

**Congress of the United States**  
**Washington, DC 20515**

February 17, 2021

The Honorable Joseph R. Biden, Jr.  
President of the United States of America  
1600 Pennsylvania Ave NW  
Washington, DC 20500

Dear President Biden,

As your administration begins to restore the American people's trust in our federal government, one of the critical tasks for the executive branch and Congress is restoring the rightful role of sound science that prioritizes public health in federal decision making. Under the previous administration, many attempts were made to undermine science-based decisions that hold the private and public sector responsible for safeguarding the health of the American public and our environment. The Trump administration's efforts to put in place roadblocks that stopped career scientists from doing the work of the people was particularly targeted at the work of the Environmental Protection Agency (EPA).

We know that your administration is working hard to review and correct the anti-science and pro-polluter rules and regulations that the Trump administration put in place at the EPA, and we look forward to working closely with you in those efforts. We are writing you today to ensure that effort also includes rejecting the finalization of a January 8 memo from the outgoing administrator of the White House's Office of Information and Regulatory Affairs, (OIRA). That memo, if finalized, would shift the final say on setting health-based values that describe a chemical's toxicity from the EPA to OIRA. These are values that the EPA uses to set regulations and standards, and in creating plans for the cleanup of hazardous waste sites. These are the values that determine what actions are necessary to protect the American people, and so it is critical that EPA, the agency whose mission is to protect human health and the environment, retains the responsibility for finalizing those values.

We ask that your administration publicly reject this memo, as there is significant concern that this proposed process allows other agencies, such as the Department of Defense, to appeal to OIRA not just on setting a standard for cleanup, but on determining the toxicity of chemicals themselves. Those decisions are critical to understanding the impact of chemicals on human health and must be based on the best science, not on political or cost considerations. We are especially concerned about the potential impact of this memo on the ongoing evaluations at the EPA of Per- and Polyfluoroalkyl Substances (PFAS). PFAS are often referred to as "forever chemicals" because of their alarming persistence in the environment and in the human body.

In fact, reporting by Bloomberg<sup>1</sup> has revealed that the evaluation of a PFAS compound was already impacted by the ideas in this memo, as "the process it lays out was already used in an EPA analysis of perfluorobutane sulfonic acid, or PFBS" which the Trump administration

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<sup>1</sup> Rizzuto, Pat. "White House Memo on Chemical Decisions Sparks Concern, Confusion." *Bgov.com*, Bloomberg Government, 19 Jan. 2021, <https://www.bgov.com/core/news/#!/articles/QN72J8DWLU6I>. Accessed 9 Feb. 2021.

announced on January 19, their last full day in office. We were therefore proud and gratified to see the EPA's career scientists announce on February 9 that they had determined that the PFBS Toxicity Assessment was "compromised by political interference as well as infringement of authorship and the scientific independence of the authors' conclusions."<sup>2</sup> Their conclusion that this assessment violated the EPA's Scientific Integrity Policy has led to its removal from the EPA website while the agency completes a review.

We applaud this action by the scientists who work daily to protect the air we breathe, the water we drink, and the health of our families and children. Now we ask that your administration explicitly reject the January 8 OIRA memo, to ensure that EPA's assessments of the toxicity of PFAS compounds and all other chemicals remain free from interference. This action would be consistent with your Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking, released on January 27, 2021, which states that, "Improper political interference in the work of Federal scientists or other scientists who support the work of the Federal Government and in the communication of scientific facts undermines the welfare of the Nation, contributes to systemic inequities and injustices, and violates the trust that the public places in government to best serve its collective interests."

We strongly support your administration's efforts to ensure that our federal scientists do not have their work distorted or suppressed by political interference, and look forward to working with you in restoring the American people's faith in our federal government's efforts to protect the health of their families, their communities, and our planet.

Sincerely,



Betty McCollum, Chair  
Subcommittee on Defense  
Committee on Appropriations  
United States House of Representatives



Chellie Pingree, Chair  
Subcommittee on Interior, Environment, and  
Related Agencies  
Committee on Appropriations  
United States House of Representative



Diana DeGette  
Member of Congress

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<sup>2</sup> "EPA Takes Action to Protect Scientific Integrity." Environmental Protection Agency, 9 Feb. 2021, <https://www.epa.gov/newsreleases/epa-takes-action-protect-scientific-integrity>. Press Release.