United States Senate
WASHINGTON, DC 20510

July 6, 2017

The Honorable Gene L. Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Dodaro:

The Environmental Protection Agency (EPA) currently has 23 federal advisory committees that provide advice to the EPA administrator and other senior leaders on a range of environmental and health issues. These committees consist of hundreds of members who bring a variety of skills and expertise and can include scientists, economists, public health officials, businesses, and representatives of all levels of government.

As the Government Accountability Office (GAO) has reported, federal advisory committees have been called the "fifth arm of government" because of the significant role they play in advising federal agencies, Congress, and the president on important national issues. To be effective, these advisory committees must be—and, just as importantly, be perceived as being—independent and balanced. Specifically, individual committee members who provide advice to the government must be free from significant conflicts of interest—that is, they must be "independent." In addition, while it may be desirable to include experts on committees who have particular viewpoints, federal law requires each committee, as a whole, to be balanced in terms of the points of view and the functions to be performed. Some appointments to scientific and technical advisory committees have generated controversy because of the perception by some scientists and others that these appointments were based on ideology rather than expertise or were weighted to favor one group of stakeholders over others.

GAO last conducted a comprehensive review of EPA's process for selecting federal advisory committee members in 2001. At that time, GAO made several recommendations, that EPA implemented, to better ensure that membership for one of its advisory committees—the Science Advisory Board—is independent and balanced. We now request that GAO build on this past work and evaluate EPA's process for ensuring that all of its federal advisory committees are independent and balanced and how this compares to other federal agencies' processes.

Specifically, we request that GAO undertake a review that addresses the following:

- The extent to which EPA has policies and procedures for nominating and selecting federal advisory committee members to help ensure the independence and balance of committees.
- The extent to which EPA has policies and procedures to help ensure federal advisory Committees' independence from the agency.

- How EPA's policies and procedures for federal advisory committees compare to other agencies.
- The extent to which EPA has followed its policies and procedures for recent federal advisory committees.
- How the current composition of EPA's federal advisory committees compare to the composition of past committees.
- A comparison of how nominations and re-appointments to EPA's federal advisory committees have been handled following Presidential transitions.

Please contact Emily Enderle in Senator Whitehouse's office at (202)224-2921 and Michal Freedhoff on the staff of the Senate Committee on Environment and Public Works at (202) 224-8832 to discuss in detail the specific scope of work and timelines for completing this request.

Thank you in advance for your consideration.

Sincerely,

Sheldon Whitehouse
United States Senator

Thomas R. Carper
United States Senator

Edward J. Markey
United States Senator

Brian Schatz
United States Senator

Bernard Sanders
United States Senator

Jeanne Shaheen
United States Senator

Mazie K. Hirono
United States Senator

Gary C. Peters
United States Senator

Michael F. Bennet
United States Senator

Sherrod Brown
United States Senator