

**HIGHLIGHTS**

*Throughout its first two years, the Trump administration has sidelined science in its handling of critical public health and environmental decisionmaking. Now, the 116th Congress can add an urgently needed check on administration actions. Congress can join with scientists and their supporters to stop the Trump administration's anti-science actions. Today's attacks on science can and will have substantial consequences for public health and the environment for decades to follow. We must continue to push back when science is sidelined. The current and future health and safety of our families our communities, and our nation depend on it.*

# Scientific Integrity Losses and Lessons for the 116th Congress

## *Sidelining Federal Advisory Committees*

Throughout its first two years, the Trump administration systematically undermined federal science advisory committees. These advisory committees provide critical independent advice that helps policymakers determine the best responses to complex challenges. Neglecting, skewing, and dismissing these committees reduces the government's ability to rely on robust, professional scientific advice, leading to major policy consequences for public health and the environment.

### Examples

In its first two years, the Trump administration has repeatedly undermined science advisory committees:

#### ENVIRONMENTAL PROTECTION AGENCY

- In an unprecedented move made with little justification, former Environmental Protection Agency (EPA) Administrator Scott Pruitt announced that scientists currently receiving EPA grants could no longer serve on agency advisory committees. Pruitt exempted tribal, local, and state entities who receive EPA grants from this new policy, and no such restrictions were placed on industry scientists. As a result, representation of truly independent experts on these committees dropped significantly, while industry representation increased.
- The agency broke with precedent by not renewing the terms of six individuals on the EPA Science Advisory Board (SAB), nine members of the EPA Board of Scientific Counselors (BOSC) executive committee, and 38 of 49 of BOSC's subcommittee members. These terms are traditionally renewed unless the scientists themselves choose not to return.
- The EPA replaced the independent scientists on the Clean Air Scientific Advisory Committee (CASAC) with mostly state and local regulators. Only one member on the new CASAC board primarily comes from an academic institution.
- The chair of CASAC, Dr. Tony Cox, does not accept the overwhelming scientific consensus that exposure to air pollution is associated with serious human health problems that can affect the lungs and heart, conditions which can be fatal.
- The EPA disbanded the Particulate Matter Review Panel, a CASAC sub-panel of 20 scientific experts who provided valuable recommendations to reduce the serious human health problems associated with exposure to this dangerous form of air pollution.
- The EPA announced it would not convene the Ozone Review Panel, another CASAC subpanel. This group of experts had informed ambient ozone air pollution standards for four decades. Without the Particulate Matter Review

## *The neglect of independent science expertise and advice seriously endangers the nation.*

Panel and the Ozone Review Panel to rely on, CASAC lacks the expertise it needs to provide current EPA Administrator Andrew Wheeler the best advice on updating air quality standards.

- In the Trump administration's first year, 70 percent of EPA science advisory committees failed to meet as frequently as their charters dictate.

### DEPARTMENT OF THE INTERIOR

- The Department of the Interior (DOI) announced a formal review of the "charter and charge" of its advisory committees and postponed all scheduled meetings through fall 2017. This edict resulted in the fewest number of committee meetings since recordkeeping began. At the end of the review process, the DOI terminated an advisory committee on climate change.
- During 2017, 67 percent of DOI science advisory committees failed to meet as frequently as their charters dictated, although this number improved in 2018.

### DEPARTMENT OF ENERGY

- The Secretary of Energy Advisory Board, which had been used extensively by all but one Department of Energy (DOE) secretary, was disbanded at the start of the administration.
- The DOE limited the oversight capability of the Defense Nuclear Facilities Safety Board by making it difficult for board members to access data on workers' exposure to radiation and preventing them from attending fact-finding meetings that occur after emergencies at nuclear facilities.
- Around 44 percent of the DOE's science advisory committees failed to hold the number of charter-prescribed meetings in 2017.

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

- The Food and Drug Administration (FDA) disbanded its longstanding Food Advisory Committee, which had not met in either 2016 or 2017. A former committee member noted this disbanding was a "significant loss to the FDA."

- 71 percent of FDA science advisory committees met less frequently than their charters prescribe, and one-third failed to meet at all.

### DEPARTMENT OF COMMERCE

- The Department of Commerce disbanded the Advisory Committee for the Sustained National Climate Assessment. This panel advised the federal government on improving the National Climate Assessment's scientific information on the ongoing impact of climate change, with the goal of making the assessment more useful for businesses, the public, and state and local governments.

### DEPARTMENT OF LABOR

- Four of the five advisory committees for the Occupational Safety and Health Administration failed to meet in 2017. Such committees include the National Advisory Committee on Occupational Safety and Health and the Whistleblower Protection Advisory Committee.

## Recommendations

The neglect of independent science advice seriously endangers the nation. Such advice is crucial to the federal government's ability to make informed decisions on matters that have enormous consequences for public health and safety. These scientists and technical experts are an important vehicle for providing decisionmakers with up-to-date advice, and without this advice, science-based policies may not be as effective at protecting public health and the environment. To push back against the administration's sidelining of independent science advice, Congress should take the following actions:

- Strengthen the Federal Advisory Committee Act (FACA) by:
  - extending FACA rules to advisory committees organized by federal contractors, not just committees convened directly by an agency;

## *Advisory committees inform decisions on matters that have enormous consequences for public health and safety.*

- requiring that nonvoting advisory committee members and representatives who regularly attend meetings provide information on affiliations and any conflicts of interest;
  - adding provisions to ensure that party affiliations, political opinions, and other inappropriate criteria are not part of the process for selecting members of scientific committees;
  - requiring the publication of criteria for soliciting nominations and selecting committee members and prohibiting giving current committee members veto power over new candidates for membership;
  - requiring agencies to make public the roster from the first round of candidates for advisory committee membership and to request comments on their candidates' potential conflicts of interest or other disqualifying information before finalizing committee membership;
  - codifying the process used for committee formation, including how agencies screen members and how they assess committees for balance;
  - require statements in appointment letters clarifying that committee members speak in their personal capacity as experts and not as representatives of their employer or organization and that they act as special government employees;
  - make easily available on a public online portal such as integrity.gov basic information on committee membership, including each member's qualifications and background, employers, funding sources for the previous five years, and any conflict-of-interest waivers granted;
  - requiring public reporting of individual committee members' votes on recommendations when the committee does not come to a consensus; and
  - clarifying that scientists who exercise their rights as private citizens and take public positions on issues or receive government funding for scientific work should not be excluded from advisory committees because of concerns about bias.
- Strengthen the input of CASAC subpanels by codifying the use of pollutant review panels in updates to the National Ambient Air Quality Standards in order to push back against the Trump administration's elimination of the EPA's particulate matter and ozone review panels.
  - Hold hearings related but not limited to dwindling agency science advice through changes to science advisory committees, including the dismissal of independent committee members, freezes and delays in committee activity, and the dismantling of committees and panels.

*The Union of Concerned Scientists puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with people across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future.*

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