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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

BETTINA POIRIER, MAJORITY STAFF DIRECTOR  
RUTH VAN MARK, MINORITY STAFF DIRECTOR

September 28, 2012

The Honorable Barbara Boxer  
Madam Chairman  
Senate Committee on Environment and Public Works

Dear Senator Boxer,

It has come to my attention that the Environmental Protection Agency (EPA) was recently sued in federal court for allegedly conducting illegal human experiments. A copy of the complaint is attached.

As I understand from the complaint, the EPA exposed dozens of human subjects, many of whom were health-impaired (e.g., asthma, metabolic syndrome, elderly) to concentrated high levels of substances like fine particulate matter (PM2.5) and diesel exhaust, which EPA has previously and officially determined can kill people and cause cancer.

It also appears that the EPA researchers failed to inform the institutional review board and the study subjects of its official views concerning the lethality and toxicity of PM2.5 and diesel exhaust.

Keeping in mind the June 2005 report prepared for you and Rep. Henry Waxman entitled "Human Pesticide Experiments," the EPA's conduct may violate the laws, regulations and ethical standards set for the protection of human subjects. Indeed, the EPA may be criminally liable for its conduct.

As Ranking Member of the Senate Committee responsible for EPA oversight, I request that we conduct hearings on this matter in the upcoming "lame-duck" session.

Sincerely,



James M. Inhofe  
Ranking Member  
Committee on Environment and Public Works  
U.S. Senate