

**To:** Deborah Swackhamer[dswack@umn.edu]; Minoli, Kevin[Minoli.Kevin@epa.gov]  
**Cc:** Bolen, Brittany[bolen.brittany@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Kavlock, Robert[Kavlock.Robert@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Packard, Elise[Packard.Elise@epa.gov]  
**From:** Jackson, Ryan  
**Sent:** Mon 5/22/2017 11:03:34 PM  
**Subject:** RE: Congressional testimony  
[image2017-05-22-063423.pdf](#)

Deb, I am sorry we could not connect today.

After reviewing your testimony for tomorrow, a point in it highlights the principal reason when an individual who is associated with EPA testifies before Congress that our Office of Congressional and Intergovernmental Relations is made aware to ensure that accurate information is provided to Congress. Our Office of Research and Development should have ensured that OCIR was made aware of your opportunity to testify. The title of the hearing addresses states' role in rulemaking. The other witnesses testifying at the hearing are the directors of state environmental agencies. The Democratic members have invited you to ask you about the stories in the newspapers of scientists "being fired." In your testimony on page four, you reference that the Administrator has not renewed half of the committee for a second term when that decision has not yet been made. These individuals serve for three years at a time. It would be irresponsible for the Administrator not to evaluate members serving on the BOSC or receiving a second three year term on the BOSC when the next BOSC meeting will not take place until August.

I regret that evaluating individuals who serve on EPA science boards has become such a political story. Regardless, it is important that when representing yourself as currently serving as the Chair of EPA's Board of Scientific Counselors, you convey accurate information in your testimony.

I am glad you have the opportunity to testify. I believe it is important to clarify this point in your testimony.

Thank you,

Ryan.

**From:** Jackson, Ryan  
**Sent:** Monday, May 22, 2017 4:23 PM  
**To:** 'Deborah Swackhamer' <dswack@umn.edu>; Minoli, Kevin <Minoli.Kevin@epa.gov>  
**Cc:** Bolen, Brittany <bolen.brittany@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Kavlock, Robert <Kavlock.Robert@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>  
**Subject:** RE: Congressional testimony

Deb, I would appreciate the call. The attached are talking points which we have used internally to advise what we are simply doing to review applicants.

The unfortunate fact of the matter is that it appears that given the other witnesses, the Democratic invitation was principally meant to elicit testimony from you concerning the stories running in the newspapers.

When might be convenient for you? I'm happy to call you.

Ryan.

**From:** Deborah Swackhamer [<mailto:dswack@umn.edu>]  
**Sent:** Monday, May 22, 2017 3:28 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)>  
**Cc:** Bolen, Brittany <[bolen.brittany@epa.gov](mailto:bolen.brittany@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Kavlock, Robert <[Kavlock.Robert@epa.gov](mailto:Kavlock.Robert@epa.gov)>; Lyons, Troy <[lyons.troy@epa.gov](mailto:lyons.troy@epa.gov)>; Packard, Elise <[Packard.Elise@epa.gov](mailto:Packard.Elise@epa.gov)>  
**Subject:** Re: Congressional testimony

Mr. Minoli and Mr. Jackson,

I would be pleased to connect with you if you feel it is necessary, but my testimony is submitted (and embargoed). I assure you my main message is mine alone; and is that strong science is

needed to ensure public health, whether done by states or by EPA. I am not naive to think there will not be questions about BOSC; I will answer them with facts and only speak to information that is publically available.

Please let me know if you would like to connect by phone. Thanks very much.

Deb Swackhamer

On Mon, May 22, 2017 at 3:12 PM Minoli, Kevin <[Minoli.Kevin@epa.gov](mailto:Minoli.Kevin@epa.gov)> wrote:

Hello- I had not noticed your email before I sent mine. Looks like you got a lot of helpful advice leading up to today. If a quick call is still possible even just to introduce ourselves in case there is follow-up, let me know and we can set a time that works for you. Thanks,  
Kevin

Kevin S. Minoli  
Acting General Counsel  
Office of General Counsel  
US Environmental Protection Agency  
Main Office Line: 202-564-8040

On May 22, 2017, at 3:02 PM, Deborah Swackhamer <[dswack@umn.edu](mailto:dswack@umn.edu)> wrote:

Mr. Jackson,

I apologize if there has been any confusion about my role in tomorrow's House Science Subcommittee on Environment hearing. I am testifying as an environmental science and policy expert, and retired professor, and have explicitly stated in my testimony that I am not representing EPA. In spite of the media interest and attention to the BOSC

membership non-renewals, I have been asked to speak about the role of science in environmental decision making. I was not asked to speak as BOSC chair. To ensure I cross no lines as an SGE, I checked with the BOSC DFO (Tom Tracy) and was referred to Kacee Deener, In the Office of Science Policy. She has provided me with excellent guidance, which I have and will continue to follow. I am happy to share those email exchanges with you.

I hope this clears things up as to my role. Please let me know if you have any further questions. I can be reached at 612-309-0637.

Deb Swackhamer

On Mon, May 22, 2017 at 12:45 PM Kavlock, Robert <[Kavlock.Robert@epa.gov](mailto:Kavlock.Robert@epa.gov)> wrote:

Ryan

Deb Swackhammer did reach out to us on May 15<sup>th</sup> asking how she could respond to a request to appear before the Science Committee on the 23<sup>rd</sup>. We replied to her:

Since you would be speaking in your personal capacity, you cannot speak on behalf of EPA nor can you share any nonpublic information. Additionally, if you mention your role on the BOSC you should also include other relevant details from your resume that highlight your achievements as a scientist.

We did not hear back from after she replied that she would abide by the rules.

I am cc'ing her on this email so that you can reach out to her directly. I don't have a phone number for her, but will send you as soon as I can locate one.