



Politics Over Science

*"Tinkering with scientific information, either striking it from reports or altering it, is becoming a pattern of behavior. It represents the politicizing of a scientific process, which at once manifests a disdain for professional scientists working for our government and a willingness to be less than candid with the American people."*¹

--Roger G. Kennedy, former director of the National Park Service, responding to the doctoring of findings on Yellowstone National Park

From clean air and water to worker safety to a healthy food supply, science is at odds with the Bush agenda. In response, the administration has suppressed and censored government reports, misrepresented scientific information, and stacked scientific advisory committees with its corporate and ideological allies.

Needless to say, this has not sat well with scientists. In February 2004, more than 60 distinguished scientists, including 20 Nobel laureates, released a statement blasting this political takeover of science.

"Although scientific input to the government is rarely the only factor in public policy decisions, this input should always be weighed from an objective and impartial perspective to avoid perilous consequences," the statement reads. "Indeed, this principle has long been adhered to by presidents and administrations of both parties in forming and implementing policies. The administration of George W. Bush has, however, disregarded this principle."²

In doing so, the administration has subverted democratic decision-making and undermined government accountability. When science finds a serious health or environmental problem, for instance, there is frequently public pressure to respond through regulatory action, which the administration is loath to pursue. The White House has sought to protect itself politically by keeping the public in the dark or even manufacturing "evidence" for its case. In other words, the agenda drives the information, not the other way around.

Suppressing Scientific Information

As detailed below, the administration has consistently doctored scientific information to justify misguided policies. For instance, on global warming, it has pretended there is no scientific consensus; on drilling, it has buried evidence of environmental damage; and on teen pregnancy, it refuses to acknowledge studies that demonstrate the effectiveness of comprehensive sex education. This reveals an administration guided by political muscle and right-wing ideology rather than facts.

Global Warming

In spring 2003, the White House forced EPA to drop findings on global climate change from a draft report on the state of the environment.³

The initial EPA draft, obtained by the New York Times, contained a two-page section on climate change, which was completely deleted from the version released for public comment.⁴ This section referenced a number of studies that blamed human activity (such as rising concentrations of smokestack and tail pipe emissions) for global warming, including a 2001 National Research Council report commissioned by the White House.

The White House Council on Environmental Quality, along with the Office of Management and Budget, edited the initial draft, cutting out mention of these studies and instead referencing a study partially funded by the American Petroleum Institute that questioned climate change. EPA staff ultimately decided to delete the entire section; an internal memo stated that the agency objected to filtering science and misrepresenting scientific consensus.

This was the second time in a year the White House and Bush appointees downplayed global warming in an official document. In September 2002, for the first time in six years, the administration removed a climate change section from EPA's annual report on air pollution.⁵

Shortly before that, in May 2002, President Bush disavowed an EPA report⁶ to the United

Nations that faulted human activity for global warming, juxtaposing the seriousness of the problem with the administration's unwillingness to do anything about it. "I read the report put out by the bureaucracy," the president responded dismissively.⁷

Describing the president's thinking, Christopher C. Horner, a lawyer at the corporate-funded Competitive Enterprise Institute, which enjoys close ties to the administration, said, "It was obvious to him that it's not tenable to say yes, we're aggressively killing the planet and then not do something aggressive about it. Our fear was that he would have to take severe action."⁸

Instead, the president simply denied scientific consensus. Since this episode, the White House has taken a more active interest in shaping EPA findings that might prove politically damaging.

Fox In the Henhouse

James Connaughton, chair of the White House Council on Environmental Quality

Previously, Connaughton was a partner in the Sidley & Austin law firm's Environmental Practice Group, where he worked on behalf of numerous corporate and trade association clients, specializing in Superfund cases. Among others, he represented the Aluminum Company of America, ASARCO, Atlantic Richfield, the Chemical Manufacturers Association, and General Electric, which is potentially responsible for more toxic Superfund sites than any other corporation in the nation.⁹

Air Quality Around Ground Zero

Following the collapse of the World Trade Center towers, the surrounding area was blanketed by debris containing asbestos, lead, glass fibers, and concrete dust, among other dangerous ingredients, potentially putting clean-up workers and area residents at significant health risk.

Nonetheless, White House officials pressured EPA to declare the air around Ground Zero "safe" even though it "did not

have sufficient data and analyses to make such a blanket statement," according to EPA's inspector general.¹⁰ At the time, EPA had not tested for a number of pollutants – including particulate matter, dioxin, and polychlorinated biphenyls (PCBs) – and had no adequate benchmarks to evaluate the health effects of airborne asbestos and the "cumulative or synergistic impacts of being exposed to several pollutants at once."

The White House Council on Environmental Quality, which was appointed to oversee public communications about WTC environmental conditions, forced EPA to add reassuring statements to its press releases and delete cautionary notes. Among other things, this meant withholding guidance for cleaning indoor spaces, as well as information about the potential health effects from WTC debris. EPA's inspector general compared two EPA releases with their original drafts, concluding, "Every change that was suggested by the CEQ contact was made."

Mercury and Children's Health

After nine months of delay by the White House, EPA released a long-awaited report on children's health and the environment¹¹ Feb. 24, 2003, just days after the Wall Street Journal obtained a draft and reported the key findings.¹² Most notably, the report concluded that 8 percent of women ages 16 to 49 have mercury levels in the blood that could lead to reduced IQ and motor-skills for their offspring.

