Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Bachmann
Buchanan
Campbell
Davis, Danny
Duckworth
Engel
Fattah
Hall
Hastings (FL)
Hurt
Jackson Lee
Miller, Gary
Moore
Mullin
Negrete McLeod
Roskam
Sherman
Smith (WA)
Titus

□ 1322

Messrs. HINOJOSA and DOGGETT changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT. Mr. Speaker, I was not present for rollcall vote No. 521, a recorded vote on H. Res. 756. Had I been present, I would have voted "yea."

Stated against:

Ms. TITUS. Mr. Speaker, on rollcall No. 521, had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 192, not voting 15, as follows:

[Roll No. 522]

AYES—227

Aderholt
Amash
Amodei
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Byrne
Calvert
Camp
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—192

Adams
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Enyart
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Bachmann
Buchanan
Campbell
Davis, Danny
Duckworth
Engel
Fattah
Hall
Hastings (FL)
Jackson Lee
Miller, Gary
Moore
Mullin
Negrete McLeod
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1330

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, I was unavoidably detained by a meeting on constituency matters on rollcall vote No. 521 and 522. If I had been present, I would have voted ''no'' on rollcall vote No. 521 and ''no'' on rollcall vote No. 522.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2013

Mr. SCHWEIKERT. Mr. Speaker, pursuant to House Resolution 756, I call up the bill (H.R. 1422) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 756, the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1422

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''EPA Science Advisory Board Reform Act of 2013''.

SEC. 2. SCIENCE ADVISORY BOARD.

(a) MEMBERSHIP.—Section 8(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(b)) is amended to read as follows:

''(b)(1) The Board shall be composed of at least nine members, one of whom shall be designated Chairman, and shall meet at such times and places as may be designated by the Chairman in consultation with the Administrator.

''(2) Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on matters referred to the Board under this section. The Administrator shall select Board members from nominations received as described in paragraph (3) and shall ensure that—

''(A) the scientific and technical points of view represented on and the functions to be performed by the Board are fairly balanced among the members of the Board;

''(B) at least ten percent of the membership of the Board are from State, local, or tribal governments;

''(C) persons with substantial and relevant expertise are not excluded from the Board due to affiliation with or representation of entities that may have a potential interest in the Board's advisory activities, so long as that interest is fully disclosed to the Administrator and the public and appointment to the Board complies with section 208 of title 18, United States Code;

''(D) in the case of a Board advisory activity on a particular matter involving a specific party, no Board member having an interest in the specific party shall participate in that activity;

''(E) Board members may not participate in advisory activities that directly or indirectly involve review and evaluation of their own work;

''(F) Board members shall be designated as special Government employees; and

''(G) no federally registered lobbyist is appointed to the Board.

''(3) The Administrator shall—

''(A) solicit public nominations for the Board by publishing a notification in the Federal Register;

''(B) solicit nominations from relevant Federal agencies, including the Departments of Agriculture, Defense, Energy, and Health and Human Services;

''(C) make public the list of nominees, including the identity of the entities that nominated them, and shall accept public comment on the nominees;

''(D) require that, upon their provisional nomination, nominees shall file a written report disclosing financial relationships and interests, including Environmental Protection Agency grants, contracts, cooperative agreements, or other financial assistance, that are relevant to the Board's advisory activities for the three-year period prior to the date of their nomination, and relevant professional activities and public statements for the five-year period prior to the date of their nomination; and

''(E) make such reports public, with the exception of specific dollar amounts, for each member of the Board upon such member's selection.

''(4) Disclosure of relevant professional activities under paragraph (3)(D) shall include all representational work, expert testimony, and contract work as well as identifying the party for which the work was done.

''(5) Except when specifically prohibited by law, the Agency shall make all conflict of interest waivers granted to members of the Board, member committees, or investigative panels publicly available.

''(6) Any recusal agreement made by a member of the Board, a member committee, or an investigative panel, or any recusal known to the Agency that occurs during the course of a meeting or other work of the Board, member committee, or investigative panel shall promptly be made public by the Administrator.

''(7) The terms of the members of the Board shall be three years and shall be staggered so that the terms of no more than one-third of the total membership of the Board shall expire within a single fiscal year. No member shall serve more than two terms over a ten-year period.''.

(b) RECORD.—Section 8(c) of such Act (42 U.S.C. 4365(c)) is amended—

(1) in paragraph (1)—

(A) by inserting ''risk or hazard assessment,'' after ''at the time any proposed''; and

(B) by inserting ''risk or hazard assessment,'' after ''to the Board such proposed''; and

(2) in paragraph (2)—

(A) by inserting ''risk or hazard assessment,'' after ''the scientific and technical basis of the proposed''; and

(B) by adding at the end the following: ''The Board's advice and comments, including dissenting views of Board members, and the response of the Administrator shall be included in the record with respect to any proposed risk or hazard assessment, criteria document, standard, limitation, or regulation and published in the Federal Register.''.

(c) MEMBER COMMITTEES AND INVESTIGATIVE PANELS.—Section 8(e) of such Act (42 U.S.C. 4365(e)) is amended by adding at the end the following: ''These member committees and investigative panels—

''(1) shall be constituted and operate in accordance with the provisions set forth in paragraphs (2) and (3) of subsection (b), in subsection (h), and in subsection (i);

''(2) do not have authority to make decisions on behalf of the Board; and

''(3) may not report directly to the Environmental Protection Agency.''.

(d) PUBLIC PARTICIPATION.—Section 8 of such Act (42 U.S.C. 4365) is amended by adding after subsection (g) the following:

''(h)(1) To facilitate public participation in the advisory activities of the Board, the Administrator and the Board shall make public all reports and relevant scientific information and shall provide materials to the public at the same time as received by members of the Board.

''(2) Prior to conducting major advisory activities, the Board shall hold a public information-gathering session to discuss the state of the science related to the advisory activity.

''(3) Prior to convening a member committee or investigative panel under subsection (e) or requesting scientific advice from the Board, the Administrator shall accept, consider, and address public comments on questions to be asked of the Board. The Board, member committees, and investigative panels shall accept, consider, and address public comments on such questions and shall not accept a question that unduly narrows the scope of an advisory activity.

''(4) The Administrator and the Board shall encourage public comments, including oral comments and discussion during the proceedings, that shall not be limited by an insufficient or arbitrary time restriction. Public comments shall be provided to the Board when received. The Board's reports shall include written responses to significant comments offered by members of the public to the Board.

''(5) Following Board meetings, the public shall be given 15 calendar days to provide additional comments for consideration by the Board.''.

(e) OPERATIONS.—Section 8 of such Act (42 U.S.C. 4365) is further amended by adding after subsection (h), as added by subsection (d) of this section, the following:

''(i)(1) In carrying out its advisory activities, the Board shall strive to avoid making policy determinations or recommendations, and, in the event the Board feels compelled to offer policy advice, shall explicitly distinguish between scientific determinations and policy advice.

''(2) The Board shall clearly communicate uncertainties associated with the scientific advice provided to the Administrator.

''(3) The Board shall ensure that advice and comments reflect the views of the members and shall encourage dissenting members to make their views known to the public and the Administrator.

''(4) The Board shall conduct periodic reviews to ensure that its advisory activities are addressing the most important scientific issues affecting the Environmental Protection Agency.''.

SEC. 3. RELATION TO THE FEDERAL ADVISORY COMMITTEE ACT.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 4. RELATION TO THE ETHICS IN GOVERNMENT ACT OF 1978.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Ethics in Government Act of 1978 (5 U.S.C. App.).

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in part A of House Report 113–626, if offered by the gentleman from Utah (Mr. STEWART), or his designee, which shall be considered read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from Arizona (Mr. SCHWEIKERT) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. SCHWEIKERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill, H.R. 1422.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SCHWEIKERT. Mr. Speaker, I yield myself such time as I may consume.

Members of Congress have been asking for greater transparency from the EPA's Science Advisory Board for years, and the EPA Science Advisory Board Reform Act, we believe, addresses those concerns.

Currently, the board is made up of 52 members appointed by the Administrator of the EPA to serve 3-year terms. The large majority of these members are affiliated with academic institutions, while private industry and other interested parties are unrepresented.

