

**Attorneys General of New York, California, Connecticut, Delaware, Illinois,
Iowa, Maryland, Massachusetts, Minnesota, New Jersey, Oregon,
Washington, Attorney of King County, Washington, and City Attorneys of
Chicago, Los Angeles, New York City, Oakland, and San Francisco**

March 24, 2020

Dr. Marcia McNutt, President
National Academy of Sciences
500 Fifth Street, NW
Washington, DC 20001

Re: Request for National Academy of Sciences Review and Comment on U.S.
Environmental Protection Agency's Supplemental Proposal to Limit Use of
Scientific Evidence in Rulemakings, 85 Fed. Reg. 15,396 (March 18, 2020) - Docket
ID No. EPA-HQ-OA-2018-0259.

Dear Dr. McNutt:

As you are likely aware, the U.S. Environmental Protection Agency (EPA) has issued a supplemental notice of proposed rulemaking that modifies its prior rulemaking proposal to restrict the body of scientific evidence that EPA can consider when adopting regulatory standards to protect public health and the environment. A group of the undersigned Attorneys General and City and County officials have asked EPA to withdraw the supplemental proposal and first consult with the National Academy of Sciences before deciding whether any changes to EPA's current use of scientific evidence are in order. We appreciated the National Academy's feedback to EPA regarding the initial proposal and again request that the National Academy provide EPA with its views regarding the supplemental proposal.

We support the goal of basing agency rulemaking on the strongest, most credible scientific evidence available, but firmly believe that EPA's initial and supplemental proposals run counter to that goal. EPA's supplemental proposal fails to incorporate comments from science organizations that identified flaws in its initial proposal and instead reaffirms the agency's irresponsible plan to discount relevant scientific evidence on the basis that some data is confidential. This is contrary to EPA's stated mission to reduce environmental risks based on the best available scientific information and would undermine decision-making on grave issues of public health. This approach is also at odds with accepted practices for managing and interpreting scientific data in developing regulations.

Because of the importance of this issue to public health and the environment, and because EPA appears poised to move forward in disregard of the views of the leading scientists in the nation, we write to you directly to ask that the National Academy review and comment on the supplemental proposal. We believe it is vitally important for EPA to hear the perspective of the Academy and other independent science organizations on ensuring that the data used in decision-

making are the best available. Accordingly, we urge the National Academy to review and provide comment to EPA on the supplemental proposal.

We appreciate your consideration of this important matter.

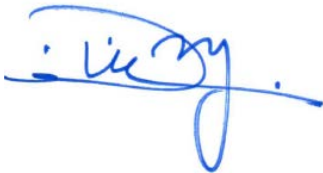
Sincerely,



LETITIA JAMES
Attorney General of New York



XAVIER BECERRA
Attorney General of California



WILLIAM TONG
Connecticut Attorney General



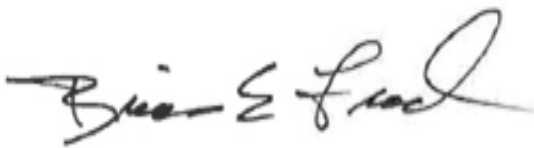
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