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COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY

February 29, 2024

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Regan,

Thank you for prioritizing scientific integrity (SI) at the Environmental Protection Agency (EPA) and proposing a new, strong draft SI policy. We pay a high price when the science that our policymakers, educators, industry leaders, and the public depend on is distorted, misrepresented, or suppressed. As one of the few engineers in Congress, I have been a long-time supporter of SI, and I believe regardless of who sits in the White House we need strong protections for federal research efforts. That is why I have authored the Scientific Integrity Act and continue to work for its passage into law.

The safeguards developed by EPA, through guidance and rules, on issues ranging from chemical safety to air quality standards, are vital for ensuring the well-being of communities nationwide. It is crucial that we build public trust by fostering a deep culture of scientific integrity across the federal government. This can only occur with robust and enforceable SI policies.

I am greatly encouraged by the recently released draft scientific integrity policy, as it is a substantial step forward from the agency's current policy. The clear definition of scientific integrity and a well-defined role and position for the scientific integrity official form a solid foundation for the updated policy. The establishment of a committee of designated scientific officials (DSO) that is representative of the offices and regions within the agency will aid in developing a wider understanding of the new SI policy as well as providing accessible options for staff to engage with DSOs located in their respective offices. The explicit definition and delineated process for dealing with differing scientific opinions is an important and foundational aspect of this policy update. Finally, the mention of the right of last review for scientists, media access without prior supervisory clearance, and the creation and publication of an annual report on the status of scientific integrity at agency are just a few of the laudable inclusions in the policy update that will enhance scientific freedom and prevent censorship.

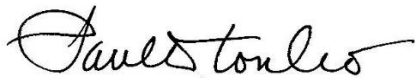
While I am grateful for this proposal, I believe there are several areas that could be further refined and improved. For example, the accountability section of the policy, while emphasizing important values, would benefit from more concrete details, including outlining how SI violations can be

formally raised. Accountability could also be strengthened with increased coordination and cooperation with the Office of Inspector General when conducting investigations into potential SI violations. The revised policy should also provide direct details about the appeals process and available options after an investigation has taken place. Additionally, establishment of an independent mechanism for appeals, such as the ability to appeal to the National Science and Technology Council (NSTC) Subcommittee on Scientific Integrity and the clear affirmation of employees' rights are crucial for protection of due process and impartiality. Specified timelines for SI investigations and the issuance of reports should be incorporated in this policy update to ensure transparency and efficiency.

Another area for potential improvement is more fully promoting inclusivity. For example, when selecting members of the scientific integrity committee it is important to explicitly state that the committee should have a diverse make-up in accordance with President Biden's Executive Order on Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce.¹ Highlighting support for EPA scientists representing diversity of the nation, especially those from historically excluded communities in the broader DEIA framework outlined in the SI policy is essential for fostering an inclusive environment and a true culture of scientific integrity. Additionally, I was encouraged to see the inclusion of collaboration with Indigenous communities and tribal nations as a key part of protecting the integrity of the scientific processes and paving the path for more inclusive decision making. However, to guarantee an effective partnership it is recommended that the SI policy reference additional resources including the Council of Environmental Quality and the Office of Science and Technology Policy's guidance document on Indigenous knowledge.²

Thank you for your hard work developing a strong SI policy. Scientific integrity is key in solidifying public trust in the conduct, dissemination, and use of scientific research to run the Federal government safely and effectively. I urge you to continue the work to strengthen our systems for free and independent public science as this is one the most important things, we can do to equip ourselves for the challenges ahead. I look forward to reviewing the finalized SI policy and continuing our collaborative efforts to safeguard federal science from interference and misrepresentation.

Sincerely,

A handwritten signature in black ink that reads "Paul D. Tonko". The signature is written in a cursive, flowing style.

Paul D. Tonko
Member of Congress

¹ [Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce | The White House](#)

² <https://www.whitehouse.gov/ostp/news-updates/2022/12/01/white-house-releases-first-of-a-kind-indigenous-knowledge-guidance-for-federal-agencies/>