The only State governments represented are California and Vermont, while tribal and local governments have no representation on the board. Under H.R. 1422, at least 10 percent of the board members will be from States, local governments, or tribal entities.

The bill reinforces peer-review requirements and reduces conflicts of interest while providing opportunity for disinterested panelists to make their views known.

The EPA Science Advisory Board Reform Act promises fairness, transparency, and independence to ensure unbiased advice is given to the EPA.

With that, Mr. Speaker, I yield the balance of my time to the gentleman from Utah (Mr. STEWART), and I ask unanimous consent that he be permitted to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STEWART. Mr. Speaker, I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 1422, the EPA Science Advisory Board Reform Act. I thank my colleagues, Mr. SMITH and Mr. SCHWEIKERT, for their intention to improve the EPA's Science Advisory Board, and I thank them for working with me on other legislation that passed the Science Committee in the House on a bipartisan basis. It is unfortunate that we could not be repeating that bipartisan collaboration today.

My colleagues who support H.R. 1422 may describe this bill as an attempt to strengthen public participation in EPA's scientific review process, improve the process for selecting expert advisers, expand transparency requirements, and limit nonscientific policy advice within EPA's Science Advisory Board. All of these are good government principles that I agree with.

If this bill achieved those goals, I would be here today supporting it. However, on close examination of its provisions, H.R. 1422 would not achieve these good government goals. Instead of improving the Science Advisory Board structure or operation, the bill before us today will likely limit the quality of scientific advice the EPA receives and further delay EPA's regulatory process.

H.R. 1422 would make it easier for industry representatives to serve on a board, even if they have a financial conflict of interest. To be clear, and this is something with which I trust my Republican colleagues would agree, I am not opposed to industry experts participating on the Science Advisory Board or in the peer-review process at the EPA. In fact, their insight into processes and industry can provide valuable guidance to an advisory body.

That being said, Congress should not be endorsing legislation that undermines longstanding ethics requirements and practices with the end result being an overrepresentation of industry voices on EPA's Science Advisory Board, and that is likely to be the result of this bill today.

At the same time this bill eases the way for more industry members, the act also makes it difficult, if not impossible, for the best and brightest from academia to serve because it would exclude from the board anyone who has participated in activities that were even indirectly reviewed by the EPA.

This provision would disqualify some of the most qualified scientists because academic researchers frequently need to compete for research funds from the Federal Government, and that includes the EPA.

Additionally, it appears H.R. 1422 would also significantly delay the work of the Science Advisory Board with new provisions that would require written responses to significant public comments following new public information-gathering sessions, a requirement that is duplicative because the board meetings are already open to the public and have time set aside for public comment. These provisions would simply result in more work without more resources and unlimited time to halt, derail, or slow EPA actions.

Finally, this bill sets a quota for membership on the Scientific Advisory Board from State, local, or tribal governments, which could very well mean that more qualified experts would not be able to serve.

EPA's science is tied to its mission, to protect public health and the environment through rational regulation. Scientific research, knowledge, and technical expertise are fundamental to EPA's mission and inform its regulatory functions.

The need for that expertise is why Congress created advisory bodies such as the Science Advisory Board in the first place, to provide independent advice on the science underpinning regulation, which in turn allows the EPA Administrator to make sound regulatory decisions.

Instead of undermining the scientific advice EPA receives, we should be giving the Agency the tools they need to strengthen and improve the regulatory process with sound science.

In closing, I want to again thank my colleagues, Mr. STEWART and Mr. SCHWEIKERT, for their efforts.

This bill does not do what it needs to do. I want to quote from a letter I received from a coalition of organizations, including Physicians for Social Responsibility, Clean Water Action, and more. The letter states:

> The bill shifts the current presumption against including people with financial conflicts on SAB panels . . . The bill's provisions are inconsistent with a set of nearly universally accepted scientific principles to eliminate or limit financial conflicts.

I agree with this assessment of H.R. 1422, and I urge my colleagues to join me in opposing this bill.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. STEWART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman for yielding, and I would like to also thank the ranking member, my friend from Oregon. We disagree on this bill, as it will become evident through this debate today, but she has always been respectful and professional, and I appreciate that.

The issues we are debating today are important, and the decisions we will make today are significant. There is a process that is broken, and it is through this bill that we cannot only improve that process, but also restore trust between the American people and the Federal Government.

□ 1345

If I could reemphasize what I just said, the process is broken. This is an opportunity for us to restore trust between the American people and the Federal Government that has fostered so much distrust of late.

Established by Congress in 1978, the EPA's Science Advisory Board, or what we refer to as SAB, is intended to provide meaningful, balanced, and independent reviews of the science conducted and used by the Agency. Its members are selected by the EPA Administrator, and it plays an important role in reviewing everything from the EPA's research budget to individual chemical assessments.

This panel is indispensable in critically reviewing the underlying science of virtually all major EPA regulatory activities. That is a tall order in recent years, especially given the fact that the Agency has pursued an overreaching, economically threatening agenda, creating an environment where politics and policies have taken the wheel from unbiased science.

This bill contains basic, good government changes and draws upon noncontroversial provisions of the Federal Advisory Committee handbook, the EPA's own Peer Review Handbook, the National Academies' committee composition and conflict of interest policy, and even recommendations from the Science Committee testimony and other outside groups.

It has widespread support from groups such as the National Chamber of Commerce, the National Association of Manufacturers, the American Farm Bureau, the American Road & Transportation Builders Association, the American Chemistry Council, the American Gas Association, Small Business and Entrepreneurship Council, Portland Cement Association, the American Forest and Paper Association, and I could go on and on with a long list of councils and associations that support this legislation.

It makes important clarifying changes to the scope of SAB's purview and institutes commonsense reforms. I would like to emphasize this. You are going to hear this again and again today: commonsense reforms to improve transparency. How can you argue against that? It specifically builds upon the bipartisan agreement made to the SAB in the farm bill.

H.R. 1422 would also facilitate meaningful public participation across all of the standing committees. Once again, let me emphasize that: it facilitates meaningful public participation. And let's be clear. The transparency and the public participation concerns addressed in this bill are not without merit.

For example, in my own experience, during a hearing in the Science Committee last year, I was alarmed to hear from both SAB members and the chair of the EPA's Clean Air Scientific Advisory Committee and a State official testify that EPA's science advisers virtually never respond to public comments and, in many cases, they don't even read these public comments. Imagine the arrogance of a government committee that pretends to seek public

comment and promises to consider those comments, and then to learn that they don't even read them, let alone consider what has been said. This bill would change that.

This bill also provides clarity to the SAB member selection and disclosure process. Despite an existing requirement that these panels be ''fairly balanced in terms of point of view represented,'' EPA has systematically excluded State, local, and tribal entities and private sector scientists from serving as advisers.

For example, last year EPA announced a new Hydraulic Fracturing Research Advisory Panel. Even though dozens of people with recent and direct experience with oil and gas technical developments were nominated, the EPA excluded nearly every one of them from serving on the panel.

There are also a number of other unsettling Agency trends about how the EPA selects its supposedly independent advisers. For instance, according to the Congressional Research Service, almost 60 percent of the members of EPA's chartered SAB and Clean Air Scientific Advisory Committee have directly received grants from the Agency, and that is only since the year 2000. These advisers served as principal or co-investigators for EPA grants, totaling approximately $140 million. The EPA also frequently chooses panelists whose research is directly or indirectly under review.

And finally, in addition, many of the SAB panelists have clearly taken sides or made public pronouncements on issues they are advising about. For example, roughly 40 percent of the current panel members reviewing the science behind upcoming EPA ozone standards have already made statements that the regulations should be more stringent.

The issues identified in this bill seem to many as too specific and diving into the weeds, but credible peer review is critical to everything the EPA does. We may not be able to control all the EPA's regulatory overreach, but guaranteeing that there is an independent check whose sole focus is to provide unbiased, independent science is essential to the process.

Mr. Speaker, I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Before I yield, I will place into the RECORD letters from various groups opposed to this bill, including the Union of Concerned Scientists, Natural Resources Defense Council, and Physicians for Social Responsibility, among many others.

In addition, I will place into the RECORD the Administration's Statement of Administration Policy on the bill threatening a veto if the bill were to pass.

