

January 23, 2014

The Honorable Debbie Stabenow
Chairwoman
U.S. Senate, Committee on Agriculture,
Nutrition & Forestry
Washington, DC 20510

The Honorable Frank Lucas
Chairman
U.S. House of Representatives, Committee on
Agriculture
Washington, DC 20515

The Honorable Thad Cochran
Ranking Member
U.S. Senate, Committee on Agriculture,
Nutrition & Forestry
Washington, DC 20515

The Honorable Collin Peterson
Ranking Member
U.S. House of Representatives, Committee on
Agriculture
Washington, DC 20515

Dear Senator:

Our organizations urge you to oppose the erroneously named “sound science” provision, section 12307 in the House-passed farm bill, or any provisions similar to this section but limited to one or several agencies. The provision as drafted or revised would radically alter how federal agencies operate. Yet this proposal has bypassed all congressional debate, committee deliberation and votes and hearings in either chamber.

Such a provision is a classic gambit to choke public protections through “paralysis by analysis” by imposing new procedures on how agencies use science in virtually any policy decision. This includes not only regulations and guidance documents, but also risk assessments, labeling, and safety determinations. If agencies failed to comply with these arbitrary and onerous new procedures, they could be challenged in the courts, which would make the final decisions on complex issues that demand our best and most independent scientific and technical expertise.

These new burdens would give corporations many new opportunities to challenge crucially needed public protections, and would make it nearly impossible for federal agencies to use science to protect public health and safety, and the environment.

Equally alarming, section 12307’s requirements extend to all independent agencies such as the Consumer Product Safety Commission, the Nuclear Regulatory Commission, and the Consumer Financial Protection Board. The provision would prevent these independent agencies from implementing new statutes, including financial system reform aimed at preventing another Wall Street meltdown and critical updates to consumer protection laws. Any similar provision would set a bad precedent.

The “sound science” provision, as well as any narrower provision aimed at specific agencies, is unwise and extremely harmful and should not be included in the final farm bill.

Sincerely,

AFL-CIO

American Federation of State, County and
Municipal Employees

BlueGreen Alliance

Campaign for Tobacco-Free Kids

Center for Effective Government

Center for Food Safety

Center for Science and Democracy at the Union
of Concerned Scientists

Center for Science in the Public Interest

Citizens' Environmental Coalition

Coalition for Sensible Safeguards

Consumer Federation of America

Consumers Union

Cumberland Countians for Ecojustice

Earthjustice

Government Accountability Project

Institute for Agriculture and Trade Policy

International Union, United Automobile,
Aerospace & Agricultural Implement Workers of
America, UAW

National Consumers League

National Council for Occupational Safety and
Health

National Women's Law Center

Natural Resources Defense Council

Protect All Children's Environment

Public Citizen

Sciencecorps

United Steelworkers

Rena Steinzor

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Member Scholar, Center for Progressive Reform
Joe A. Worsham Centennial Professor of Law
University of Texas School of Law