

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6371

www.science.house.gov

January 23, 2013

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20004

Dear Administrator Jackson:

On November 15, 2012, members of the Science, Space, and Technology Committee requested records related to the use of dual, secondary, or non-public email accounts by senior Environmental Protection Agency (EPA) officials.¹ We also requested an April 11, 2008, EPA memo to the National Archives and Records Administration pertaining to the use of alias accounts.

The Committee is particularly concerned about your use of an email account under the alias "Richard Windsor." The use of a false identity raises serious questions about whether the EPA has adequately preserved related records. Despite these legitimate concerns, the EPA has thus far refused to comply with the Committee's request.

On December 12, 2012, we received a response from Mr. Arvin Ganesan, the EPA Associate Administrator for the Office of Congressional and Intergovernmental Relations. Unfortunately, the response was two weeks late and incomplete. On December 18, 2012, we wrote to you restating our previous request.² The January 4, 2013, deadline specified in the December 18th letter has come and gone with no reply from you or your staff. And so we are writing you once again to remind you that you have failed to meet another deadline.

As we mentioned in our previous letter, the public trusts that its government will operate in an open and transparent manner. EPA regulations have a significant impact on the everyday lives of Americans, and the agency should implement them in a manner that respects the public's trust. Your compliance with the Committee's inquiry prior to your departure from the agency

¹ Letter from Members of the U.S. House of Representatives, Committee on Science, Space, and Technology to Ms. Lisa Jackson, Administrator, EPA, November 15, 2012, available at:

http://science.house.gov/sites/republicans.science.house.gov/files/images/Letter%202012_0.pdf

² Letter from Members of the U.S. House of Representatives, Committee on Science, Space, and Technology to Ms. Lisa Jackson, Administrator, EPA, December 18, 2012, available at:

<http://science.house.gov/sites/republicans.science.house.gov/files/documents/EPA%20Jac%202012%2012%2018%20EPA%20Jackson%20FRA%20PRA%20follow%20up.pdf>

Administrator Jackson
January 23, 2013
Page two

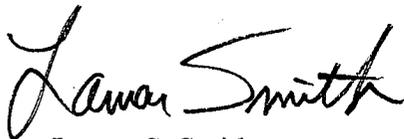
will go a long way toward ensuring that EPA is fulfilling the President's commitment to "create an unprecedented level of openness in Government."³

Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Science, Space, and Technology is delegated "the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving non military research and development."

The EPA's continued refusal to respond to a legitimate congressional inquiry is unacceptable. Please provide a response to all requests outlined in the December 18th and November 15th letters by February 6, 2013. Failure to respond may result in formal action requiring EPA's compliance.

If you have any questions, please contact Mr. Tom Hammond, Staff Director, Subcommittee on Oversight, at (202)225-6371.

Sincerely,



Rep. Lamar S. Smith
Chairman
Committee on Science, Space,
and Technology



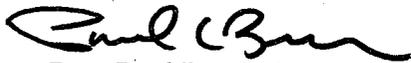
Rep. Ralph Hall
Chairman Emeritus
Committee on Science, Space,
and Technology



Rep. Dana Rohrabacher
Vice-Chairman
Committee on Science, Space,
and Technology



Rep. F. James Sensenbrenner, Jr.
Committee on Science, Space,
and Technology



Rep. Paul Broun, MD
Chairman
Subcommittee on Oversight



Rep. Andy Harris, MD
Chairman
Subcommittee on Environment

Cc: Rep. Eddie Bernice Johnson
Ranking Member
Committee on Science, Space,
and Technology

³ White House Memorandum, Subject: Transparency and Open Government, January 21, 2009.