UNION OF CONCERNED SCIENTISTS,
Cambridge, MA, November 17, 2014.

DEAR REPRESENTATIVE: The Union of Concerned Scientists strongly opposes the EPA Science Advisory Board Reform Act of 2013, H.R. 1422, set to be voted on by the House as early as November 18. This bill will cripple the Environmental Protection Agency's ability to protect public health informed by the best available science.

When he discussed his proposal last year, Rep. Chris Stewart (UT) revealed the real purpose of his bill. He attacked the Environmental Protection Agency (EPA) for ''promulgating air quality regulations that could shut down large swaths of the West, undertaking thinly veiled attacks on the safety of hydraulic fracturing, or pursuing job-killing climate regulations. . . .''

This proposal will make it nearly impossible for the Board to do the crucial independent evaluations of EPA scientific analyses that enable the agency to protect public health. This bill opens the door for more corporate influence on the Board, because the bill directly stipulates that experts with financial ties to corporations affected by SAB assessments are ''not excluded.'' This signal likely will increase the number of conflicted SAB panelists empowering companies to delay the SAB's work for years, if not decades. It strikes at the heart of the whole concept of independent reviews, and at a time when the ability of corporations to influence policy is already high.

At the same time this bill encourages corporate experts to join the SAB, it creates roadblocks for academic experts to meaningfully participate by banning experts' participation in ''advisory activities that directly or indirectly involve review and evaluation of their own work.'' This effectively turns the idea of conflict of interest on its head, with the bizarre presumption that corporate experts with direct financial interests are not conflicted while academics who work on these issues are.

The notion that a member of the SAB cannot participate in a discussion that cites the member's own work is counterproductive and goes far beyond the common-sense limits imposed by the National Academies. Of course, a scientist with expertise on topics the Science Advisory Board addresses likely will have done peer-reviewed studies on that topic. That makes the scientist's evaluation more valuable, not less.

The bill offers almost limitless opportunities for public comment, opportunities that only benefit moneyed special interests. For example, for each major advisory activity, the Board must convene a public information-gathering session ''to discuss the state of the science'' related to that activity.

It is possible, under this requirement, that the Board may find itself repeatedly reexamining ''the state of the science'' on climate change or the harmful effects of certain toxins—each time it made an assessment that touched on either climate change impacts or reducing air pollution.

In addition, both the EPA, before it asks for the Board's advice, and the Board itself, would be required to ''accept, consider, and address'' public comments on the agency's questions to the Board. As the SAB deliberates, it must also encourage public comments ''that shall not be limited by an insufficient or arbitrary time restriction.'' In effect, these provisions turn a scientific evaluation into a public hearing, even though EPA must already accept public input on all its regulations.

The Board is required to respond in writing to each ''significant'' comment. In practice, it is difficult to see how the Board could impose any deadlines on accepting comment. Nor is it a reasonable expectation on the Board's membership of pro bono experts.

The nonpartisan Congressional Budget Office estimates that implementing the law's mandates will cost the EPA about $2 million over a four-year period. These are funds that could be put to much better use by a cash-strapped agency.

This bill would not improve the work of the Board, and would make it more difficult for the EPA to receive the independent science advice it needs to do its work. We strongly urge your opposition.

Sincerely,

ANDREW A. ROSENBERG, PH.D.,
Director, Center for Science and Democracy, Union of Concerned Scientists.

BLUEGREEN ALLIANCE; CENTER FOR BIOLOGICAL DIVERSITY; CENTER FOR EFFECTIVE GOVERNMENT; CLEAN WATER ACTION; COMMUNICATIONS WORKERS OF AMERICA; DEFENDERS OF WILDLIFE; EARTHJUSTICE; ENVIRONMENT AMERICA; ENVIRONMENTAL DEFENSE FUND; INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW); LEAGUE OF CONSERVATION VOTERS; NATURAL RESOURCES DEFENSE COUNCIL; PUBLIC CITIZEN; SIERRA CLUB; SOUTHERN ENVIRONMENTAL LAW CENTER (SELC); SOUTHERN OREGON CLIMATE ACTION NOW; UTILITY WORKERS UNION OF AMERICA (UWUA); WE ACT FOR ENVIRONMENTAL JUSTICE.

DEAR REPRESENTATIVE: On behalf of our millions of members and supporters we strongly urge you to oppose the trio of anti-EPA bills hitting the floor this week: the ''Secret Science Reform Act of 2014'' (H.R. 4012), the ''EPA Science Advisory Board Reform Act of 2013'' (H.R. 1422), and the ''Promoting New Manufacturing Act'' (H.R. 4795). Collectively, these misleadingly named bills would radically diminish EPA's ability to protect public health. Under these bills, EPA would be required to ignore significant science; the Scientific Advisory Board would be required to ignore conflicts of interest; and enforcement officials would be required to ignore pollution emitted in violation of the law. These bills are broadly written and would have damaging impacts far in excess of what their sponsors will admit.

The ''Secret Science Reform Act,'' H.R. 4012, is based on a faulty premise. Its notion of ''secret science,'' based on claims about studies of fine soot pollution conducted almost two decades ago, is unfounded despite lengthy congressional inquiries. The bill would deny EPA the ability to rely upon peer-reviewed medical studies that involve commitments to patient confidentiality, when the agency carries out its statutory responsibilities to safeguard public health and the environment. Further, this bill would effectively amend numerous environmental statutes by forbidding EPA to use certain kinds of studies in setting health standards. It would also make it impossible for EPA to use many kinds of economic models it routinely relies on because those models are proprietary. This marks a radical departure from longstanding practices. Its end result would be to make it much more difficult to protect the public by forcing EPA to ignore key scientific studies.

H.R. 1422 would attack EPA's scientific process in a different way. This bill would significantly weaken the content and credibility of the Scientific Advisory Board (SAB) reviews—a textbook example of making a government program function poorly to the benefit of polluting industries and at the expense of public health and independent science. The bill will add unnecessary new

burdens on the SAB, distorting its mission and altering its process with no benefit to EPA or the public. The worst provision would mandate allowing the participation of scientists with financial conflicts of interest, as long as those conflicts are disclosed. This is inconsistent with a set of nearly universally accepted scientific principles to eliminate or limit financial conflicts. The bill also significantly broadens the scope of the SAB and creates a comment process that will add needless delay to the Board's work. The result would be further stalling and undermining of important public health, safety, and environmental protections.

Lastly, H.R. 4795 is a substantive attack on our nation's right to clean air protections. It would grant amnesty from national clean air health standards, create red tape and cause unintended burdens to local businesses. The bill would exacerbate air pollution nationwide, causing harm to public health and making the jobs of state and local officials harder to perform. Newly permitted industrial facilities would be allowed to operate in violation of national health standards, while other local businesses and local communities would have to ''pick up the slack'' and be penalized for the new facility's amnesty and pollution. In so doing, the bill repeals a health safeguard in place for nearly 40 years under the Clean Air Act, making it more difficult for states to permit new facilities while also keeping their air clean.

This legislation will obstruct the implementation and enforcement of critical environmental statutes, undermine the EPA's ability to consider and use science, and jeopardize public health. For these reasons, we urge you to oppose these bills.

Sincerely,

BlueGreen Alliance; Center for Biological Diversity; Center for Effective Government; Clean Water Action; Communications Workers of America; Defenders of Wildlife; Earthjustice; Environment America; Environmental Defense Fund; International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW); League of Conservation Voters; Natural Resources Defense Council; Public Citizen; Sierra Club; Southern Environmental Law Center (SELC); Southern Oregon Climate Action Now; Utility Workers Union of America (UWUA); WE ACT for Environmental Justice.

NOVEMBER 17, 2014.

DEAR REPRESENTATIVE: The undersigned individuals and organizations working on public health and science-informed regulation strongly oppose H.R. 4012, the Secret Science Reform Act, and H.R. 1422, the EPA Science Advisory Board Reform Act, up for a House vote as early as November 18.

Both bills would severely undermine the ability of the Environmental Protection Agency (EPA) to use the best available scientific evidence when making decisions regarding the protection of public health and safety and the environment.

