Re: Report on EPA’s Scientific and Technological Advisory Committees

Dear Acting Director Young,

President Biden’s “Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking,” of January 27, 2021, Section 7, Scientific Advisory Committees, directs federal agencies to: 1) review their current and future needs for independent scientific and technological advice from federal advisory committees, 2) assess which scientific and technological committees should be rechartered or recreated to ensure that relevant and highly qualified external experts can contribute to federal regulations, actions and decision-making, 3) identify any agency policies, processes or practices that may currently prevent highly qualified external experts from serving on committees, and 4) review the membership of committees to ensure that members and future nominees of federal advisory committees reflect the diversity of America in terms of gender, race, ethnicity, geography, and other characteristics; represent a variety of backgrounds, areas of expertise, and experiences; provide well-rounded and expert advice to agencies; and are selected based on their scientific and technological knowledge, skills, experience, and integrity, including prioritization of experience with evidence-based, equitable, inclusive, and participatory practices and structures for the conduct of scientific research and the communication of scientific results. To this end, I am providing a summary report addressing the issues above.

On March 1, 2021, the EPA conducted a survey of the Designated Federal Officers (DFOs) from the agency’s six scientific and two technological federal advisory committees in response to the President’s Memorandum. The EPA has six scientific committees: the Clean Air Scientific Advisory Committee; the Board of Scientific Counselors; the Science Advisory Board; the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel; the Human Studies Review Board; and the Science Advisory Committee on Chemicals. The EPA has two technological

With respect to the need to recharter committees to ensure representation of highly qualified external experts, the DFOs for the eight committees identified no need. While one committee answered in the affirmative, the DFO noted that because that committee is rechartered every two years the committee will make the necessary changes as part of its bi-annual rechartering process.

On the question on whether there are any agency policies, processes, or practices that may currently prevent highly qualified experts from serving, the DFOs for the eight committees did not identify any current policies or practices that prevented them from selecting qualified members to serve in their committees. However, a previous October 2017 Grants Directive excluded non-governmental recipients of EPA grants from concurrently serving on EPA committees. This directive was vacated and remanded by the courts in April 2020 and therefore is not a current agency policy.

Finally, on the issue of diversity, EPA DFOs acknowledged the challenge of thoroughly addressing this question as the request covered such wide criteria. DFOs from the Science Advisory Board and the Clean Air Scientific Advisory Committee acknowledged that the previous EPA senior leadership did not select members using the agency’s normal membership process and excluded non-governmental members and prospective non-governmental members that had EPA grants according to the October 2017 Grants Directive. Going forward, with the 2017 Grants Directive no longer in effect, and as indicated by EPA’s March 31, 2021 press release, the agency is returning to its standard process of incorporating a well-rounded group of experts using the time-tested, fair, and transparent normal membership process. Further, DFOs acknowledged that committee diversity is dependent on the pool of nominations.

The EPA recognizes that it is critical that all federal advisory committees leverage the available tools and resources to ensure a diverse pool of applicants. The EPA encourages OMB and GSA to promote federal-wide Federal Advisory Committee Act partnerships, like programs that the EPA has adopted for recruiting its federal workforce. These include: Memorandum of Understanding with minority scientific, academic, professional institutions, and minority talent initiatives that can help mentor and grow future federal committee members; mandatory federal wide training for the DFOs on developing more inclusive outreach plans; and, establishing standards on the diversity criteria with which DFOs collect information, similar to OPM forms SF-181 and SF-256.

If you have any questions or require additional information, please contact me or your staff may contact Donna J. Vizian, Acting Assistant Administrator for the Office of Mission Support at vizian.donna@epa.gov or (202) 564-2533.

1 https://www.epa.gov/newsreleases/administrator-regan-directs-epa-reset-critical-science-focused-federal-advisory
Attachment
Presidential Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking, January 27, 2021