

COMMITTEE ON
**SCIENCE, SPACE, AND
TECHNOLOGY**
CHAIRMAN LAMAR SMITH



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Statement of Environment Subcommittee Chairman Jim Bridenstine (R-Okla.)
Destruction of Records at EPA – When Records Must Be Kept

Chairman Bridenstine: Time and time again, we have seen the Environmental Protection Agency, use the regulatory process to increase the federal government's authority and bypass Congressional intent, at the expense of states' rights. The EPA's regulations have an enormous cost, stifling businesses, destroying jobs, and increasing the cost of living for Americans.

The EPA seems to believe it should be able to operate without oversight. Just last week, this Committee helped usher through the House two bills that would simply require greater transparency and more balanced and public input into EPA's rulemaking processes. Unfortunately, the President has threatened to veto both bills.

Today's hearing topic covers the same unfortunate theme. Federal archiving laws exist, as the Federal Records Act states, "to protect the legal and financial rights ... of persons directly affected by the agency's activities." However, the EPA would have us believe that despite the fact that thousands of text messages are being sent and received, virtually none is important enough to qualify as a federal record and require preservation, and therefore can be deleted by the individuals sending and receiving them.

If we, as representatives of the American people, people who are directly affected by EPA's activities, are not provided with the information necessary to verify that the agency's practices are fulfilling both the letter and the spirit of the law, how can we know that the agency isn't getting rid of the very records it is required to preserve?

EPA is once again refusing to comply with the Committee's requests, necessitating the Chairman's issuance of a subpoena yesterday to compel production.

EPA's refusal to turn over records and documents is yet another example of the lack of accountability and transparency that has become a hallmark of this agency in its dealings with Congress. We here in the House are not alone; members of the public who request information can expect the same. The Center for Effective Government recently released a report grading federal agencies on how responsive they are to FOIA requests, and the EPA received a "D."

Again, I believe that we here in Congress have a responsibility, on behalf of the people we represent, to oversee the actions of agencies like the EPA. This is important when those actions have such significant impacts on all of us, and particularly on my home state of Oklahoma. The EPA has a responsibility and an obligation to provide the information we have requested. I thank the witnesses for being with us today and look forward to their testimony.

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