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ONE HUNDRED SEVENTH CONGRESS

# Congress of the United States

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July 16, 2001

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The Honorable Christine Todd Whitman  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Dear Administrator Whitman:

The General Accounting Office recently completed a report evaluating potential conflicts of interest on EPA's Science Advisory Boards. The report, "*EPA's Science Advisory Board Panels: Improved Policies and Procedures Needed to Ensure Independence and Balance*," reveals serious deficiencies in the agency's efforts to prevent potential conflicts of interest on Science Advisory Board panels.

GAO examined four EPA Science Advisory Boards and found that EPA's policies and procedures failed to adequately prevent conflicts of interest on the panels. According to the GAO, EPA fails to provide for adequate determinations of conflict of interest when panels are formed, does not obtain sufficient information to evaluate conflicts of interest, fails to obtain appropriate information on financial disclosure forms, fails to review disclosure forms in a timely fashion, and fails to adequately disclose potential conflicts of interest to the public. This is a dismal record.

In particular, GAO made a number of disturbing findings with respect to the panel assessing the health risk risks from exposure to the cancer-causing chemical 1,3-butadiene. GAO found that almost one-third of the members of the butadiene panel worked for chemical companies or industry-affiliated research organizations, including one panelist who worked for a manufacturer of 1,3-butadiene. Another member of the panel headed an industry-funded study of 1,3-butadiene and acted as a consultant for a manufacturer of the chemical in a legal case. Several other panelists owned stock in companies that manufacture or distribute 1,3-butadiene. EPA staff indicated to GAO that six of thirteen panelists on the panel represented the industry position on the risk from butadiene

This panel recently rejected a decision by EPA staff scientists to declare 1,3-butadiene to be a known human carcinogen. The panel's decision, which recommended reducing the cancer risk potency

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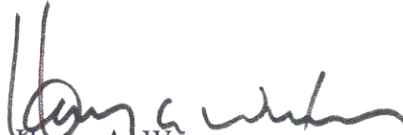
of this compound, also conflicted with the conclusion of the National Toxicology Program that 1,3-butadiene is a known human carcinogen. The Science Advisory Board's decision received little public attention, but it could have significant long-term public health consequences. Reclassifying the health risks for this chemical could lead to agency decisions that increase exposure to air pollution from automobiles and chemical plants, increasing health risks for all Americans.

In light of the important implications of the 1,3-butadiene decision and the significant conflicts of interest identified by GAO, I am writing to request that you halt the health reassessment of 1,3-butadiene until these problems can be addressed. Before continuing with any action on 1,3-butadiene, I am also requesting that you meet with me to discuss the findings of the GAO report.

EPA must take concrete actions to address the concerns about potential bias in its Scientific Advisory Boards. The function of these boards is to provide independent and unbiased advice on complicated scientific issues. Public confidence in the impartiality of these important panels will be undermined if the conflicts of interest identified in GAO's report are not addressed.

I have enclosed a copy of the GAO report for your review. If you have questions about this important issue, please contact me or Brian Cohen of my staff at 202-225-3976.

Sincerely,



Henry A. Waxman

Ranking Minority Member