

Testimony to the Committee on Science, Space, and Technology
Subcommittee on Environment
March 20, 2013

“Improving EPA’s Scientific Advisory Processes”

Michael E. Honeycutt, Ph.D.
Director, Toxicology Division
Texas Commission on Environmental Quality
Michael.Honeycutt@tceq.texas.gov
(512) 239-1793

Good morning, Mr. Chairman and members of the committee. My name is Dr. Michael Honeycutt. I am director of the Toxicology Division at the Texas Commission on Environmental Quality. Thank you for this opportunity to testify.

A few years ago, I attended a scientific meeting in North Carolina where I struck up a conversation with a scientist who had been a member of the lead Clean Air Science Advisory Committee, or CASAC. I gave him my view on EPA’s lowering of the lead standard in 2008 and he told me he wished he had known this information when they were deliberating the lead standard and asked why I hadn’t made comments. I told him we had submitted written comments. He replied, “We don’t read the written comments. You have to go to the public meetings to make your case in person.” Why bother going through the pretense of having written comments if the CASAC is not going to read them? Oral testimony at the CASAC meetings is limited to 3 or 5 minutes, hardly enough time to present a thorough argument. This illustrates the need for EPA’s advisory panels to be balanced. Having balanced panels brings all information into consideration which reduces “group think” and leads to better policy decisions.

In the past, the CASAC has been relatively well-balanced in terms of expertise and range of opinions. However, in recent years the trend has been towards inclusion of more epidemiologists from academia, at the exclusion of other areas of expertise, such as toxicologists, and with little or no representation of well-qualified scientists from states and industry. This is perhaps the result of a misunderstanding of the role scientists play in these organizations together with a misplaced perception of potential conflicts of interest. I went to school with and have worked with many scientists who now work for industry. I know their companies did not ask them to check their ethics and morals at the door when they took their jobs in industry. Given that academicians bring their own biases into the CASAC, there is no reason to believe that well-qualified experts from state agencies, consulting firms, or industry would be disproportionately biased.

One concern that is often raised when deciding to exclude certain parties from the process of EPA peer review is bias due to source of funding. I believe that receiving funding from the EPA

in the form of research grants could also be seen as a potential source of bias. Under the current system, the EPA can select who it wishes to fund, choose key studies to support regulatory decisions, place the authors of those studies on the CASAC, and then ask their opinion on the resulting analysis and policy. Clearly, this poses a potential conflict of interest, even if the study authors recuse themselves from discussions which directly address their own work.

We would instead propose a more balanced approach, such as that employed by the non-profit organization Toxicological Excellence in Risk Assessment, or TERA. TERA believes, and we concur, that an objective evaluation by independent experts with a variety of viewpoints is critical to the credibility of any peer review. TERA strives to include a range of perspectives on each panel, including diverse professional affiliations. The evaluation of real or perceived bias or conflict of interest is an important consideration for both peer review and consultation panels and every effort is made to avoid conflicts of interest and biases that would prevent a panel member from giving an independent opinion on the subject. TERA's conflict of interest policy (see <http://www.tera.org/peer/COI.html>) identifies the following situations as examples of those that could create a real or perceived conflict of interest:

- Working for an organization that sponsors or contributes to the document to be reviewed,
- Having direct personal financial investments benefiting from the outcome of the review, or
- Authoring or providing significant comments on the documents being reviewed.

The TERA conflict of interest policy also discusses bias. For these reviews, the term "bias" means a predisposition towards the subject matter under consideration that could influence the candidate's viewpoint. Examples of bias would be situations in which a candidate:

- Has previously taken a public position on the subjects to be discussed, or
- Is affiliated with an industry, governmental, public interest, or other group with a partiality regarding the subjects to be discussed.

As you can see from these examples, such potential conflicts or biases could apply equally to academicians as they may to scientists from industry or any other organization. Therefore, it is our belief that there is a need for reconsideration of current conflict of interest policies regarding EPA advisory panels. There is also much improvement needed with regards to a balanced peer review that incorporates numerous perspectives and areas of expertise. We believe that these changes will result in a stronger peer review process and ultimately better policy decisions.

The measures outlined in the bill are common-sense and are already in use by other groups such as the National Academy of Sciences and TERA. You will hear others testify that EPA has ample guidance on conflict of interest, bias, and balance. The problem is they don't consistently follow it.

Thank you again for the opportunity to speak with you today and I would be happy to answer any questions you may have.