This acknowledgement gives ammunition to those who question the administration's lax treatment of coal-fired power plants, which are largely responsible for mercury emissions. Apparently this is what caused the White House to launch an extensive – and unprecedented – interagency review of the report as EPA neared completion in May 2002.¹³

Ultimately, the White House forced EPA to make contextual changes to downplay the effects of mercury, according to sources. The data presented by EPA was not the result of new original research; rather, it represented a compilation of a number of previous studies, which made the data mostly immune from

White House manipulation. It is unknown whether the report would have been released had it not been leaked to the Wall Street Journal by frustrated EPA staff.

Clean Water

In 2003 and 2004, senior Bush officials repeatedly made misleading claims about improvements in the nation's drinking water, according to a report by EPA's inspector general. For instance, several EPA documents falsely reported that 94 percent of community water systems were in compliance with federal health standards – a figure that was cited in a New York Times editorial, among other news sources. In fact, the inspector general found that EPA is fully aware that this number is a gross exaggeration. Internal agency audits show that about 77 percent of known monitoring and reporting violations and 35 percent of known health violations are not included in EPA's compliance database.

Asbestos Contamination

OMB stepped in and killed EPA plans in April 2002 to warn the public that as many as 35 million homes might use asbestos-contaminated insulation.¹⁴

Specifically, EPA discovered that asbestos-contaminated ore from a mine in Libby, Mont., is contained in insulation called Zonolite, which has been used in millions of homes, businesses, and schools across the country. When inhaled, asbestos can cause lung cancer and mesothelioma (a rare cancer of the thin membranes lining the abdominal cavity and surrounding internal organs).¹⁵ Fibers in the Libby ore have been found to be 10 times as carcinogenic as other, more prevalent asbestos fibers.

EPA was also set to declare a public health emergency in Libby, where the mine's asbestos contamination has killed hundreds and sickened thousands, before John Graham, administrator of OMB's Office of Information and Regulatory Affairs, blocked it.¹⁶ Documents obtained through the Freedom of Information Act indicate the administration's concern over "potential

national backlash” from the proposed Libby declaration.¹⁷ This would have been the first public health emergency ever issued by an agency, authorizing the removal of asbestos-contaminated insulation from Libby homes and providing long-term medical care for the sick.¹⁸

Oil and Gas Development

The Bush administration altered scientific information to advance an oil and gas development practice known as “hydraulic fracturing,” which involves the injection of fracturing fluids into geologic formations. Notably, Halliburton, the energy company previously led by Vice President Cheney, is the leading provider of hydraulic fracturing.¹⁹

EPA officials briefed congressional staff on the practice in August 2002 and presented a study showing that hydraulic fracturing could lead to levels of benzene in underground sources of drinking water in excess of federal drinking water standards. After congressional staff raised concerns about these environmental impacts, EPA produced a revised analysis showing that the practice would *not* result in levels of benzene above federal standards.²⁰ The agency provided no scientific explanation for the change, citing only feedback from an industry source.

The White House also removed discussion of potential negative environmental effects of hydraulic fracturing, including water contamination, from the energy plan produced by the Cheney task force.²¹ A draft had included such concerns.

Drilling in the Arctic National Wildlife Refuge

As noted earlier (see page 25), the Bush administration has pressed Congress to allow drilling in the Arctic National Wildlife Refuge (ANWR). In response to questions from a Senate committee, Interior Secretary Gale Norton withheld agency scientific information suggesting that ANWR’s caribou could be adversely affected by drilling. Instead, she erroneously reported that caribou calving has been concentrated outside the proposed drilling area in 11 of the last 18 years. In fact, the opposite is true.²²

Subsequently, in spring of 2002, the U.S. Geological Survey released a 12-year study that confirmed the damaging effects of drilling on ANWR’s wildlife. However, a week later, the agency turned around and issued a two-page follow-up report at the request of high-level Interior Department officials that advanced the case for drilling.²³

“They didn’t like the results of a 12-year study, so they ordered a seven-day rush job to get the results they really wanted,” said Chuck Clusen, director of the Natural Resources Defense Council’s Alaska project. “The administration’s refusal to accept that drilling in the refuge is a bad idea says something about its commitment to basing environmental decisions on sound science. That is, if it ‘sounds’ good to industry, forget about the environment.”²⁴

Norton also renounced reports issued by the Fish and Wildlife Service in 1995 and 1997, which found that drilling in ANWR might violate U.S. treaty obligations to protect polar bears;²⁵ in December 2001, an Interior Department memo noted that the reports “[do] not reflect the Interior Department’s position,” and directed staff “to correct these inconsistencies and submit promptly a revised report for review and clearance by the department.”²⁶

Wetlands Protections

Norton also suppressed an unfavorable analysis of a U.S. Army Corps of Engineers proposal to weaken wetlands protections. The analysis, prepared by scientists at the U.S. Fish and Wildlife Service, found that the proposal would “encourage the destruction of stream channels and lead to increased aquatic functions.” Norton failed to submit the analysis, and the Corps subsequently went forward with its rollback (see pg 33).

Threatened Salmon

The Bush administration dismissed scientific recommendations to increase water in Oregon’s Klamath River Basin and instead approved lower river flows favored by agribusiness interests, killing more

than 33,000 salmon, including hundreds of threatened coho salmon. Scientists at the National Marine Fisheries Service warned of this catastrophic fish kill, but Bush higher-ups overruled them, and the plan was implemented in September 2002.

