

**2004-11 Threats to Public Health Science**

Acknowledging that science, by its nature, relies on continuous inquiry, with scientists regularly seeking more precise and fuller understanding of their disciplines;<sup>1,2</sup> and

Acknowledging that within science, absolute proof and perfect information are rare;<sup>3-5</sup> and

Recognizing that special interests have exploited the nature of science, specifically scientific uncertainty, to delay protective legal and/or regulatory action;<sup>6-14</sup> and

Acknowledging that some public health decisions must be made in the absence of perfect scientific information;<sup>15-20</sup> and

Recognizing that special interests, under the guise of a call for “sound science” have sponsored and promoted changes in public policy that have weakened and continue to threaten public health protections;<sup>7-25</sup> and

Recognizing that special interests have challenged highly regarded public health research and researchers,<sup>26-29</sup> and inappropriately characterized established scientific methods as “junk science,”<sup>30,31</sup> and

Recognizing that the Executive Branch, beginning in 2001, has challenged core public health and scientific principles by manipulating the composition of scientific advisory committees<sup>32,33</sup> and dictating rigid, unrealistic peer review guidelines; and

Recognizing that special interests are attempting to impede public health and environmental protections by promoting the application of the 1993 Supreme Court decision, *Daubert v. Merrell Dow Pharmaceuticals, Inc.*,<sup>34</sup> which directs federal judges to serve as “gatekeepers” for expert testimony, including scientific evidence, and two related Supreme Court rulings<sup>35-36</sup> to federal regulatory procedures,<sup>37-39</sup> and

Recognizing that the Daubert decision has propagated misinterpretations and misapplications of scientific principles relied upon throughout the public health sciences, such as insisting that any epidemiologic study that is relied on to support causation demonstrate a two-fold increase in risk as well as a reliance on significance testing to determine which scientific findings are to be allowed as evidence,<sup>40-44</sup>;

Recognizing that special interests are engaged in a campaign to extend Daubert’s reach

to those states that have not embraced prescriptive definitions of scientific reliability.<sup>45-46</sup>

Therefore, APHA:

1. Opposes legislation or administrative policies that attempt to define the characteristics of valid public health science, or dictate prescriptive scientific methodologies; and
2. Supports the efforts of other scientific organizations to promote the government’s ability to utilize the best available science to protect the public’s health; and
3. Urges friend of the court briefs that address the problem inherent in the adoption of Daubert and Daubert-like court rulings, the application of Daubert in regulatory proceedings, and when judges misinterpret scientific evidence in their implementation of the Daubert ruling.

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