

The dishonest HONEST Act

The Trump administration aims to eliminate many regulations and make it more difficult to adopt new ones. More subtle and dangerous are attempts in Congress to undermine public health and environmental protections by limiting the use of scientific evidence under the guise of increased transparency. This effort, which is envisioned by U.S. Environmental Protection Agency (EPA) leadership would greatly reduce the amount of science used in decision-making, undermines the credibility and application of scientific evidence, weakens the scientific enterprise, and imperils public and environmental health.

The Honest and Open New EPA Science Treatment (HONEST) Act, in the Senate after passing the House of Representatives in March, would prohibit the EPA from using studies for agency decision-making unless raw data, computer codes, and virtually everything used by scientists to conduct the study are provided to the agency and made publicly available online. Transparency and reproducibility are long-standing priorities in science, and we welcome good-faith efforts to evaluate

scientific evidence for use in public policy. But on these issues, the Act is dishonest—an attempt by politicians to override scientific judgment and dictate narrow standards by which science is deemed valuable for policy. It imposes burdens that will detract from scientists' ability to do research and to have it influence decision-making, all aimed at bringing the process to a standstill, minimizing the role of science, and limiting regulations.

Federal agencies must already adhere to strict standards of transparency and quality while considering a broad body of scientific evidence, and uncertainties therein. Polluters and manufacturers of dangerous products have taken a page from the tobacco industry playbook, magnifying those uncertainties to prolong the review of scientific data, slow the regulatory process, and evade liability. By writing narrow data standards

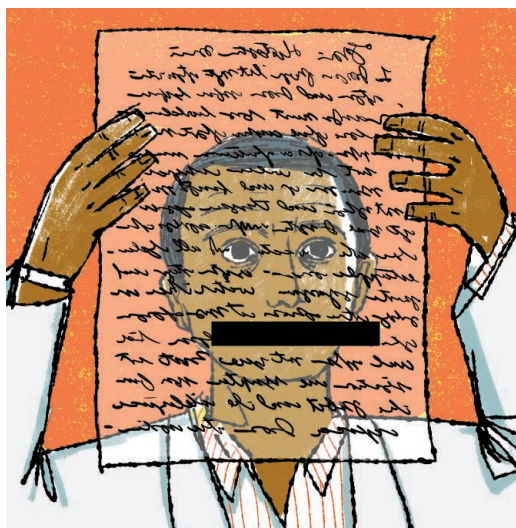
into law, the Act will provide another avenue for such challenges to regulations and to the underlying science.

The Act would not void prior EPA decisions, but future deliberations would be required to exclude peer-reviewed historical studies for which this extensive documentation is no longer available. To enable use of studies that include sensitive information, such as medical records, the Act permits such data to be redacted. But in practice, the limited budget allocated for potentially costly redaction leaves the role of such studies in doubt. For a similar unpassed bill, the 2015 Secret Science Reform Act, the Congressional Budget Office (CBO) estimated implementation costs at \$250 million annually. Under President Trump, this dropped to \$1 million because, according to the CBO, "EPA officials have explained...that the agency would implement [the Act] with minimal funding...[which] would significantly reduce the number of studies that the agency relies on." Costs of gathering, redacting, and posting data will erode the agency's effectiveness.

The scientific community continues to improve data access. Would the law adapt to allow the EPA to incorporate studies that take innovative approaches not foreseen by the Act? Improved transparency and reproducibility should ultimately expand the scientific foundation for public health and environmental protection. Unfortunately, the Act will erode the evidence base for regulatory decisions and burden investigators and agencies with threats of endless data reanalysis and challenges to defend findings.

If the HONEST Act becomes law, it will embolden attempts to dictate science and delay decisions at other federal, state, and local agencies. The community must make clear that the Act, a threat to health and the environment, is an unnecessary and burdensome political intrusion into the scientific enterprise.

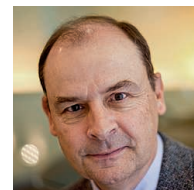
—David Michaels and Thomas Burke*



“...the Act is dishonest—an attempt by politicians to override scientific judgment...”



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