H.R. 4012, the erroneously named Secret Science Reform Act, would tie the EPA's hands by restricting the information it can use to develop protective regulations. The EPA could only regulate based on publicly available scientific data. This restriction would block the agency's use of many different types of public health data, such as those for which public release would violate privacy protections, or data from corporations that are designated as confidential business information.

It also would restrict the use of scientific data that is not ''reproducible.'' This provision seems to adopt a very narrow view of scientific information solely based on laboratory experiments. As major scientific societies including the American Association for the Advancement of Science (AAAS) have noted, such a restriction would eliminate the use of most epidemiological and public health data, such as those regarding the public health impacts of air pollution, because these data are collected in long-term studies following individuals longitudinally.

Not only do privacy concerns arise, but such studies are not inherently reproduced in the way a laboratory experiment or a clinical trial may be. It would be unethical to deliberately expose adults or children to air pollution merely to determine whether the increased rates of asthma and heart attacks caused by such exposures can be duplicated, or to encourage teenagers to smoke to re-assess the toxic effects of tobacco.

H.R. 1422, the EPA Science Advisory Board Reform Act would greatly weaken the EPA's advisory process, ensuring that recommendations from its independent Science Advisory Board (SAB) will be dominated by corporate special interests. While the bill has been improved by several amendments offered by minority members of the House Science Committee, it still remains unacceptable.

This bill opens the door to increased corporate influence on the Board, both by encouraging the EPA to accept more SAB panelists with corporate ties, and disqualifying some of the nation's leading experts.

The bill's overly broad restriction that a member of the SAB cannot participate in a discussion that cites the member's own work is counterproductive, and goes far beyond the common-sense limits imposed by the National Academies. Of course, a scientist with expertise on topics the SAB addresses likely will have done peer-reviewed studies and other work on that topic. That makes the scientist's evaluation more valuable, not less.

Even worse, the bill requires the SAB to remain in an endless loop soliciting public comment about the ''state of the science'' touching on every major advisory activity it undertakes and responding to nearly every comment before moving forward, without being limited by any time constraints. At best, the SAB will be reduced to busy work. At worst, the SAB's assessments will address the concerns of corporations, not the desires of citizens for science-informed regulation that protects public health.

These bills together will greatly impede the ability of EPA, and potentially other agencies, to utilize the best available science, independently reviewed, to inform regulations crucial to public health and the environment.

We strongly urge you to vote No on H.R. 4012 and H.R. 1422.

Sincerely,

Center for Science and Democracy at the Union of Concerned Scientists; Annie Appleseed Project; Breast Cancer Action; Center for Medical Consumers; Institute for Ethics and Emerging Technologies; National Center for Health Research; National Physicians Alliance; Our Bodies, Ourselves; Physicians for Social Responsibility; Public Citizen; The TMJ Association; Woodymatters; Susan F. Wood, PhD, Associate Professor, Director, Jacobs Institute of Women's Health, The George Washington University, Milken Institute School of Public Health; John H. Powers, MD, Associate Clinical Professor of Medicine, The George Washington University School of Medicine.

LEAGUE OF CONSERVATION VOTERS,
Washington, DC, November 17, 2014.

Re Oppose H.R. 1422, H.R. 4012, and H.R. 4795: An Attack on Scientific Integrity and Public Health.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 1422. H.R. 4012, and H.R. 4795.

H.R. 1422, the so-called EPA Science Advisory Board Reform Act would undermine the ability of the Science Advisory Board to provide independent scientific advice to the Environmental Protection Agency (EPA). This bill would allow industry participation on the Scientific Advisory Board, while preventing subject experts from being included. Additionally, new burdens imposed on the Board would needlessly delay necessary public health and environmental protections.

H.R. 4012, the so-called Secret Science Reform Act of 2014 would endanger public health by preventing the EPA from using the best available science. The bill contains favorable exemptions for industry and would severely restrict the health studies that the EPA is able to use by prohibiting the use of peer-reviewed studies with confidential health information. These types of studies are the basis for the best research on pollution's effects on people. This legislation cripples the EPA's ability to develop effective public health safeguards.

H.R. 4795, the so-called Promoting New Manufacturing Act is an attack on clean air protections. This bill would create unclear procedural requirements and loopholes that could allow newly permitted industrial facilities to be exempted from the most recent national air quality standards set by the EPA. This legislation effectively creates amnesty for new facilities while delaying the permitting process and threatening public health.

We urge you to REJECT H.R. 1422, H.R. 4012, and H.R. 4795, a collective attack on scientific integrity and public health. We will strongly consider including votes on these bills in the 2014 Scorecard.

Sincerely,

GENE KARPINSKI,
President.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1422—EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2013

(Rep. Stewart, R–UT, and 21 cosponsor, Nov. 17, 2014)

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.

Ms. BONAMICI. Mr. Speaker, I yield 6 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Science Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank the ranking member.

I rise in strong opposition to H.R. 1422, the EPA Science Advisory Board Reform Act. H.R. 1422 is a continuation of the majority's anti-science agenda. It benefits no one but the industry, and it harms public health.

The bill before us today ''reforms'' EPA's Science Advisory Board not for the better, but for the worse. The supposed intent of H.R. 1422 is to improve the process of selecting advisers to serve on the Agency's advisory board, but, in reality, H.R. 1422 will allow the board to be stacked with industry-affiliated representatives while making it more difficult for the experts from academia to serve on the board.

The role of the board is to provide independent scientific analysis and advice to the EPA, which includes reviewing the quality and relevance of scientific information used as the basis for regulations.

My Republican colleagues seem to have a fundamental distrust of scientists from our Nation's universities because these researchers, the ones with the most relevant expertise to EPA's mission of protecting public health, are denied the opportunity to provide EPA with their advice under H.R. 1422. It is difficult to understand how anyone could object to the most expert academics in the country being called on to offer their expertise to EPA. Who would know better whether EPA had mischaracterized the science on an issue than the people who are leaders in their respective fields?

The board is supposed to be composed of experts, including those who may have, literally, ''written the book'' on a matter. What is the alternative? Should we find people to serve who are less expert?

Equally troubling, H.R. 1422 goes out of its way to guarantee that industry-affiliated experts are the dominant voice on the board of experts. An expert with an industry association is far more likely to find that the science they are asked to review will have a financial impact on the employer. Academic scientists do not have such financial conflicts of interest with the board's advice or EPA's actions.

To be clear, I am not arguing that industry should have no representation on EPA's Science Advisory Board. Their insight is valuable. But I do not support stacking the board with industry representatives, as would be the outcome if this bill passes.

Another goal of H.R. 1422, as stated by our colleagues on the other side of the aisle, is to ''improve the science that goes into EPA regulations.'' H.R. 1422 falls shorts of that goal as well and, instead, weakens and delays the scientific review process, putting the health of every American at risk.

As a former nurse, I cannot support legislation that endangers public health, and I strongly urge my colleagues to oppose H.R. 1422.

Mr. Speaker, I want to say that this bill came out of committee without a single Democratic vote.

Mr. STEWART. Mr. Speaker, I yield myself such time as I may consume.

Before I recognize the gentleman from Texas, I would like to respond briefly, if I could, to the minority Member, some of her comments regarding this bill.

The bill very clearly does not allow for the SAB to be stacked, to use her phrase, with the industry experts. I have the bill before me. It is only a couple of pages long. It is very simple. I would ask anyone to show me the language where it allows for the SAB to be stacked with industry experts.

All we are asking is that there be some balance to those experts who are asked and that there, further, be transparency, and that we understand who is selected, why they were selected, and why others were excluded from this, just like, by the way, we are not asking that those scientists who have EPA-funded backgrounds be excluded. We are not saying that they are conflicted to the point where they couldn't participate. We recognize that they have expertise that could help in this process.

But we also are asking, on the other hand, that we recognize that there are industry experts who are currently being excluded from this because of their background. Of the 51 members of the current SAB, only three—only three—have any industry expertise, and we are losing valuable insight and valuable guidance because we don't include them in the process.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. I thank the gentleman.

Mr. Speaker, it seems that some of the things that we are hearing from the opponents of the bill are that the committee is going to be stacked with people from industry, from the States. It is as if the people from industry can't be trusted, people from States can't be trusted.