This happened shortly after President Bush and his top political adviser, Karl Rove, visited Oregon and met with prominent Klamath irrigators; Rove then raised the Klamath project at a meeting with senior Interior Department officials. The Department of Interior's inspector general investigated the matter at the request of Sen. John Kerry (D-MA), and ultimately concluded that Rove did

not exert improper influence. Nonetheless, politics almost certainly played a role.

In lowering water levels, the administration ignored requirements of the Endangered Species Act, which requires biological consultations when a federal agency – in this case Interior's Bureau of Reclamation (BOR) – proposes an action that may adversely affect threatened or endangered species. However, NMFS was denied the opportunity to examine the full implications of BOR's proposal, and ordered to issue a final biological opinion that supported the action, according to Michael Kelly, a former NMFS biologist.²⁷

Foxes In the Henhouse

Bennet William Raley, assistant secretary of Interior for water and science

Raley is responsible for development, management and conservation of the nation's water supply, including the Klamath River Basin. Over the years, he has been a determined opponent of environmental protection. He once testified in favor of legislation that would have weakened enforcement provisions of the Endangered Species Act, and lobbied against a 1994 Clean Water Act reauthorization bill that would have required EPA to set new state guidelines for controlling pollution runoff.²⁸

Raley also served on the board of the Mountain States Legal Foundation, which has worked to open public lands for private use, and has been a member of the Defenders of Property Rights Attorney Network, a Washington-based legal foundation whose primary goal has been to promote "takings" legislation, which would require the government to compensate polluters and others who cause environmental damage for the cost of complying with environmental laws and regulations.

Jason Peltier, Interior's deputy assistant secretary for water and science

Peltier participated in the decision to lower water levels in the Klamath River Basin to the benefit of agribusiness. He also has

been a key negotiator over long-term water contracts with California farmers that will commit the federal government to billions in subsidies.²⁹ Previously, he spent more than a decade working on behalf of these same farmers at the Central Valley Project Water Users Association. After President George H.W. Bush signed a law to limit subsidies for California farmers and free water to mitigate massive damage to the environment and fisheries, Peltier said, "We'll do anything and everything to keep from being harmed. If that means obstructing implementation, so be it."

H. Craig Manson, assistant secretary of Interior for fish, wildlife & parks

Manson oversees both the National Park Service and the Fish and Wildlife Service. Previously, he served six years as chief counsel to the California Department of Fish and Game (DFG). In this position, Manson was accused of aiding politically connected developers and frustrating strict enforcement of resource protection laws, while working behind the scenes to weaken interpretations of key statutes and policies.³⁰ In one case, DFG and top agency officials, including Manson, were sued by a whistleblower who lost his job for disclosing an order from DFG higher ups to sign an illegal development permit.³¹ The state of California settled the suit for an undisclosed sum.

This came after NMFS prepared two draft biological opinions suggesting potential problems. "Comparing the two draft biological opinions to the final biological opinion demonstrates that the agencies intentionally or negligently reached a result that was contrary to the law," Kelly stated, adding that the final opinion "contains very little that is supportable from a biological perspective."

In addition, the administration has refused to release a report – which has been in final draft form since November 2001 – that scientifically demonstrates the need for higher flow levels for salmon and other fish in the Klamath.³² The administration has also withheld a report that concludes increased river flows would generate 30 times more economic benefit through recreational activities than the current practice of diverting it to farmers in the Klamath Basin.³³

Yellowstone National Park

The Bush administration disseminated misleading information on ecological problems in Yellowstone National Park in an effort to have the park removed from a list of endangered world heritage sites.³⁴

"Yellowstone is no longer in danger," wrote Paul Hoffman, an Interior Department official, in a letter to the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO).³⁵ Hoffman supplied a supporting report, but it had been significantly altered.³⁶

A draft of this report, which was prepared by professional staff, cited continuing threats to the park's streams, bison herd and trout. These sections, however, were removed or toned down in the final report, as described by Roger G. Kennedy, former director of the National Park Service (1993-1997), in a letter to UNESCO: "Through its letter to you, that Department is seeking to mislead you and other concerned citizens into thinking that Yellowstone is no longer in danger...[T]he Bush Administration aggressively edited this professional assessment of ongoing threats, dramatically changing the document's thrust.

The edited report sent to you by Mr. Hoffman, downplays ongoing threats and is yet another defiance of the role of good science in land management by the Administration."³⁷

After lengthy debate, the committee ultimately voted to remove Yellowstone from its list of endangered parks, but set a precedent by requiring the United States to report back next year on progress in addressing a number of environmental problems within the park.³⁸ The committee also requested that the Bush administration involve independent scientists and non-governmental organizations in its review.

Power Plant Pollution at Mammoth Cave National Park

The Department of Interior rejected a study that predicted adverse environmental effects if Peabody Energy went ahead with plans to construct a large coal-fired power plant 50 miles upwind of Mammoth Cave National Park in Kentucky, a designated UNESCO world heritage site and international biosphere reserve.³⁹

The National Park Service found that the proposed plant would impair visibility in the park, which is already more polluted than nearly every other park in the country.⁴⁰ Nonetheless, Interior cut a deal with Peabody to allow the plant to operate, for at least the next two years, at damaging levels.⁴¹

Peabody, the world's largest coal company, and its subsidiaries contributed a total of \$450,000 to the Republican National Committee as the project was at critical stages in the approval process.⁴²

Agricultural Pollution

In February 2002, USDA officials instructed staff scientists to seek prior approval on all manuscripts pertaining to "sensitive issues,"⁴³ including:

"Agricultural practices with negative health and environmental consequences, e.g. global climate change; contamination of water by hazardous materials (nutrients, pesticides, and pathogens); animal feeding operations

or crop production practices that negatively impact soil, water, or air quality.”⁴⁴

