

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 17, 2014
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 1422 – EPA Science Advisory Board Reform Act of 2013

(Rep. Stewart, R-UT, and 21 cosponsors)

The Administration strongly opposes H.R. 1422, which would affect the ability of EPA’s Science Advisory Board (SAB) to form panels and perform its essential functions. The SAB, along with other functions, reviews the quality and adequacy of certain scientific and technical information used by EPA or proposed as the basis for EPA regulations. Therefore, it is imperative that the SAB be composed of the most knowledgeable scientific and technical experts available. The Federal Advisory Committee Act (FACA), which governs Federal advisory committees such as the SAB, provides for balanced panels and subcommittees that include experts with diverse backgrounds who represent wide-ranging perspectives.

H.R. 1422 would negatively affect the appointment of experts and would weaken the scientific independence and integrity of the SAB. For example, the bill would impose a hiring quota for SAB members based on employment by a State, local, or tribal government as opposed to scientific expertise. Further, it would prohibit a SAB member from participating in “advisory activities that directly or indirectly involve review and evaluation of their own work.” Determining the practical meaning of “indirect” involvement will be difficult and consequently problematic to implement. The provisions on appointment of experts to the SAB and various other requirements could preclude the nomination of scientists with significant expertise in their fields.

H.R. 1422 also would add burdensome requirements on the SAB with respect to solicitation of and response to public comments, above and beyond those imposed by FACA. These new requirements would saddle the SAB with workload that would impair its ability to carry out its mandate. Further, H.R. 1422 would add an unnecessary, burdensome, and costly layer of requirements for hazard and risk assessments without defining the scope of these requirements and absent recognition that many high profile assessments already are reviewed by the SAB.

If the President were presented with H.R. 1422, his senior advisors would recommend that he veto the bill.

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