Then we hear the theme that there was not a single Democratic vote to get this bill out. It almost sounds like the Affordable Care Act to me where people—recent revelations are one of the proponents has said that Americans were too stupid to understand, so that's why the Affordable Care Act had to be passed, and it couldn't have transparency because it would never have passed Congress.

Mr. Speaker, I rise today in strong support of H.R. 1422. The Science Advisory Board, called the SAB—I guess we would say this is a ''sad SAB story''—was established by Congress to review the science behind the EPA's decisions and to advise Congress and the EPA on science and technical matters. Unfortunately, the SAB is no longer functioning as designed, without the impartiality and expertise needed to be an effective arbiter of EPA's use of science in its regulations.

Why no transparency, Mr. Speaker? That is what we have got to ask. The American public deserves transparency. These are taxpayer dollars we are talking about.

The membership of the SAB has excluded individuals from the State agencies and private sector. Again, I would remind us that these are the people who build communities and industries in neighborhoods, in cities, in towns, and in States.

Can you say 10th Amendment?

States have all the rights reserved. They are the building block. Communities, citizens, industry is the building block of this country. This is a country that has a government, not a government that has a country.

So, as the EPA continues its regulatory assault on America's economy, it is critically important that Congress act to improve the quality of EPA's use of science in its decisions. This bill, this legislation, will do just that. It will improve the quality of SAB's membership. It will increase public participation in its scientific reviews. It will allow for dissenting opinions among its members and limit the SAB's activities to questions of science, not policy.

□ 1400

And I want to say thank you to Congressman STEWART and Chairman SMITH for bringing this important legislation to the floor today. It is very important that we get on top of this. The American people deserve transparency, they deserve a seat at the table, and they deserve nothing less.

Ms. BONAMICI. Mr. Speaker, before I yield to the gentleman from California, I just want to respond that, certainly, we on this side of the aisle agree with

the goal of transparency. However, transparency does not mean letting industry, people with a financial interest, serve by disclosing it. That is not what transparency means.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. BERA), who is not only a physician but a great member of the Science Committee.

Mr. BERA of California. Mr. Speaker, I want to thank my colleague from Oregon for her leadership on the Science Committee as well as our ranking member from Texas for her leadership.

But I have to rise in opposition of H.R. 1442, the EPA Science Advisory Board Reform Act, and here is why: it is absolutely accurate that the best science and the best advice comes from multiple perspectives. You certainly need the perspective of industry, but you have to independently have that perspective of science as well.

You need a board that is unbiased, that is unfettered, that is transparent, that is looking at it from the perspective of advising Congress and giving us the best possible advice because our sole job is to protect our citizens, to provide that best advice to our citizens. That is what the advisory board is designed to do and should do.

But it requires a delicate balance. It can't be stacked in one direction or the other direction. You have to create that transparency that allows for vibrant, unfettered dialogue.

And I say this as a scientist, as someone who has been on advisory boards.

Now, the importance of what the EPA does and what advice they provide Congress is incredibly important. I will just share: I am a lifelong Californian. I grew up in southern California. I grew up at a time where I could actually see the air that I was breathing, where there were days that they ordered us to stay inside.

It is through legislation, it is through working with industry, it is through looking at science that you cannot only both protect our citizens, protect our environment, but also advance industry.

I applaud the Science Committee and Chairman SMITH for taking up this debate. But let's do it in a way that not only is built on sound science, is built on evidence, but also allows multiple perspectives, not just from one side or the other side, not just from one group or another group, but creates this context where we can have vibrant debate, where we can get the best and most sound science, and we can get the best advice, which is what this group is supposed to do. They are supposed to advise Congress and allow us to do our job, which is to protect the citizens of the United States.

Mr. STEWART. Mr. Speaker, I yield myself such time as I may consume to respond to some of the comments made on the other side of the aisle.

All of us would be concerned if we thought we were getting advice that had been conflicted financially. I share that concern. In fact, that was one of the primary reasons that we wrote this bill. This bill, to say it again, seeks for transparency and it seeks for openness.

If you are worried about industry experts being stacked on the SABs and providing biased opinion and expertise, I would ask you to give me an example of this. Because I can give you an example of exactly the opposite happening.

I will say it once again: 60 percent of the current Members of the SAB have $140 million in direct government grants. Now, that is a clear conflict. And yet once again, we are still willing to work with that. We are not seeking to exclude those members; we are simply seeking for transparency and openness, and for that same standard to be applied to industry experts as well who could help us with their background and their expertise.

I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my colleague from Utah (Mr. STEWART) for introducing H.R. 1442, the EPA Science Advisory Board Reform Act. I rise in strong support of this piece of legislation.

As Mr. STEWART said, this bill will increase transparency and give Americans more opportunities for public input and participation on Science Advisory Board activities.

I believe this legislation builds on the progress that we have made on improving the Science Advisory Board.

I represent a district where agriculture is the economic driver and a way of life. So it concerns me when I learned that farmers did not even have a seat at the table on the EPA Science Advisory Board.

And the EPA Science Advisory Board, Mr. Speaker, considers rules that impact agriculture.

By working together on the farm bill, my colleague Representative PETERSON and I were able to ensure that farmers have a stronger voice when it comes to EPA regulations.

For the first time, agriculture interests will be represented within the SAB. I can report that EPA has made progress in standing up this ag-related committee, and I believe the voices and input provided by farmers and producers to the EPA will make for more commonsense policy.

H.R. 1422 will provide the public with more access to scientific information and more opportunities to comment on board actions.

This legislation also ensures that State and local government officials would be part of the Science Advisory Board. And as my colleague alluded to earlier, we cannot have a Science Advisory Board made up primarily of individuals who receive grant funding from the Federal Government to make decisions that affect them.

Again, I rise in support of this bill. I thank my colleague from Utah.

Ms. BONAMICI. Mr. Speaker, at this point in time I am happy to yield 4 minutes to the gentleman from New Jersey (Mr. HOLT). I also want to mention that not only is Mr. HOLT a scientist and a great Member of Congress but also has been named, starting in February of 2015, the new CEO of the American Association for the Advancement of Science.

Mr. HOLT. Mr. Speaker, I thank my good friend from Oregon. I rise in opposition to this legislation, H.R. 1422, as yet another attempt to gut the EPA and to reform it into an advocate for industry.

Now, the proponents make claims that sound noble and virtuous, like increasing transparency and participation.

But make no mistake: the bill is simply a way to increase the role and influence of special interests, to tip the scales in favor of these special interests, and to decrease actual scientific input into the EPA decisions and rulemaking.

Let me try to explain what is wrong here. Take, for example, the section in this bill that limits participation of board members who have relevant expertise.

Now, EPA has an advisory board whose job it is to review scientific and technical information being used as a basis for agency regulations. However, section 2 of this bill states: ''Board members may not participate in advisory activities that directly or indirectly involve review and evaluation of their own work.''

Now, what does that worthy-sounding clause mean? Here is how it has been explained to me. If the EPA board member is a leading scientist in a field and has published works that are well cited by other scientists and works that would be used to establish the scientific findings affecting possible regulations, that board member would be prohibited from reviewing any such materials before the board related to her or his expertise because it draws on the scientific work of that person.

Now, I realize Congress sometimes has trouble dealing with expertise, but this bill is a solution in search of a problem. The EPA advisory board does and should use science; not industry science, not government science—science.

Science works so well and provides the most reliable knowledge because it is based on evidence, the validity of which is determined by other scientists in the free exchange of information. Expertise and influence of a claim in science and its application shouldn't be determined by the highest bidder or the politically most powerful.

The science should be allowed to operate. This restricts it or would restrict it if this were to become law.

Now, to make this bill even worse, while the bill would exclude experts advising in areas of their expertise, it would allow people with corporate or special-interest bias to affect the rulemaking if they only state their affiliation.

Now, while it sounds good to say you are increasing transparency, in reality

this simply strengthens the role of special interests—biased interests—in the process.

I urge all Members to carefully review the language and think about these implications. I think they will come to a decision to vote ''no.''

Mr. STEWART. Well, once again, I just have to respond to some of the things that the opposition is saying.

