

8 March 2017

The Honorable Lamar Smith
2321 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Eddie Bernice Johnson
2317 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Smith and Ranking Member Johnson:

On behalf of the American Geophysical Union (AGU) and its more than 60,000 members, I am writing to express concerns about the Honest and Open New EPA Science Treatment Act of 2017 (HONEST Act) and the EPA Science Advisory Board Reform Act of 2017. We encourage you and your colleagues to take additional time to evaluate the unintended consequences of these bills before the bills move forward.

Although we appreciate the HONEST Act's protections for confidential information, we [remain concerned](#) about several provisions in the bill. For example, requirements in the bill for the use of "best available science," "data," and "reproducible" do not have uniform applications across all disciplines.

With respect to reproducibility of research, some scientific research involves longitudinal studies that are so large and of great duration that they could not realistically be reproduced. The same may be true for scientific data from a one-time event (e.g., Deepwater Horizon Gulf oil spill) where the data is gathered in real time. We're concerned that in these situations the EPA could be constrained from using important or relevant research in making decisions.

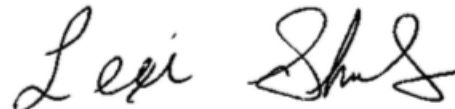
The legislation could also impose costs on recipients of federal research grants where the research results are expected to be "relied on to support a covered action." The bill is not clear on whether it is the EPA's or the research institution's responsibility to cover the costs associated with sharing and archiving this information.

We are also troubled by the implications of the EPA Science Advisory Board Reform Act. As an organization that represents scientists from broad backgrounds and expertise, we appreciate the attempt to ensure a diverse panel of scientific knowledge and perspectives, and support the bill's goal of increasing accountability and transparency for scientific advisors. However, because the bill would exclude some scientists with substantial expertise in their fields from the Science Advisory Board (SAB), the SAB would suffer from the exclusion of valuable insight. The purpose of the SAB is to review the quality and robustness of scientific data that informs EPA's

regulatory process. It is imperative that the SAB comprise the most expert, independent scientists and technical advisors to best fulfill that mission.

AGU looks forward to working with you on these critical issues in the future.

With best wishes,

A handwritten signature in black ink, reading "Lexi Shultz". The signature is written in a cursive, flowing style.

Lexi Shultz
Director of Public Affairs
American Geophysical Union