114TH CONGRESS
1ST SESSION

S. 544

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

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,
3  SECTION 1. SHORT TITLE.
4  This Act may be cited as the “Secret Science Reform
5  Act of 2015”.
SEC. 2. DATA TRANSPARENCY.

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

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

“(A) the best available science;

“(B) specifically identified; and

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

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

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

“(B) superseding any nondiscretionary statutory requirement.

“(3) In this subsection—

“(A) the term ‘covered action’ means a risk, exposure, or hazard assessment, criteria document, standard, limitation, regulation, regulatory impact analysis, or guidance; and

“(B) the term ‘scientific and technical information’ includes—
“(i) materials, data, and associated protocols necessary to understand, assess, and extend conclusions;

“(ii) computer codes and models involved in the creation and analysis of such information;

“(iii) recorded factual materials; and

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

“(4) The Administrator shall carry out this subsection in a manner that does not exceed $1,000,000 per fiscal year, to be derived from amounts otherwise authorized.”.