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Doctors and Scientists Challenge Removal of EPA Science Advisers
Illegal Policy Undermines Integrity of Science and Threatens Public Health

WASHINGTON, D.C. – Today, a coalition of doctors, scientists, and professional groups are filing a lawsuit challenging EPA Administrator Scott Pruitt’s attempt to remove highly qualified, independent scientists from advisory committees that ensure the integrity of science at the agency. EPA advisory committees provide crucial scientific and technical information to inform EPA decisions and review the scientific accuracy of EPA findings across a wide range of agency programs. Under a new policy, Pruitt is removing publicly funded scientists from the committees and replacing them with advocates for the polluting industries EPA is charged with regulating.

The parties to the suit are Physicians for Social Responsibility, National Hispanic Medical Association, and the International Society for Children’s Health and Environment, on behalf of their members, and Professor Edward Avol, represented by the public-interest law firm Earthjustice, together with independent scientists Dr. Robyn Wilson and Dr. Joseph Arvai, represented by the Columbia Environmental Law Clinic, Morningside Heights Legal Services at Columbia Law School.

“If we can’t do this work, we can’t protect public health,” **said Deborah Cory-Slechta, a member of Physicians for Social Responsibility and a Professor of Environmental Medicine, Pediatrics, and Public Health Sciences at the University of Rochester Medical Center.** Dr. Cory-Slechta conducts research to better understand the harmful effects of air pollution on the brain. Because she is a current member of the EPA Chemical Assessment Advisory Committee, the new policy makes her ineligible for EPA research grants.

“We’re standing up to protect scientific integrity because Hispanic health care professionals and the communities they serve need a strong, effective EPA to safeguard their health,” **said Dr. Elena Rios, President of the National Hispanic Medical Association.** “Scott Pruitt should not be allowed to use selective science to undermine critical health protections.”

“EPA’s effort to purge independent scientists from its advisory committees has harmful implications for the nation’s health,” **said Physicians for Social Responsibility program director Barbara Gottlieb.** “Losing top-flight academic researchers, and replacing them with industry-dependent voices, will undermine actions to protect us from toxic pollutants and life-

threatening climate change. If EPA won't abandon this harmful approach, we're happy to take them to court."

"Publicly funded researchers who have devoted their professional lives to understanding these issues help EPA make the best use of limited resources, address gaps in scientific understanding, and leverage the best peer-reviewed research," **said Professor Ed Avol of the Keck School of Medicine at the University of Southern California, who joined the organizations' lawsuit as an affected individual.** "It's discouraging to see that the Administrator of the very agency charged with protecting the public's environmental health doesn't value those researchers' participation."

"They're claiming the academic scientists and doctors are biased and then replacing them with industry representatives," **said Earthjustice attorney Neil Gormley, the lead attorney on the case.** "The hypocrisy is kind of stunning."

"This new directive by the Administrator is unnecessary, at best, and an explicit attack on science-informed policy, at worst," **said Dr. Robyn Wilson, an Associate Professor of Risk Analysis and Decision Science in the School of Environment and Natural Resources at the Ohio State University.** Wilson joined the lawsuit as one of the members of the Science Advisory Board forcibly removed as a result of the Directive. "There are already procedures in place to avoid a potential conflict-of-interest among advisory board members, which makes this latest effort seem to be more about stacking the board with members who will support the new Administration's deregulatory agenda."

"This is a classic case of the fox setting up shop in the henhouse," **said Dr. Joseph Árvai, a former member of the EPA's Chartered Science Advisory Board.** Dr. Árvai, who joined the suit as an affected individual, is the Max McGraw Professor of Sustainable Enterprise at the School for Environment & Sustainability, and the Ross School of Business, at the University of Michigan. "The Pruitt directive unfairly and unlawfully bars some of the nation's leading environmental and health scientists from providing science advice to the EPA; at the same time, it allows scientists from EPA-regulated companies and industries, as well junk scientists hired by their lobbyists, to rubber stamp rules and regulations that will compromise human and environmental health across the United States. Enough is enough."

"Scott Pruitt's directive is entirely unprecedented," **said Michael Burger, a volunteer attorney with the Columbia Environmental Law Clinic and Executive Director of the Sabin Center for Climate Change Law at Columbia Law School.** "Government agencies have relied on scientific experts serving as advisors and consultants for more than 50 years. Nobody before now has ever thought to ban all scientists receiving grants of any kind from an agency from serving in any way on its advisory committees. That's because it makes no sense."

The complaint filed today in the U.S. District Court for the District of Columbia explains that Pruitt's new policy is an illegal attempt to override federal ethics rules and that it is arbitrarily biased in favor of polluting industries. If it's allowed to remain in effect, the policy will undermine the integrity of EPA science and introduce pro-polluter bias into agency decisions and programs.

The complaint asks the Court to declare the policy unlawful and arbitrary and throw it out. It also asks the Court to prohibit EPA from removing any more scientists under the policy and direct EPA to reinstate the scientists who were disqualified.

The publicly funded scientists being removed by Pruitt are experts and leaders in their fields of study, including cancer, children's health, asthma and other respiratory diseases, epidemiology, the hazards posed by chemicals in the home, and risk analysis and decision science. Over several years of distinguished service, they have helped ensure that EPA makes decisions based on scientific merit and not on politics.

Pruitt's chosen replacements appear handpicked to put the interests of polluting industries ahead of sound science, public health, and the environment. Virtually all of them have financial connections to polluting industries, hold pro-pollution views that are outside the scientific mainstream, or both. Specifically, of Pruitt's 18 new appointees to the EPA Science Advisory Board,

- 7 currently draw paychecks from polluting industries;
- 4 more have a history of taking money from polluters; and
- 5 more have a history of echoing the talking points of industrial polluters and rejecting mainstream science.

One of Pruitt's appointees to the Science Advisory Board, Robert Phalen, claims that air pollution is good for children and that "modern air is a little too clean for optimum health." Michael Honeycutt, another Pruitt appointee, denies the overwhelming scientific evidence that smog causes asthma and has suggested that more smog would be a "health benefit." As a regulator in Texas, he has opposed stricter limits on mercury and arsenic releases, and actually weakened state protections for benzene, a widespread and extremely potent carcinogen. Honeycutt will now chair the Science Advisory Board.

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