Hearing on “EPA’s New Ozone Standards”  
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Good afternoon, my name is Dr. Francesca Grifo. I am a senior scientist and the director of the Scientific Integrity Program at the Union of Concerned Scientists, a leading science-based nonprofit working for a healthy environment and a safer world. I would like to thank the Committee for the opportunity to speak to you this morning about the problem of political interference in the work of federal government scientists.

The United States has enjoyed prosperity and health in large part because of its strong and sustained commitment to independent science. As the nation faces new challenges at home and growing competitiveness abroad, the need for a robust federal scientific enterprise remains critical. Unfortunately an epidemic of political interference in federal science threatens this legacy.

Flagrant political interference in EPA’s decision regarding the air quality standard for ground-level ozone is emblematic of the problem of manipulation, suppression, and distortion of science at EPA. You have already heard that EPA Administrator Stephen Johnson issued the final ozone standard at an arbitrary level inconsistent with the analysis of EPA scientists and independent science advisors and, ultimately, not sufficiently protective of public health. You have heard that the White House pressured the EPA to consider economic costs associated with tightening the ozone standard. The law, as affirmed by a 2001

Supreme Court decision,<sup>1</sup> requires the standard to be based solely on the best available scientific information. EPA leadership failed to meet that objective.

The White House's meddling in the ozone decision is not a stand-alone incident. Time and time again, White House officials or EPA political appointees have stepped in to second-guess, manipulate or suppress the work of EPA scientists, threatening the agency's ability to protect human health and the environment.

In a UCS survey of EPA scientists conducted by Iowa State University, hundreds of scientists reported direct interference in their scientific work, fears of retaliation, and systemic disregard for the expertise of EPA's advisory committees. Our survey found that:

- 889 scientists reported personally experiencing one of these events in the last five years.
- In essay responses, nearly one-hundred EPA scientists identified OMB as the primary culprit in this interference.
- 232 scientists (18 percent) had personally experienced frequent or occasional "changes or edits during review that change the meaning of scientific findings."
- 285 scientists (22 percent) had personally experienced frequent or occasional "selective or incomplete use of data to justify a specific regulatory outcome."
- 153 scientists (13 percent) had personally experienced frequent or occasional "pressure to ignore impacts of a regulation on sensitive populations."
- 553 (36 percent) scientists felt that the agency occasionally, seldom, or never heeds advice from independent scientific advisory committees. This result was markedly worse at the Office of Air Quality Planning and Standards (OAQPS) which works closely with advisory committees to set the NAAQS. Half of these respondents (29 scientists, or 50 percent) felt the EPA did not heed the advice of the advisory committees.

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<sup>1</sup> Whitman v. American Trucking Associations, Inc. 531 U.S. 457 (2001).

The White House has rewritten EPA scientific documents concerning climate change, pressured EPA scientists to support predetermined conclusions regarding the health effects of toxic mercury pollution, and pushed for rules that politicize the scientific findings contained in the IRIS toxics database. Science has been misused on air pollution, asbestos, fuel efficiency, mountaintop removal mining, oil extraction, pesticides, plywood plant pollution, toxic selenium contamination, and other issues.

Fortunately this is not a problem without a solution. A suite of reforms are detailed in our report, *Interference at the EPA*,<sup>4</sup> but here are the most timely:

- The House and Senate overwhelmingly approved bipartisan legislation to strengthen whistleblower protections for federal employees. It is crucial that the final legislation, now in conference committee, contain specific protections for scientists who expose efforts to suppress or alter federal research.
- The EPA should increase openness in its decision-making process. If research results and analysis by EPA scientists are made public before they drop into the black box of OMB, attempts to distort science will be exposed.
- The expanded reach of the Office of Management and Budget must be pushed back. Questioning the scientific consensus of agency experts is not OMB's proper role.
- EPA should adopt media, communication and scientific publication policies that ensure tax-payer funded scientists and their research are accessible to Congress and the public. Scientists should be proactively made aware of these rights.
- The GAO should identify changes that have become embedded in the agency that if not exposed will continue to harm scientific integrity. For example, what has been the impact of the centralization of power in the White House

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<sup>4</sup> [www.ucsusa.org/epascience](http://www.ucsusa.org/epascience)

on EPA decision making? What need to be done to reverse centralization and restore scientific integrity? How many agency employees must sign nondisclosure agreements, and why? Are there decisions where political interference has been exposed that require an immediate reversal or review?

Finally, there are two actions that can and must happen immediately:

- Administrator Johnson should send a clear message to all political appointees that he will not tolerate any attempts to alter or suppress federal research.
- Also, just as former EPA Administrator William Ruckelshaus did 25 years ago, Administrator Johnson should pledge to operate EPA “in a fish bowl.” This memo, which set the standard for an agency so open that it regained the trust of the American people, was reaffirmed by several subsequent EPA administrators. The original memo, still in the history section of EPA’s website, should be moved to its home page.

As one EPA scientist told us: 'There are still good scientists producing good science at U.S. EPA. The main problem I see is an administration that considers science only if it supports its agenda. As in other areas, science is used only if it furthers pre-existing policy; otherwise it is ignored, marginalized or suppressed.'

We look forward to continuing our work with the 110<sup>th</sup> Congress to restore scientific integrity to federal policymaking.