For instance, in response to industry complaints, USDA higher-ups barred a staff scientist, microbiologist James Zahn, from publishing the results of a study that found antibiotic-resistant bacteria in the air near hog confinements in Iowa and Missouri.⁴⁵ Zahn was also prohibited from accepting a number of speaking engagements to share his findings.⁴⁶

USDA officials told Zahn he was being silenced because the study dealt with human health, an issue outside his unit’s mission.⁴⁷ Yet the web site for the Swine Odor and Manure Management Research Unit, where Zahn worked, states that its mission “is to solve critical problems in the swine production industry that impact production efficiency, environmental quality, and *human health*.”⁴⁸ (emphasis added)

Food Safety

In late 2003, the USDA boasted about steep declines in the food-borne pathogens *Listeria* and *Salmonella*. “These data validate our scientific approach to protecting public health through safer food,” said Elsa Murano, the agency’s undersecretary for food safety, in a press release just before Thanksgiving, which claimed a 12 percent reduction in *Salmonella* from the previous year and a 66 percent reduction over the previous six years. A separate press release touted a one-year 25 percent decline in *Listeria* and a 70 percent reduction over the previous six years.

Unfortunately, on closer inspection, these numbers turned out to be highly misleading:

- First, the data derives from random sampling as part of USDA’s verification testing program, which is meant to gauge regulatory compliance, not nationwide prevalence of pathogens. Indeed, USDA’s own *Salmonella* progress report states, “Because the [verification testing] program is not statistically designed, different establishments may be sampled from

year to year, confounding rigorous trend analyses.”⁴⁹ Likewise, the agency also warns against this for testing ready-to-eat meats, which includes *Listeria*: “The data presented here are from regulatory testing programs that change from year to year and even within years and thus comparisons should be made with caution... These regulatory programs have not been designed to test for statistically significant change from one year to the next.”⁵⁰

- Second, the data do not cover a full year. The press releases were issued in the fall when only eight or nine months of testing had been reported.
- Third, the data is not weighted to account for differences in beef and poultry. *Salmonella* is found at higher rates in poultry than beef. However, in 2002, of the roughly 58,000 samples taken, 31,000 were ground beef, which had a 2.6 percent incidence of *Salmonella*, and just 429 were ground chicken, which had a 29.1 percent incidence.⁵¹ Without accounting for this difference, USDA was virtually guaranteed to find lower rates of *Salmonella*.

These problems were uncovered by Barbara Kowalczyk, a statistician in the Department of Biostatistics at the University of Wisconsin and board member of Safe Tables Our Priority (STOP). “[USDA is] going around using sound science as their selling point, yet they’re really not using it,” said Kowalczyk, whose son died from *E. coli* O157:H7. “The fact is that they misled the American public and Congress by issuing these press releases, and it’s irresponsible.”⁵²

Prescription Drug Advertising

The FDA released a report in January 2003 that distorts scientific evidence on the value of prescription drug advertising in a way that supports the pharmaceutical industry.⁵³

In its report, FDA claimed that a survey of 500 doctors showed that direct-to-consumer (DTC) advertising “when

done correctly, can serve public health functions.”⁵⁴ The agency claimed that most physicians “agreed that, because their patient saw a DTC ad, he or she asked more thoughtful questions during the visit.” In fact, 59 percent of respondents said the fact that a patient had seen an advertisement had no beneficial effects and just 4 percent said the advertisement informed or educated the patient.⁵⁵

Stem Cell Research

After banning federal funding for research on new stem cell lines, President Bush misleadingly assured the public that the move would not hamper medical progress, claiming research on “more than 60” existing lines “could lead to breakthrough therapies and cures.”⁵⁶

In September 2001, however, HHS Secretary Tommy Thompson told Congress that only 24 or 25 cell lines were actually suitable for experimentation.⁵⁷ The director of the National Institutes of Health, Elias Zerhouni, painted an even bleaker picture in May 2003. Just 11 stem cell lines are “widely available to researchers,” he testified,⁵⁸ and even these lines might not be fit for human use because they are derived from mouse feeder cells and might be infectious.

Scientists have found a way to develop uninfected stem cell lines using human bone marrow cells but cannot use this method due to President Bush’s ban.⁵⁹

Research on HIV and Sexual Behavior

In early October 2003, congressional Republicans sent an apparent hit list to the National Institutes of Health identifying more than 150 scientists with agency grants to conduct research on HIV and sexual behavior. NIH responded by contacting these researchers, apparently to put the agency in better position to defend the grants.

Soon after this began, some of these researchers alerted Rep. Henry Waxman (D-CA) – who had created a web site on political influence over science⁶⁰ – and expressed fear of losing their funding. One researcher

wrote, “We are seriously concerned that extra-scientific criteria are being introduced into the NIH grant making process that until now has been based solely on the scientific merit and public health importance of proposed research.”

“This atmosphere of intimidation is unacceptable,” Waxman responded in a letter to HHS Secretary Tommy Thompson, who oversees NIH. “These researchers, who are tackling serious and intractable health problems, have done nothing wrong... Contacting and alarming the researchers sets a terrible precedent.”⁶¹

The Traditional Values Coalition, a conservative advocacy organization, has claimed responsibility for authoring the list. However, HHS officials appear to have at least provided assistance, according to Waxman; some of the information included (such as funding levels) is not publicly accessible but easily retrieved through the internal HHS computer system, and a number of researchers are listed without any corresponding grants but with the notation “nothing found on HHS search,” implying a search conducted at the agency. If HHS did indeed help produce the list, it represents a deeply troubling sign. As Waxman put it, “Imposing ideological shackles on this research would be a serious public health mistake.” Thompson claims his staff was not involved in creation of the list.⁶²

The list reportedly emerged after NIH asked congressional staffers to identify 10 grants questioned at a congressional hearing.⁶³ However, NIH was instead sent the list of 150, prompting the agency to contact the researchers.

