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Center for Science in the Public Interest
“Integrity in Science:
Corporate and Political Influence on Science-Based Policymaking”
Washington, DC
July 12, 2004

On July 12, 2004, I attended a conference organized by the Center for Science in the Public Interest (focus on public health and safety issues, publisher of the newsletter Nutrition Action, with 900,000 subscribers – www.cspi.org) on conflicts of interest in science. About 200 people from government, nonprofits, special interest groups, industry, and the media attended. Though speakers did not deliver any polemics against the Bush administration, they did construct a picture of biased leadership and a dangerously altered science policy process.

Keynote speaker Rep. Brian Baird (D-WA), member of the U.S. House Science Committee and a clinical psychologist, described the scientific community’s response to the current administration’s ongoing critique of scientific research that it does not like as “pathetic, self-serving and craven.” He told scientists to stand up for themselves in the current “assault” on science, which he said threatens democratic process. He urged scientists to get involved in the policy making process, “speak out,” write op-eds and letters to editors.... Baird was one of the Democratic members of Congress who requested a Government Accountability Office report on conflicts of interest in science policy making in the current administration. He said Democrats on the Science Committee had to hold an unofficial hearing on the study because the Republican committee leadership would not schedule an official hearing on it.

In a session on the federal Data Quality Act (a.k.a. Information Quality Act) and OMB’s (still-draft) bulletin on peer review, the consensus was that public interest groups should not use the DQA petition process and should work to get both the Act and the OMB bulletin either revised or, preferably, rescinded. (John Graham, former head of the Harvard Center for Risk Analysis, is the OMB official in charge of overseeing DQA implementation and the OMB bulletin. OMB was invited to provide a speaker for this session but declined to do so.) Jim Tozzi, with the Center for Regulatory Effectiveness (an industry-funded group), defended these policies, comparing the DQA to NEPA (i.e. in the public interest). He also said the DQA and OMB bulletin make transparent review processes that were not open to the public before. Sean Moulton of OMB Watch said the DQA is an industry rather than a government tool; government already has tools for reviewing scientific research, and the DQA allows industry’s experts to second-guess government experts. Moulton reported that four cases have already gone to court for decisions on “correct science”; the first one has been thrown out, with a judge telling OMB to defer to the agency. He also said OMB’s report on the first year of DQA implementation would not meet DQA standards for research, as it is “filled with inaccuracies and misleading statements.” David Michaels of George Washington

University School of Medicine said the OMB bulletin is meant to silence federal agencies; “there’s no evidence it’s needed,” it’s “an opportunity for mischief and delay.” Peer review procedures are not consistent from agency to agency, but OMB did not evaluate these procedures to determine whether any of them are useful, he added.

In a session on “misusing science to manufacture doubt and delay,” Eric Schaeffer, former chief of enforcement at the U.S. EPA, said EPA’s integrated risk information system (IRIS) does not currently include all of the scientific information on which regulatory risk decisions and risk-based assumptions are based; it appears that anything problematic is excluded. In cost-benefit analyses, he said, OMB has the habit of valuing the benefits of new environmental regulation at zero, justifying this valuation with the claim that it simply can’t figure it out. David Vladek of Georgetown University Law Center noted that the Consumer Product Safety Commission is the only federal agency mandated to conduct cost-benefit analysis of proposed regulations; OMB may require it, or not, for other agencies. Vladek observed that over the past 20 years, all federal agencies with a role in health and safety regulation have lost staff with scientific expertise, rendering them more dependent on industry expertise in regulatory rule making and enforcement.

The proceedings of a session on “science v. commerce in medicine,” addressing the pharmaceutical industry’s growing influence on regulatory decisions, was almost too depressing to comment on. More than half of the budget of the FDA office that oversees drug trials and approvals comes from user fees paid by pharmaceutical companies. The standard drug trial now compares a new drug against a placebo — that is, against “nothing,” as Arnold Relman, emeritus dean of the Harvard Medical School, put it. The FDA doesn’t like active-control trials (comparing a new drug against an existing drug) because they are harder to evaluate, said Bruce Psaty of the U. Washington Medical School.

In a session on “junk science,” Adam Finkel, an OSHA risk analysis expert who’s sued his agency over “reprisals,” said risk research can be slanted by self-serving research design and interpretation (tests not sensitive enough to detect X, therefore X does not exist), the use of too few subjects to produce useful results, deliberate misrepresentation of quantitative differences as qualitative differences, manipulation of cost-benefit analyses by “cherry-picking assumptions you don’t agree with.” All estimates of cost, benefit and risk are biased and value-laden, he said. Some critics have gone so far as to say that risk assessment overall is “sham science,” he noted.

In the closing session, “a program for reform,” speakers from the Union of Concerned Scientists, Federation of American Scientists, Center for Progressive Regulation (law school profs), and House Science Committee offered fixes: give OSTP the authority and expertise it needs to evaluate research findings, give Congress the expertise it used to have in the Office of Technology Assessment, provide full public access to federal agency scientific analyses (lately agencies have been refusing even congressional requests for information...), debate public values relating to science policy decisions, explain uncertainty, ensure that disclosure policies cover sources of funding and terms of

research agreements, provide pro bono defense for scientists attacked via the DQA, establish sanctions for abuse (e.g. unfounded charges of scientific misconduct), and improve agency provisions for public transparency and public participation in policy making.

(Just FYI, Jean Fruci of the House Science Committee said congressional oversight of FACA has been “abysmal.”)

CSPI last week released the results of a public opinion poll it sponsored to assess how expert-source attribution affects people’s beliefs about the credibility of those sources: “most respondents [said] that news media should disclose whether information in their articles comes from scientists or organizations who receive grants of funding from corporations.” Sample response: 71 percent of respondents said they would have confidence in an assessment of pesticide safety from a group identified as an association of 400 doctors and scientists; only 33 percent said they would have confidence in the same assessment from a group identified as an association of 400 doctors and scientists which is funded by the chemical industry.

CSPI’s Project on Integrity in Science released a July 12 report, “Unrevealed: Non-Disclosure of Conflicts of Interest in Four Leading Medical and Scientific Journals,” on its study of “the quality of conflict-of-interest disclosures” at NEJM, JAMA and two other journals. Finding: 8 percent of articles checked did not comply with the relevant disclosure policy.

Also in conjunction with the conference, CSPI released an update of its report, “Lifting the Veil of Secrecy: Corporate Support for Health and Environmental Professional Associations, Charities, and Industry Front Groups,” a catalog of who spends money where for what.

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