This is essentially their argument: we think it is okay that 60 percent of SAB members have $140 million in direct government grants, and we think it is okay that those same members are then allowed to provide their own peer review of their own work. That is okay.

I think it is very commonsensical to realize there are inherent objections and inherent conflicts in allowing that sort of structure to continue to exist.

It is not gutting the EPA, as was claimed, to ask to increase transparency. It is not gutting the EPA to ask for balance. That is all this bill does.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HARRIS), my good friend.

Mr. HARRIS. Mr. Speaker, I want to thank the gentleman from Utah for allowing me to speak on this bill on the floor. As the body may know, the gentleman from Utah succeeded me as chairman of that committee. We had numerous hearings about the EPA Science Advisory Board. So I am glad that one of the results of those years of hearings was H.R. 1422, and I rise to support it.

Mr. Speaker, I hope America is watching. The opponents of this bill clearly and simply believe that people who work for the government know best.

We have heard 60 percent of the Science Advisory Board works for the government. They received millions and millions of dollars in grants from the EPA. They work for the government. The other side wants America to believe that because they work for the government they know better.

Mr. Speaker, I did science, and I had an academic appointment. You know, the joke was that people who can, do, and people who can't, teach; that people who don't really know how to do something end up in an academic institution and end up teaching. I have got to tell you, there was some truth to that.

What this bill does, it says that the Scientific Advisory Board ought to be made up of more than just academics because that is really who makes up the board now. It actually ought to be made up of people who are in the field.

Mr. Speaker, let me tell you, you know that some of the corporations who are affected by the EPA hire the best scientists they can because they have to deal with the EPA, and those scientific minds, in fact, work in the private sector. They don't work for government.

What is wrong with a balanced approach? The gentleman from California said we should be unbiased, unfettered, and transparent. That is what the Science Advisory Board ought to be.

How can you be unbiased if you come up with the wrong conclusion, the Science Advisory Board? You are biting the hand that feeds you. Because 60 percent of those scientists derive their grants from the EPA.

There is no way they can be unbiased.

The SPEAKER pro tempore (Mr. LATHAM). The time of the gentleman has expired.

Mr. STEWART. I yield the gentleman an additional 30 seconds.

Mr. HARRIS. Mr. Speaker, they are neither unbiased nor unfettered. We know fully and truly, as the gentleman from Texas said, because of the revelations of Mr. Gruber, that transparency is not a major objective of the administration. And I am afraid that has filtered down to the EPA.

Mr. Speaker, H.R. 1422 makes sense. The best advice is from a balanced group of advisers. It is unbalanced at the EPA now. This bill will provide some balance. I encourage the body to pass H.R. 1422.

□ 1415

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

I just want to respond, with all due respect, to my colleagues who are promoting this bill and asking for balance.

On the contrary, what this bill achieves is not balance because, as explained, under this bill, people who are employed by the industry with a financial conflict of interest can serve as long as they disclose their conflict.

That is in contrast to current practice, which is biased, which is balanced by membership, but people with financial conflicts of interest do not currently serve on this Science Advisory Board.

Just to clarify, it isn't just that people who are employed by industry with a financial conflict of interest will be able to serve; under this bill, people who receive some type of grant cannot participate.

Now, just to clarify, these are not government employees. These are employees of research institutions, universities, who may have received some government grant funding. They are not employed by the government. They are not government employees, and that is a big distinction. They are not beholden to any particular government agency, so that is the big difference.

I agree that we should have balance and transparency, but unfortunately, this bill takes us in the wrong direction.

I reserve the balance of my time.

Mr. STEWART. Mr. Speaker, could I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Utah has 11 minutes remaining. The gentlewoman from Oregon has 12½ minutes remaining.

Mr. STEWART. Mr. Speaker, before I yield to my friend, the gentlewoman from Tennessee, I would very quickly like to make a point. Once again, all we are seeking is fairness and transparency, and the opposition is claiming that it is okay for government-sponsored and -granted scientists to sit on this board.

In fact, it is okay that 60 percent of them have tens of millions of dollars of government funding, but it is not okay for anyone from the industry, and it is completely transparent how unfair that standard would be.

The second point I would make is this: we are not claiming that either of them should be forbidden to serve on these boards. We are just asking that they disclose those financial agreements and let the American people decide, and that certainly seems to be a fair standard and hardly the minimum that we could ask.

With that, Mr. Speaker, I would like to yield 3 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN), my good friend.

Mrs. BLACKBURN. Mr. Speaker, I thank the sponsor of the legislation, the gentleman from Utah, for the excellent job that he has done in preparing this legislation and bringing it to the body.

If you were to go with me into my district in Tennessee—19 counties, 10,000 square miles—one of the things that you would hear in every community discussion is a certain amount of disdain for Federal agencies.

Now, we all expect we are going to hear about not liking the IRS, but the number one agency in my district to dislike, to be frustrated with, to want to get control of, to reform is the EPA, and that is because whether you are a small business owner or a painter or a manufacturer or a farmer who is growing food to go on the table, you get hassled by the EPA with all sorts of frivolous and nonsensical rules and regulations and interpretations.

Quite frankly, the American people are tired of it, and they look at us and they say, ''Tell me what you are going to do about it.''

Now, Mr. Speaker, today is a day that, yes, indeed, we can do something about this and a component of it, the Science Advisory Board—isn't it so interesting that these agencies create this tangled web of different boards and advisory capacities, and it is all to insulate their cronies, and it is all to help them shield millions of taxpayer dollars, money coming out of the pockets of hardworking taxpayers, that are going to their cronies, who are receiving these grants.

The American people are saying, ''Stop it. Get it under control. Get a handle on this.'' This is one of the ways that we do it.

The chairman has spoken eloquently about the membership and the makeup of the Science Advisory Board, the cronyism that is taking place there, and the need for it to stop, the ability to have these conflicts of interest brought out of smoke-filled rooms and moved

into the transparency of sunlight and knowledge of the American people. It is a great disinfectant. It is time for it to be put on the EPA, and certainly, H.R. 1422 is a great way to go about that.

We wouldn't even be here discussing this today and there would be no need at all for H.R. 1422 if the EPA were to follow their own peer-review handbook, but I guess Grubergate has gone governmentwide. What we are seeing is they are all trying to find ways to squirrel this away and to hide and to not have that transparency.

It is time to pass this legislation. It is time to bring transparency to the process.

Ms. BONAMICI. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. STEWART. I yield myself such time as I may consume.

Mr. Speaker, as we conclude this debate, there are three things that we should keep in mind. The current content or makeup of the SAB is somewhere between 51 and 52 members because there are some in transition as new members come and go. Of those, let's say, 52, only nine are nonuniversity background, and of those, only five and sometimes six represent industry.

The industry experts have much to offer. If you don't think that, say, for example, with the hydraulic fracking board that that technology is changing rapidly, it certainly is, and we need to take advantage of that.

The second thing I would say is public comment. The American people are smart, and the American people are those that are most affected by some of the standards and the rules that the EPA would suggest. We should listen to them, and this bill allows a process where they can be listened to.

Finally, the third thing, we are requesting that 10 percent—a mere 10 percent of these board members come from State, local, or tribal governments. That hardly seems like a bar that is too high to cross in getting input from lay States and localities.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

The bill before us today does undertake the laudable goal of improving transparency at the EPA.

However, as I stated previously and as my colleagues mentioned, this bill, as written, does not accomplish that goal; instead, H.R. 1422 will increase the influence of industry on EPA decisionmaking, including industry members with a financial conflict of interest, while reducing the role of qualified academic researchers in helping to guide regulatory action that is based on sound science.

The Union of Concerned Scientists said:

> At the same time, this bill encourages corporate experts to join the SAB. It creates roadblocks for academic experts to meaningfully participate by banning experts' participation and advising activities that directly or indirectly involve review and evaluation of their own work.
>
> This effectively turns the idea of conflict of interest on its head with the bizarre presumption that corporate experts with direct financial interests are not affected, while academics who work on these issues are.

Breast Cancer Action wrote:

> This bill's overly broad restriction, that a member of the SAB cannot participate in a discussion that cites the member's own work, is counterproductive and goes far beyond the commonsense limits imposed by the National Academies.
>
> Of course, a scientist with expertise on topics that SAB addresses likely will have done peer-reviewed studies and other work on that topic. That makes the scientist's evaluation more valuable, not less.