Sex Education

The Bush administration has suppressed and distorted scientific evidence about effective sex education programs in an effort to promote an abstinence-only agenda.

The Centers for Disease Control and Prevention recently discontinued a project called “Programs that Work,” which identified sex education programs that scientific

studies found to be effective.⁶⁴ All five of the programs identified in 2002 involved comprehensive sex education for teenagers and none were abstinence-only programs. In ending the project, CDC removed information about these programs.

The Bush administration also altered performance measures for abstinence-only programs – trading measures of participants’ actual sexual behavior for measures of their program attendance and attitude.⁶⁵ Such measures cannot truly gauge the effectiveness of sex education programs and are likely to paint an overly rosy picture of the programs’ success.

Condoms

The Centers for Disease Control and Prevention removed a fact sheet from its web site that included information on proper condom use, the effectiveness of different types of condoms, and studies showing that condom education does not promote sexual activity.⁶⁶ This was replaced with a document that emphasizes condom failure rates and the effectiveness of abstinence.⁶⁷

Likewise, the U.S. Agency for International Development (USAID) also yanked information from its web site on the effectiveness of condoms. Specifically, the agency removed a document entitled, “The Effectiveness of Condoms in Preventing Sexually Transmitted Infections,” which stated that condoms are “highly effective” in preventing HIV/AIDS, adding, “Public and government support for latex condoms is essential for disease prevention.”⁶⁸ A document entitled “USAID: HIV/AIDS and Condoms” remains on the site, but it merely states that “condom use can reduce the risk of HIV infection.”⁶⁹

Breast Cancer and Abortion

The Bush administration has wrongly suggested that abortions increase a woman’s risk of getting breast cancer. Previously, the National Cancer Institute (NCI) web site referenced several respected studies concluding that scientific evidence does

not support this claim. However, the administration removed this page, and replaced it with a fact sheet that incorrectly indicated a great deal of uncertainty. The fact sheet stated:

“Some studies have reported statistically significant evidence of an increased risk of breast cancer in women who have had abortions, while others have merely suggested an increased risk. Other studies have found no increase in risk among women who had an interrupted pregnancy. NCI is currently supporting mechanistic and population studies to gain a better understanding of the hormonal changes that occur during pregnancy and interrupted pregnancies and how they relate to breast cancer risk.”⁷⁰

NCI subsequently convened a conference to review scientific data on reproductive events that may impact a woman’s risk of getting breast cancer. The participants, who represented a diversity of breast cancer expertise, including epidemiologists, clinicians, basic scientists and breast cancer activists, concluded “abortion is not associated with an increase in breast cancer risk.”⁷¹ (In March 2004, a comprehensive review of 53 studies involving 83,000 women in 16 countries also found no link.⁷²) Shortly thereafter, NCI revised its web site to reflect this conclusion.

Stacking Scientific Advisory Committees

Federal agencies convene scientific advisory committees to provide unbiased, expert advice, ideas, and opinions on a wide range of topics. Their findings, for instance, frequently form the basis of health, safety and environmental regulation. Thus, it is crucial that these committees be, as the law requires, “fairly balanced in terms of the points of view represented and ... not be inappropriately influenced by the appointing authority or by any special interest.”⁷³

Unfortunately, the Bush administration has screened nominees for advisory committees based on their political views rather than their scientific qualifications, tilting committees in favor of corporate interests and right-wing ideologues, as detailed below. This effort goes hand in hand with the administration's proposed agency-wide "peer review" guidelines (discussed on page 56), which allow industry-funded scientists to serve while treating those funded by government with skepticism. The administration clearly wants "advice" that will fit its predetermined agenda regardless of the weight of the scientific evidence.

Childhood Lead Poisoning

In the summer of 2002, a CDC advisory committee was set to reexamine federal standards for lead and the health risks posed to children. Knowledgeable observers believed that the committee would advise more stringent controls based on new scientific evidence of lead's damaging effects even at low levels.⁷⁴ However, HHS Secretary Tommy Thompson, who oversees CDC, stepped in and stacked the committee with those friendly to the lead industry and predisposed against new regulation.

At the same time, Thompson rejected the reappointment of Michael Weitzman, pediatrician in chief at Rochester General Hospital and author of numerous publications on lead poisoning (who CDC staff had planned to nominate as the committee's new chair⁷⁵), as well as staff nominations of two other accomplished doctors with expertise in lead poisoning.⁷⁶ This was the first time the HHS secretary had ever rejected nominations by the committee or CDC staff, according to Susan Cummins, chair of the committee from 1995 to 2000.⁷⁷ In response, CDC substituted four nominees, who are closely allied with the lead industry, including:

- William Banner, professor of pediatrics at the University of Oklahoma, who has served as an expert witness for the lead industry, downplaying the effects of lead on children;⁷⁸
- Sergio Piomelli, a professor at Columbia Presbyterian Medical Center, who has argued against lowering the acceptable limit of lead in the blood, saying "there is no epidemic of lead poisoning in the United States today, but some people are trying to create an epidemic by decree";⁷⁹
- Joyce Tsuji, principle scientist at Exponent, whose corporate clients include Dow Chemical, Dupont, and ASARCO, which is now involved in a lead dispute with EPA (Tsuji withdrew her nomination due to scheduling conflicts);⁸⁰ and
- Kimberly Thompson, an assistant professor of risk analysis and decision science at Harvard, who is affiliated with the Harvard Center for Risk Analysis (HCRA), which has 22 corporate funders with a financial interest in the deliberations of the lead advisory committee.⁸¹ This includes Ciba-Geigy Corp., FMC Corp., and Monsanto, which have Superfund sites with lead contamination.⁸² John Graham, the administration's regulatory czar, previously served as director of HCRA.

