

Calendar No. 124114TH CONGRESS
1ST SESSION**S. 544****[Report No. 114-69]**

To prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2015

Mr. BARRASSO (for himself, Mr. VITTER, Mr. INHOFE, Mr. CRAPO, Mrs. FISCHER, Mr. RISCH, Mr. ENZI, and Mr. FLAKE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JUNE 22, 2015

Reported by Mr. INHOFE, with an amendment

[Insert the part printed in italic]

A BILL

To prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Secret Science Reform
3 Act of 2015”.

4 **SEC. 2. DATA TRANSPARENCY.**

5 Section 6(b) of the Environmental Research, Devel-
6 opment, and Demonstration Authorization Act of 1978
7 (42 U.S.C. 4363 note) is amended to read as follows:

8 “(b)(1) The Administrator shall not propose, finalize,
9 or disseminate a covered action unless all scientific and
10 technical information relied on to support such covered ac-
11 tion is—

12 “(A) the best available science;

13 “(B) specifically identified; and

14 “(C) publicly available online in a manner that
15 is sufficient for independent analysis and substantial
16 reproduction of research results.

17 “(2) Nothing in the subsection shall be construed
18 as—

19 “(A) requiring the Administrator to disseminate
20 scientific and technical information; or

21 “(B) superseding any nondiscretionary statu-
22 tory requirement.

23 “(3) In this subsection—

24 “(A) the term ‘covered action’ means a risk, ex-
25 posure, or hazard assessment, criteria document,

1 standard, limitation, regulation, regulatory impact
2 analysis, or guidance; and

3 “(B) the term ‘scientific and technical informa-
4 tion’ includes—

5 “(i) materials, data, and associated proto-
6 cols necessary to understand, assess, and ex-
7 tend conclusions;

8 “(ii) computer codes and models involved
9 in the creation and analysis of such informa-
10 tion;

11 “(iii) recorded factual materials; and

12 “(iv) detailed descriptions of how to access
13 and use such information.

14 “(4) The Administrator shall carry out this sub-
15 section in a manner that does not exceed \$1,000,000 per
16 fiscal year, to be derived from amounts otherwise author-
17 ized to be appropriated.”.

18 **SEC. 3. PREVENTING CENSORSHIP OF PUBLICLY FUNDED**

19 **SCIENCE.**

20 *Nothing in this Act or the amendments made by this*
21 *Act limits the ability of the Administrator of the Environ-*
22 *mental Protection Agency, any Federal official or employee,*
23 *or any Federal agency to use in official documents or pres-*
24 *entations terms common in peer-reviewed scientific lit-*

- 1 *erature describing scientific processes, including terms rel-*
2 *evant to—*
- 3 *(1) the impacts of climate change;*
 - 4 *(2) air and water pollution;*
 - 5 *(3) exposure to toxic substances; and*
 - 6 *(4) other risks to human health, the environment,*
7 *and the economy.*

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