Mr. Speaker, we can and should work together to improve EPA's approach to reviewing the science underpinning regulations, but this legislation will only damage and delay the process and not bring us the transparency my colleagues seek.

I urge my colleagues to vote ''no'' on this legislation, and I yield back the balance of my time.

Mr. STEWART. Could I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Utah has 5½ minutes remaining.

Mr. STEWART. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP), my comrade.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate this opportunity of coming here and talking about this issue.

My relationship with the Environmental Protection Agency has been infrequent, thankfully, but it has also not necessarily been successful or positive. In an issue that dealt specifically with my hometown and county, to be very honest, the science that was used by the Environmental Protection Agency to make the decision was flawed.

The State clearly showed that it was flawed; yet that did not make a difference in their ultimate decision, which led me to believe that the decision was perhaps more politically motivated than it was scientifically motivated.

I realize this advisory board, though, is in place to try to mitigate against those circumstances taking place, but if that advisory board is going to work, it has to have the balance of input that is necessary for that.

I am frustrated that out of the 50-plus members of this board, only two have backgrounds in State and local governments and those from only specific States. This board desperately needs that kind of input from those entities that have a day-to-day working relationship with these issues.

If that is not there, if that is not remedied, then the board itself is going to be flawed, and it is not going to fulfill the purpose for which it was designed.

I fully support this bill because this advisory board has an effort and a job to fill to mitigate problems before those problems develop, and if it is not an effective board, then we should either reform it, as this bill tries to do, or we should eliminate it, but it can be reformed. It should be reformed. This is a step to actually reform it, to make sure that there is better input for better decisions to be made.

I congratulate the gentleman from my home State of Utah for coming up with a bill that solves a real problem and does it in a fair and professional way.

Mr. STEWART. With that, Mr. Speaker, I am prepared to close, but before I do, though, I would like to enter into the RECORD the letters from the U.S. Chamber of Commerce and others that I mentioned in my previous testimony.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, November 18, 2014.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, supports H.R. 1422, the ''EPA Science Advisory Board Reform Act of 2013.'' This bill would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency (EPA) on scientific and technical issues, is unbiased and transparent in performing its duties.

The bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA's responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound and unbiased.

The EPA Science Advisory Board Reform Act would improve the transparency and trustworthiness of scientific and technical reviews that EPA relies on to justify its actions. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports H.R. 1422.

Sincerely,

R. BRUCE JOSTEN.

AMERICAN FARM BUREAU FEDERATION®,
Washington, DC, November 18, 2014.

Chairman LAMAR SMITH,
Chairman, House Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing on behalf of the American Farm Bureau Federation, the nation's largest general farm organization. We have reviewed H.R. 1422, The Science Advisory Board Reform Act. AFBF strongly supports this legislation and is committed to working with you in pressing for its swift consideration.

The Scientific Advisory Board (SAB) should be a critical part of the scientific foundation of EPA's regulatory process. Rather than promoting fairness, transparency and independence to ensure unbiased

scientific advice, EPA has failed to follow its own Peer Review Handbook and used its position to silence dissenting scientific experts. A weak and partial SAB undermines public trust and hurts the quality of regulatory decisions. American Farm Bureau Federation supports H.R. 1422 because Farmers and Ranchers deserve good governance and regulations based on meaningful scientific review.

H.R. 1422 reforms the SAB process by strengthening public participation, improving the process of selecting expert advisors, reducing conflicts of interest and enhancing transparency. The legislation draws from EPA's own Peer Review Handbook and recommendations from the Bipartisan Policy Center to urge sensible reforms. H.R. 1422 improves the review process and makes the SAB a more useful tool in regulatory decision making.

H.R. 1422 reinforces the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will continue to work with you to ensure passage of H.R. 1422.

Sincerely,

BOB STALLMAN,
President.

APRIL 10, 2013.

Hon. CHRIS STEWART,
Chairman, Subcommittee on Environment Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: We are writing on behalf of the American Alliance for Innovation (AAI), a large and diverse coalition of trade associations representing a broad spectrum of the American economy.

It is paramount that chemicals and metals producers, manufacturers, distributors, importers, users, and consumers have confidence that there is a transparent federal chemical management system in place that is both grounded in sound science and will deliver timely safety decisions. Oversight of the safe production and use of chemicals affects us all, which is why we support your efforts to improve the U.S. Environmental Protection Agency's (EPA) Science Advisory Board (SAB) and its committees.

The SAB is a critical part of the EPA's quality control process that was established to ensure that the Agency produces credible information to help guide regulatory decisions at all levels of government. We all agree, therefore, that the SAB must provide meaningful, balanced, and independent reviews of the science conducted and used by EPA, and we support advancing your bill, H.R. 1422 (the ''EPA Science Advisory Board Reform Act of 2013'') in this Congress.

We are encouraged to see that your legislation takes into account public policy recommendations from the National Academy of Sciences and the Bipartisan Policy Council, as well as input that the Committee has received from numerous experts and stakeholder groups. H.R. 1422 will greatly enhance the current peer review process in many important ways by strengthening policies to address conflicts of interest, while at the same time ensuring that a wide range of scientific perspectives are represented on panels. The bill will also increase the utility of SAB panels by improving the process for public engagement and ensuring that scientific concerns are clearly addressed and communicated.

We are committed to working with you and the Members of the Science Committee to move this legislation forward, and we urge all members of Congress to support its passage.

Sincerely,

Adhesive and Sealant Council; Alkylphenols & Ethoxylates Research Council; American Architectural Manufacturers Association; American Chemistry Council; American Coke & Coal Chemicals Institute; American Farm Bureau Federation®; American Fiber Manufacturers Association; American Forest & Paper Association; American Gas Association; American Road & Transportation Builders Association; American Wood Council; Automotive Aftermarket Industry Association; Corn Refiners Association; CropLife America; Fashion Jewelry & Accessories Trade Association.

Halogenated Solvents Industry Alliance, Inc.; Institute of Makers of Explosives; National Association of Chemical Distributors; National Association of Manufacturers; National Oilseed Processors Association; National Tank Truck Carriers, Inc.; Nickel Institute; Oregon Women In Timber; Pine Chemicals Association, Inc.; Portland Cement Association; Responsible Industry for a Sound Environment; The Fertilizer Institute; The Vinyl Institute; Treated Wood Council.

SMALL BUSINESS & ENTREPRENEURSHIP COUNCIL,
Vienna, VA, November 17, 2014.

Hon. CHRIS STEWART,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE STEWART: The Small Business & Entrepreneurship Council (SBE Council) is pleased to support H.R. 1422, the ''EPA Science Advisory Board Reform Act of 2013.''

H.R. 1422 reforms the Environmental Protection Agency's (EPA) Science Advisory Board (SAB) and its subpanels by strengthening public participation, improving the process for selecting expert advisors, expanding transparency requirements, and limiting nonscientific policy advice. The reforms proposed by H.R. 1422 are especially critical given the growing impact of EPA's regulations on America's small business sector, and the self-serving science used as the basis to advance controversial rulemakings.

H.R. 1422 will restore balance and independence to the scientific advisory process at EPA. The bill addresses key concerns with the SAB, such as placing limitations on its members who receive environmental research grants, applying conflict of interest standards, and ensuring balance on the board's membership. These are common sense reforms that will strengthen SAB's integrity and work.

SBE Council and its Center for Regulatory Solutions (CRS) are dedicated to reforming the regulatory system to ensure small businesses and entrepreneurs operate and compete under rational rules. H.R. 1422 is an important step that will enable a more rationale and friendly environment for U.S. entrepreneurship.

SBE Council looks forward to working with your office to advance this important piece of legislation.

Sincerely,

KAREN KERRIGAN,
President & CEO.

NATIONAL ASSOCIATION OF MANUFACTURERS,
Washington, DC, November 18, 2014.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing small and large manufacturers in every industrial sector and in all 50 states, urges you to support H.R. 1422 (Rep. Stewart, UT–R), the EPA Science Advisory Act of 2013. H.R. 1422 would modernize the policies and procedures governing the Science Advisory Board (SAB) of the Environmental Protection Agency (EPA) to ensure that the SAB is best equipped to provide independent, transparent and balanced reviews of the science the EPA uses to guide its regulatory decisions.