Banner, Piomelli and Thompson have since become members of the committee.⁸³ It was later learned that the lead industry had a hand in the appointments. At the committee's October 2002 meeting, Piomelli stated, "Before some reporter detects it, I would like you to know that I was called a few months ago from somebody in the lead industry ... and asked if I don't mind if they nominated me for this committee. I said, 'Yes.'"⁸⁴

The committee, in place for more than a decade, examines the science of lead poisoning and advises CDC on appropriate policy measures, including the limit on acceptable lead levels in the blood. According to CDC, more than 400,000 children in the United States between the ages of 1 and 5 have elevated levels of lead in their blood,⁸⁵ which can result in damage to the central nervous system, kidneys, reproductive

system, as well as decreased intelligence, among other harmful effects.

Environmental Health

The administration overhauled a committee that advises the CDC's National Center for Environmental Health on a wide range of public health issues, including the effects of low-level chemical exposures. Fifteen new members were added to the 18-person panel, including a number with close ties to corporate interests. In particular, this includes:

- Dennis Paustenbach, who conducts paid risk assessment for industry and testified on behalf of Pacific Gas & Electric, which was ultimately found guilty of poisoning drinking water, in the trial that made Erin Brockovich famous;
- Roger McClellan, the former director of the Chemical Industry Institute of Toxicology; and
- Becky Norton Dunlop, a vice president at the Heritage Foundation and former head of Virginia's natural resources department, where she aggressively fought against environmental protection.⁸⁶

Global Warming

Acting at the behest of industry lobbyists, the Bush administration succeeded in ousting renowned scientist Robert Watson as chair of the U.N.'s Intergovernmental Panel on Climate Change.⁸⁷

Within the Bush administration's first weeks, ExxonMobil delivered a confidential memo (obtained by the Natural Resources Defense Council) to the White House urging that Watson be replaced with someone skeptical of the scientific consensus that global warming is a serious problem.⁸⁸ Later, ExxonMobil was joined in this campaign by the coal industry and electric utilities.

Not surprisingly, the Bush administration, along with OPEC countries, opposed Watson's reappointment in April 2002 when more than 100 governments met

to elect the head of the panel. India also opposed Watson, arguing that a scientist from a developing country deserved a turn as chair, and in the end, Indian scientist Rajendra Pachauri was elected. It marked the first time the chair had not been selected by consensus.

A year earlier, under Watson's leadership, the 2,500-member panel produced its third comprehensive global warming assessment, concluding, "There is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities." This assessment further predicted that temperatures would rise between three and 10 degrees by the end of the century. Needless to say, this is not what industry and the Bush administration want to hear – even if it is true.

Chemicals and Allied Products

A legal settlement requires the inclusion of an environmental representative on the Industry Sector Advisory Committee for Chemicals and Allied Products. However, the Bush administration rejected the application of Greenpeace's Rick Hind, and instead selected Brian Mannix, a vocal opponent of regulation and a researcher at the conservative Mercatus Center.

Mannix has strong ties to industry and the conservative policy community in Washington. Previously, he served as director of science and technology studies for the Manufacturers Alliance for Productivity and Innovation, an industry-sponsored consulting and lobbying group.⁸⁹

Ergonomic Hazards

After repealing Clinton-era ergonomics standards, the Bush administration issued a feeble "replacement" plan to adopt voluntary industry-specific guidelines (see page 37). This plan created the National Advisory Committee on Ergonomics (NACE) to examine relevant research and provide advice on the guidelines.

This appears to be an effort to supplant the CDC's National Institute of Occupational Safety and Health, which is legally charged

with evaluating worker safety and health. In July 1997, after reviewing more than 600 studies, NIOSH concluded that injuries caused by ergonomic hazards are a serious and widespread problem.

NACE, however, is more likely to spout the administration's line regardless of the scientific evidence. With seven management representatives and just two union safety and health experts, it is the first advisory committee in OSHA's 32-year history that does not include an equal number of management and union representatives.

Occupational Safety and Health

HHS Secretary Tommy Thompson overruled the recommendations of NIH science administrators and removed three ergonomics experts from a study section that evaluates research grants on workplace injuries for the National Institute of Occupational Safety and Health.⁹⁰ Specifically, Thompson rejected:

- Laura Punnett, a professor at the University of Massachusetts, Lowell, who expressed public support for workplace ergonomics standards;
- Catherine Heaney, an associate professor of public health at Ohio State University, whose recent research has focused on ergonomics; and
- Manuel Gomez, director of scientific affairs at the American Industrial Hygiene Association.

