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**Statement of Chairman Lamar Smith (R-Texas)  
Markup of H.R. 4012, the *Secret Science Reform Act of 2014***

**Chairman Smith:** Good morning. Today we will consider H.R. 4012, the Secret Science Reform Act of 2014, offered by Environment Subcommittee Chairman Schweikert.

H.R. 4012 is a short, common-sense bill. It requires that the Environmental Protection Agency (EPA) base its regulations on data that is made public. The American people foot the bill for the EPA's billion dollar regulations and they have the right to see the underlying data.

The EPA's regulatory process is both hidden and flawed. It hides the data and then handpicks scientists to review it. Unfortunately, the EPA continues to resist basic accountability. Every major air quality regulation proposed by this Administration has been justified by nontransparent data and unverifiable claims.

This includes the recent plan to regulate greenhouse gas emissions from existing power plants. This proposal will result in the loss of thousands of jobs and spike electricity costs, all for no discernible effect on global temperatures. Upcoming ozone standards – which even the Administration admits will be the most expensive in history – also rely on hidden data.

The EPA clearly sees transparency and accountability as a threat. Speaking before the National Academy of Sciences two months ago, EPA Administrator Gina McCarthy said that her Agency needed to protect the science “from those not qualified to analyze it.”

Aside from the arrogance that is indicative of the EPA, Administrator McCarthy herself testified to this committee that the information should be available for independent review and verification. The American people are still waiting.

If the EPA has nothing to hide, and if their data really justifies their regulations, why not make the information public? Is it because the EPA knows the data won't justify their regulations?

The bill we consider today reforms EPA's regulatory process and is consistent with the data access requirements of major scientific journals, the White House Scientific Integrity Policy, and the recommendations of independent groups like the Administrative Conference of the U.S. and the Bipartisan Policy Center.

A 2013 poll from the Institute for Energy Research found that 90 percent of Americans agree that studies and data used to make federal government decisions should be made public. There also is substantial support for this bill from the scientific and business communities.

From deans of major universities to former EPA scientists to the U.S. Chamber of Commerce, dozens of experts and organizations support the provisions of this bill.

A letter from more than 80 scientists and academics stated, “Complying with H.R. 4012 can be accomplished without imposing unnecessary burdens, discouraging research, or raising confidentiality concerns.”

The principles behind the bill also have been supported by top officials in the self-described “most transparent Administration in history.” The President’s own Science Advisor, Dr. John Holdren, testified in this room that “absolutely, the data on which regulatory decisions...are based should be made available to the Committee and should be made public.” The Chair of EPA’s independent Science Advisory Board echoed that sentiment a few months later.

The Secret Science Reform Act does not require any disclosure of confidential information. It would only prohibit EPA’s use of secret science. Data sharing is becoming increasingly common across scientific disciplines. The legislation requires that EPA science be available for validation and replication.

Americans impacted by EPA regulations have a right to see the data and determine for themselves if the agency’s actions are based on sound science or a partisan agenda. This bill ensures transparency and accountability.

The American people deserve the facts. And so does good policy.

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