Manufacturers support policies that favor markets, adhere to sound principles of science and risk assessment and are informed by a public rulemaking process that is open and inclusive. The work of the SAB, which serves a quality control function for the science the EPA uses to justify new regulations, must be completely neutral. Any appearance of bias, however slight, could undermine the EPA's mission to protect public health and welfare.

H.R. 1422 would strengthen the SAB by limiting conflicts of interest, encouraging public comment, prohibiting panel members from peer reviewing their own work, and ensuring that the makeup of SAB panels reflects the diversity of views among federal, state, local and tribal experts. H.R. 1422 would implement provisions and recommendations from the National Academy of Sciences, the Federal Advisory Committee Act, and the EPA's own peer-review handbook.

As the costs of environmental regulations escalate, the scientific justification for those regulations must be sound. H.R 1422 is a strong step in the right direction. Manufacturers urge you to vote in favor of H.R. 1422.

Sincerely,

ROSS EISENBERG,
Vice President,
Energy and Resources Policy.

Mr. STEWART. Mr. Speaker, thank you for considering my bill, H.R. 1422, the EPA Science Advisory Board Reform Act of 2013, and I yield myself the balance of my time.

To reiterate what has been said multiple times here, this legislation addresses how the EPA is systematically silencing voices of dissent on the Science Advisory Board, ignoring calls for independence and balanced participation, and preventing the board from responding to congressional requests.

Science is a valuable tool to help policymakers navigate complex issues. However, when inconvenient scientific conclusions are disregarded or when dissenting voices are muzzled, a frank discussion becomes impossible, and that is certainly what we have seen.

The EPA Science Advisory Board Reform Act addresses these shortcomings by strengthening public participation and public comment opportunities and improving the makeup of the Science Advisory Board and its subpanels.

The bill reinforces peer review requirements and reduces conflicts of interest. It provides opportunities for the dissenting panelists to make their views known and requires communication of uncertainties and scientific findings and conclusions.

The Science Advisory Board Reform Act promotes fairness, transparency, and independence to ensure unbiased scientific advice. Surely, that is something that we could ask for the American people. Surely, that is something

that the opposition could support. In fact, surely, that is something that the White House would support.

With that, Mr. Speaker, I encourage a ''yea'' vote on this matter, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I thank Congressman CHRIS STEWART, former Chairman of the Science Committee's Environment Subcommittee, for his hard work on this important piece of legislation. H.R. 1422, The Science Advisory Board Reform Act, ensures balanced and transparent review of regulatory science.

Specifically, it strengthens the Board's independence so that the Environmental Protection Agency (EPA) cannot further its regulatory ambitions under the guise of science.

Costly regulations often lead to a loss of jobs and higher electricity bills and gasoline prices for Americans.

The EPA has an extensive track record of twisting the science to justify their actions. Behind the scenes, however, there is a review process that was intended to provide a critical check on the Agency's conclusions.

The EPA's Science Advisory Board (SAB) was intended to provide a meaningful, balanced, and independent assessment of the science that supports the Agency's regulations. Unfortunately, this vision is not being realized.

The EPA undermines the Board's independence and prevents it from providing advice to Congress. As a result, the valuable advice these experts can provide is wasted.

At a time when the Agency is pursuing the most aggressive regulatory agenda in its 44 year history, it is critical that the Board function as intended.

Despite the existing requirement that EPA's advisory panels be ''fairly balanced in terms of point of view represented,'' the Science Committee has identified a number of problems that undermine the panel's credibility and work product. These include:

A majority of the members of EPA's key advisory panels have received money from the EPA. Often the research they are reviewing is directly related to the money they received. This creates at least the appearance of a conflict of interest.

Many of the panelists have taken very public and even political positions on issues they are advising about. For example, a lead reviewer of EPA's hydraulic fracturing study plan published an anti-fracking article entitled ''Regulate, Baby, Regulate.'' This is clearly not an objective viewpoint.

Public participation is limited during most Board meetings; interested parties have almost no ability to comment on the scope of the work—and meeting records are often kept secret.

The EPA routinely excludes private sector experts while stacking the review panels with individuals who will give the EPA the answer it wants.

H.R. 1422 expands transparency requirements, improves the process for selecting expert advisors, and strengthens public participation requirements.

The bill requires that uncertainties in the Agency's scientific conclusions be communicated and limits the SAB from providing partisan policy advice.

This legislation is pro-science. It restores the SAB as an important defender of scientific integrity. These common sense reforms will make EPA's decisions more credible and balanced.

I thank the gentleman froth Utah, Mr. Stewart for his leadership on this bill and urge my colleagues to support it.

The SPEAKER pro tempore. All time for debate on the bill has expired.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 1422 is postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1701

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 5 o'clock and 1 minute p.m.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2013

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 1422) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When proceedings were postponed earlier today, all time for debate on the bill, as amended, had expired.

AMENDMENT PRINTED IN PART A OF HOUSE REPORT 113–626 OFFERED BY MR. STEWART

Mr. STEWART. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 7, through page 9, line 1, redesignate subsections (a) through (e) as subsections (b) through (f), respectively.

Page 3, after line 6, insert the following new subsection:

(a) INDEPENDENT ADVICE.—Section 8(a) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(a)) is amended by inserting ''independently'' after ''Advisory Board which shall''.

Page 3, line 14, strike ''in consultation with the Administrator''.

Page 3, lines 18 through 20, strike ''select Board'' and all that follows through ''and shall''.

Page 4, line 18, strike ''and'' and insert ''or''.

Page 5, line 3, insert ''the Interior,'' after ''Energy,''.

Page 5, line 5, strike ''them'' and insert ''each''.

Page 6, line 17, insert ''or draft'' before ''risk''.

Page 6, line 18, strike ''and''.

Page 6, line 19, redesignate subparagraph (B) as subparagraph (C).

Page 6, after line 18, insert the following new subparagraph:

(B) by striking ''formal''; and

Page 6, line 19, insert ''or draft'' before ''risk''.

Page 6, line 22, insert ''or draft'' before ''risk''.

Page 7, line 10, insert ''(1)(A)'' after ''(e)'' both places it appears.

Page 7, lines 13, 17, and 19, redesignate paragraphs (1) through (3) as clauses (i) through (iii), respectively, and conform the margins accordingly.

Page 7, lines 22 and 23, strike ''by adding after subsection (g) the following'' and inserting ''by amending subsection (h) to read as follows''.

Page 9, lines 2 and 3, strike ''by adding after subsection (h), as added by subsection (d) of this section, the following'' and inserting ''by amending subsection (i) to read as follows''.

Page 9, line 11, insert ''or Congress'' after ''the Administrator''.

Page 9, line 15, strike ''and the Administrator'' and insert '', the Administrator, and Congress''.

Page 9, line 19, after paragraph (4) insert the following new paragraph:

''(5) The Board shall be fully and timely responsive to Congress.

The SPEAKER pro tempore. Pursuant to House Resolution 756, the gentleman from Utah (Mr. STEWART) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. STEWART. Mr. Speaker, this amendment makes a number of technical and conforming changes to address revisions to the existing statute that occurred with the passage of the farm bill. I am pleased to have worked with Representative DAVIS to strengthen the changes to the statute that he was able to secure in passage of the farm bill.

This amendment is critical to ensure that the underlying bill can be properly applied to existing statute. Just this morning, the legislation received the support of the American Farm Bureau, the National Association of Manufacturers, and the U.S. Chamber of Commerce.

I ask for your support, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentlewoman from Oregon is recognized for 5 minutes.

Ms. BONAMICI. Mr. Speaker, I rise in opposition to the amendment offered by my good friend from Utah (Mr. STEWART).

I want to state again that I have appreciated Mr. STEWART's collaboration on bills that have come through the Science Committee in the past, and I definitely appreciate his intent to strengthen and bring more transparency to the Science Advisory Board. However, as explained previously and as I will explain, this bill and this amendment do not accomplish what needs to be done.

Although my friend's amendment seems to make mostly minor and technical corrections, there are a few