A study section does not make policy recommendations (unlike an advisory committee); rather, it makes determinations on the scientific merits of proposed research projects. For this reason, Thompson's attention surprised insiders,⁹¹ as well as those affected. "I was shocked," Punnett said of being rejected. "I think it conveys very powerfully that part of the goal is to intimidate researchers and limit what research questions are asked."⁹²

Another prospective member said someone from Thompson's staff screened

her nomination by asking politically charged questions – in particular whether she would be an advocate on ergonomics issues. "I was intrigued and offended at the same time," recalled Pamela Kidd, associate dean of the College of Nursing at Arizona State University. "I purposely answered in a way that would not put me on either side."⁹³

Food Safety Hazards

In March 2003, Agriculture Secretary Ann Veneman named nine food-industry representatives and no consumer representatives to a committee on food safety hazards, such as E. Coli and Salmonella.⁹⁴ This included Virginia Scott of the National Food Processors Association, which calls itself "the voice of the \$500 billion food processing industry," and Robert Seward of the American Meat Institute. The committee is supposed to be "impartial," but that seems impossible given its built-in slant in favor of food manufacturers.

Dietary Guidelines

In August 2003, HHS and USDA appointed 13 members to an advisory committee on dietary guidelines, seven of which have significant ties to food, drug, dietary supplement and other related industries.⁹⁵

For example, this includes Fergus M. Clydesdale, who has held stock in and consulted for several food-related companies.⁹⁶ Clydesdale runs a pilot food plant at the University of Massachusetts at Amherst that receives corporate support, and has worked closely with the industry-backed American Council on Science and Health, which downplays food safety concerns.⁹⁷ He is also chairman of the board of directors at the industry-funded International Life Sciences Institute (ILSI) and previously served as director of the industry-funded International Food Information Council (IFIC).⁹⁸

In announcing the new committee roster, HHS and USDA failed to disclose ties to corporate interests. This is especially significant because the committee (the Dietary Guidelines Advisory Committee)

reviews and revises the Dietary Guidelines for Americans report, a “broad-based nutrition guide.”⁹⁹ Changes in the guidelines can affect government policy as well as consumers’ eating habits – helping or harming food manufacturers’ profits.

Fox In the Henhouse

Eric Hentges, director of USDA’s Center for Nutrition Policy and Promotion

Hentges is in charge of redesigning the nation’s Food Pyramid and Dietary Advisory Guidelines, and deciding what foods go into USDA’s Thrifty Food Plan, which governs Food Stamp recipients. He previously served as vice president of applied technology and education services at the National Pork Board (formerly the National Pork Producers Council), and was director of human nutrition research for the National Livestock and Meat Board.¹⁰⁰ In the past, Hentges has defended higher-sodium pork and fatty sausages, supported the consumption of hot dogs by children, and opposed nutrition labeling on steaks and pork chops.¹⁰¹

Silicone Breast Implants

A plastic surgeon was permitted to sit on an FDA advisory committee reviewing the safety of implants manufactured by Inamed Aesthetics even though he had previously received a grant from the company.

Dr. Michael Miller, of the Anderson Cancer Center at the University of Texas, received a \$25,000 grant from Inamed to develop a CD-ROM on breast reconstruction.¹⁰² The CD-ROM includes a video of Miller making statements that breast implants are indeed “safe.”¹⁰³

FDA determined that Miller could participate in the committee’s deliberations because, “He reported his institution’s past and current involvement with firms at issue.”¹⁰⁴ The agency then failed to appropriately disclose the conflict of interest at the beginning of the committee’s meeting and instead cryptically alluded to it; an FDA official merely stated that the agency “took into consideration certain matters regarding

Dr. Miller.” The FDA guidance on conflicts of interest for advisory committee members states that a disclosure should be made into the record that would “adequately enable a reasonable person to understand the nature of the conflict and the degree to which it could be expected to influence the recommendations the SGE [special government employee, in this case committee member] will make.”¹⁰⁵

Not surprisingly, Miller was a part of the 9-to-6 majority that recommended returning the implants to the market.

Genetic Testing

The Food and Drug Administration declined to renew the charter of a committee that recommended regulation of genetic testing, which reads a person’s DNA to suggest risk of disease.¹⁰⁶ Currently, companies are marketing tests for genes, frequently through the Internet, even where there is no established link to disease, needlessly worrying consumers and conning them out of their money. As a result of the committee’s recommendations, FDA initiated a rulemaking during the Clinton administration to oversee the marketing of such testing. However, this rulemaking has now been abandoned, along with the committee.

Members of the committee learned HHS had not renewed the committee’s charter in September 2002, a month after it lapsed.¹⁰⁷ Shortly thereafter, the Bush administration established a new committee – the Secretary’s Advisory Committee on Genetics, Health, and Society – which, as the name implies, has a broader scope than its predecessor, focusing on the implications of genetic technologies.

Human Research Protections

HHS scrapped a committee that, over the objections of the pharmaceutical industry, recommended new protections for human research subjects. Specifically, the committee urged a tightening of conflict-of-interest rules and new restrictions on research involving the mentally ill.

The committee also angered religious conservatives when it declined to support

the administration's effort to include fetuses under a regulation involving research on newborns. This appears to have been the death knell. The committee (Secretary's Advisory Committee on Human Research Protections) has since been reincarnated and the new charter¹⁰⁸ makes clear that fetuses and embryos are to be treated as human research subjects.

Jonathan Moreno, director of the University of Virginia Center for Biomedical Ethics and member of the Clinton-appointed committee, was asked to join the new 11-member committee, but declined over concerns about the absence of a patient advocate. "You can say all heads of research are patient advocates, but institutional roles do mean something and when it comes time to take a position on research protections the institution or business that you represent makes a difference," Moreno said.¹⁰⁹ After Moreno declined to join the committee, the administration appointed Susan Weiner, president and founder of Children's Cause,¹¹⁰ which advocates for more effective treatments of childhood cancer.

