

Interference at the EPA: Science and Politics at the U.S. Environmental Protection Agency

White House Interference

The White House Office of Management and Budget (OMB), has been steadily gaining power over health and safety regulations in the United States, and using that power to delay rules and distort science. An investigation by the Union of Concerned Scientists revealed that the EPA is in crisis, due in part to interference by the OMB. Based on information gathered from nearly 1,600 EPA scientists, UCS has found that hundreds of scientists report political interference in their work, barriers to free communication of scientific results, and concerns about the agency's effectiveness.



Widespread Interference at EPA

- **889** scientists personally experienced at least one type of political interference during the past five years.
- **560** scientists knew of “many or some” cases in political appointees from other federal departments (e.g. OMB, CEQ, USDA, DOD) were inappropriately involved in scientific decisions.
- **Nearly 100** respondents identified in their essays that the White House Office of Management and Budget was the primary culprit.

Distorting the Science behind Regulations

The OMB, and especially its Office of Information and Regulatory Affairs (OIRA), has played an increasingly powerful role in the creation, review and approval of EPA decisions. Since the Reagan administration, the OMB has had the power to review and approve all government regulations and perform cost-benefit analyses.

The OMB has used this power to force modifications or withdrawal of many EPA rules and policies, and OIRA has recently hired a handful of in-house scientists to review and criticize the scientific basis for agency decisions, such as the following:

- In 2004, OMB distorted science to exempt more plywood plants from rules regulating formaldehyde pollution.
- In 2006, the EPA incorporated "last minute opinions and edits" from OMB in its decision not to tighten the ambient air quality standard for fine particulate matter.
- In 2007, OMB analysts manipulated scientific knowledge about ozone-related mortality in an EPA assessment on changing the ozone ambient air quality standard. The White House then further interfered by preventing the EPA from adopting a strong secondary standard, intended to protect long-term public welfare.

"OMB is increasingly interfering in earlier stages of projects (as opposed to review of draft documents and conclusions), sometimes insisting on methodologies that are less credible than those selected by EPA scientists."

- An EPA scientist from the Office of Air and Radiation, replying to the UCS survey

Changing the Rules

OMB has attempted to expand its power by requiring federal agencies to follow overly-restrictive guidelines for scientific analysis. New changes by the President give OMB even more influence.

Peer Review – In 2004, OMB released strict guidelines for how agencies should peer review their technical and scientific information. The rules attempted to create an imbalance towards the selection of industry-funded peer reviewers, and scientists strongly objected to the changes. The new system was also more costly, in both dollars and time, than the peer review systems already in place at the EPA and other agencies.

Risk Assessment – OMB also attempted to release a one-size-fits-all system for measuring risks to human health. The National Academy of Sciences described the draft guidance as "fundamentally flawed," as it deviated from established principles for evaluating risk and did not account for the diversity of decisions facing agencies like the EPA.

Program Assessment Rating Tool (PART) – OMB uses PART to rate the effectiveness of federal programs. PART is overly simplified and discriminates against scientific programs that do not have easily quantifiable short-term results. As a result, OMB classified every EPA research program as "results not demonstrated," a categorization that can jeopardize a program's continued funding.

Executive Order 13422 – This presidential order increases OMB oversight by injecting more political appointees into agency rule-making and promoting free market concerns over the welfare of citizens. It also cripples an agency's ability to issue helpful guidance to the public by giving OMB review and edit powers over any guidance it deems economically "significant."

In Their Own Words

In their essay responses, nearly 100 EPA scientists explicitly identified the OMB's meddling in EPA decision making as a major hindrance to scientific integrity at the EPA. Here is a small selection:

- "Get the White House, industry and OMB out of what is supposed to be science-based decision-making."
- "Restrain the Office of Management and Budget. This Administration has not only watered down important rules protecting public health, they have also altered internal procedures so that scientific findings are accorded less weight."
- "OMB and the White House have, in some cases, compromised the integrity of EPA rules and policies; their influence, largely hidden from the public and driven by industry lobbying, has decreased the stringency of proposed regulations for non-scientific, political reasons. Because the real reasons can't be stated, the regulations contain a scientific rationale with little or no merit."
- "In this administration, self-censorship is almost as powerful as the political censorship. Options that OMB or the White House wouldn't like aren't even put forward."
- "All communications between EPA and OMB during the development of Agency technical products and actions should be preserved for the public record. Stakeholders should demand an end to 'paralysis by analysis' strategies to prevent EPA from doing its job."

- EPA Scientists responding to the UCS survey



This summary was prepared by the Union of Concerned Scientists based on *Interference at EPA: Science and Politics at the U.S. Environmental Protection Agency* (UCS, 2008).

For more information or to download a copy of the report, visit www.ucsusa.org/EPAScience/ or contact us at rsi@ucsusa.org.

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