Other appointees include Cindi Berry, a former speechwriter for Senate Majority Leader Bill Frist, and C. Christopher Hook, who is active in Christian medical groups and has testified before Congress that embryonic stem cell research amounts to a "license to kill."¹¹¹

Bioethics

On Feb. 27, 2004, President Bush dismissed two handpicked members of his Council on Bioethics who had publicly supported human embryonic stem cell research – which the president opposes – and replaced them with three members who can be counted on to fall in line.

The two dismissed members include Elizabeth Blackburn, a renowned biologist at the University of California at San Francisco, and William May, a highly respected emeritus professor of ethics at Southern Methodist University. In their place, the president appointed:

- Diana Schaub, a political scientist at Loyola College who has opposed embryonic stem cell research, referring to it as "the evil of the willful destruction of human life;"¹¹²
- Benjamin Carson, director of pediatric neurosurgery at Johns Hopkins University, who has called for more religion in public life; and
- Peter Lawler, a professor of government at Berry College in Georgia, who has written against abortion and the "threats of biotechnology."

The council – formed by Bush shortly after taking office – has produced reports on human cloning, stem cell research and the use of biotechnology to enhance human beings. However, it frequently encountered problems reaching consensus as scientific facts took a backseat.

Describing her experience in a Washington Post op-ed, Blackburn wrote, "I consistently sensed resistance to presenting human embryonic stem cell research in a way that would acknowledge the scientific, experimentally verified realities. The capabilities of embryonic versus adult stem cells, and their relative promise for medicine, were obfuscated."¹¹³

Of course, consensus will now be easier to achieve, but debate is stifled in the process. "I am convinced that enlightened societies can only make good policy when that policy is based on the broadest possible information and on reasoned, open discussion," Blackburn continued. "Narrowness of views on a federal commission is not conducive to the nation getting the best possible advice. My experience with the debate on embryonic stem cell research, however, suggests to me that a hardening and narrowing of views is exactly what is happening on the President's Council on Bioethics."

Prevention of Injury and Disease

The administration appointed staunch opponents of sex education and a number of corporate executives to a CDC committee

that gives advice on “policy issues and broad strategies for promoting health and quality of life by preventing and controlling disease, injury and disability.”¹¹⁴

Specifically, this includes Joe S. McIlhaney, Jr., the founder and president of the Medical Institute for Sexual Health in Austin, Texas, which is against sex-ed programs, needle exchange, condoms, and legal abortion;¹¹⁵ Shepherd Smith, the president and founder of Institute for Youth Development, a group that sponsors abstinence education forums, in Sterling, Va.;¹¹⁶ and executives from General Motors and General Electric Medical System.

HIV/AIDS

Christian conservative Jerry Thacker, who has called AIDS the “gay plague” and referred to homosexuality as a “deathstyle,” was tapped to serve on the Presidential Advisory Council on HIV/AIDS.¹¹⁷ This choice caused much controversy and Thacker eventually withdrew.

Reproductive Health Drugs

David Hager, an obstetrician/gynecologist who strongly opposes abortion, was appointed to serve on the FDA panel that reviews reproductive health drugs. Hager recommends specific scripture readings and prayers for such ailments as headaches and premenstrual syndrome.¹¹⁸

Meanwhile, at least two nominees proposed by FDA staff were rejected by political higher ups: Donald R. Mattison, former dean of the University of Pittsburgh School of Public Health, and Michael F. Greene, director of maternal-fetal medicine at Massachusetts General Hospital.¹¹⁹

Drug Abuse

The administration rejected the nomination of William R. Miller, a professor of psychology and psychiatry at the University of New Mexico in Albuquerque, to serve on the National Advisory Council on Drug Abuse, which guides funding and policy decisions at a unit of the National Institutes of Health.

Shortly after his nomination, someone from HHS Secretary Tommy Thompson’s office called and asked Miller about his views on the president’s faith-based initiative, needle exchange programs, the death penalty for drug kingpins, and abortion, keeping a tally of whether he agreed with the views of the White House.¹²⁰ The caller also asked whether Miller had voted for Bush. When Miller said he had not, the caller asked him to explain. Miller believed he did not give enough right answers, and he was not appointed to the panel.

Likewise, a Thompson representative vetted a staff nominee for NIH’s Muscular Dystrophy Research Coordinating Committee, asking for views on various Bush administration policies, none of them related to the work of the committee. This included the president’s embryonic stem cell policy.¹²¹

Army Science

The secretary of defense’s White House Liaison Office disapproved about a dozen nominees to the Army Science Board (ASB) after uncovering their campaign contributions through the web site Opensecrets.org (which lists individual donors), according to one of the rejected nominees.¹²²

In a letter to Science Magazine, William E. Howard III reported that a member of the ASB staff told him that his nomination was rejected because he had contributed to the presidential campaign of Sen. John McCain (R-AZ).¹²³ In fact, Howard never made such a contribution, but someone with the same name, different middle initial (William S. Howard) had contributed \$1,000. Howard tried to clear things up, but ASB would not reconsider because “they did not want to upset the OSD White House Liaison Office.”

Prior to his nomination, Howard had served as a consultant to the board, as did other rejected nominees. “The country is not being well served by any administration’s policy of seeking advice only from a group of scientists and engineers who have passed the administration’s political litmus test,” Howard wrote.