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# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

BETTINA POIRIER, MAJORITY STAFF DIRECTOR  
ZAK BAIG, REPUBLICAN STAFF DIRECTOR

September 24, 2013

The Honorable Barbara Boxer  
Chairman  
Committee on Environment and Public Works  
United States Senate  
410 Dirksen Senate Office Building  
Washington, DC 20510-6175

Dear Chairman Boxer:

We write to request that the Senate Committee on Environment and Public Works (Committee) hold the much delayed hearing to review the U.S. Environmental Protection Agency's (EPA) current and requested budget. Historically, budget hearings have served as the appropriate opportunity for congressional committees to afford the public a venue to review how federal taxpayer dollars are being spent. Eight months into the 113<sup>th</sup> Congress, you have yet to hold a hearing on EPA's Fiscal Year (FY) 2014 Budget, which is a fundamental responsibility of the Committee. Accordingly, we believe it is inappropriate for the Committee to consider the nomination of Victoria Wassmer to be EPA's Chief Financial Officer<sup>1</sup> until members of the Committee are afforded the opportunity to fulfill their duty to conduct oversight of EPA's budget.

As you are aware, EPA's 2014 Budget Proposal was submitted to Congress on April 10, 2013.<sup>2</sup> You had originally scheduled a hearing for May 15, 2013, which was rescheduled for June 5, 2013. However, just days before the hearing you cancelled it, arguing that you did not want to hold a budget hearing until after Gina McCarthy was confirmed as EPA Administrator. Yet, nearly every Congressional Committee of jurisdiction has held its respective hearings on EPA's FY 2014 Budget<sup>3</sup> and Administrator McCarthy has now been leading the EPA for more than two months. Accordingly, no further excuses legitimately exist for the Committee to abdicate its fundamental responsibility owed to the public.

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<sup>1</sup> Press Release, Presidential Nominations Sent to the Senate, THE WHITE HOUSE (Sept. 11, 2013), <http://www.whitehouse.gov/the-press-office/2013/09/11/presidential-nominations-sent-senate>.

<sup>2</sup> *President Obama Sends Congress his Fiscal Year 2014 Budget*, THE WHITE HOUSE BLOG (Apr. 10, 2013), <http://www.whitehouse.gov/blog/2013/04/10/president-obama-sends-congress-his-fiscal-year-2014-budget>.

<sup>3</sup> See *FY14 Environmental Protection Agency Budget: Hearing Before the Subcomm. on Interior, Environment, and Related Agencies of the S. Comm. on Appropriations*, 113th Cong. (Apr. 23, 2013); *FY 2014 Budget Hearing U.S. Environmental Protection Agency: Hearing Before the Subcomm. on Interior, Environment, and Related Agencies of the H. Comm. on Appropriations*, 113th Cong. (May 8, 2013); *The FY 2014 EPA Budget: Hearing Before the Subcomm. on Energy and Power & the Subcomm. on Environment and the Economy of the H. Comm. on Energy & Commerce*, 113th Cong. (May 16, 2013); *The President's Fiscal Year 2014 Budget: Administration Priorities for the U.S. Environmental Protection Agency: Hearing Before the Subcomm. on Water Resources and Environment of the H. Comm. on Transportation and Infrastructure*, 113th Cong. (May 22, 2013).

Moreover, recent circumstances have heightened the need for such a review. The criminal indictment of John Beale,<sup>4</sup> former Senior Policy Advisor and Deputy Assistant Administrator in the Office of Air and Radiation, has revealed serious breakdowns at the Agency with regard to how taxpayer dollars are spent. It is apparent that for Beale to have stolen the reported amount of money through excess salary and bonuses, EPA must lack adequate internal controls over its disbursements.

The stunning revelation of Beale's long-term fraud stands in sharp contrast to the Administration's complaints about the impact of the Budget Control Act of 2011, commonly referred to as sequester. Numerous Administration officials, including former Acting Administrator Bob Perciasepe, have claimed that sequester would have extreme negative impacts on federal agencies' ability to perform.<sup>5</sup> Perciasepe even claimed that EPA would be incapable of performing "critical" functions.<sup>6</sup> Yet contrary to these dire predictions, the *Washington Post* has reported that the sequester "has not produced what the Obama administration predicted: widespread breakdowns in crucial government services."<sup>7</sup>

The Committee's abdication of oversight responsibility over this troubled agency is inexcusable. It is critical that we fully understand how the sequester has impacted EPA and determine whether Beale was an isolated actor, or if senior management has been aware of additional instances where faulty controls have led to misspent taxpayer dollars. Moreover, it is inappropriate to proceed with the nomination of Victoria Wassmer until the Committee has satisfied its obligation to scrutinize EPA's 2014 Budget request.

Accordingly, we respectfully request that you find time on the Committee's calendar in the very near future to hold a budget hearing.

Sincerely,



David Vitter  
Ranking Member  
Environment and Public Works



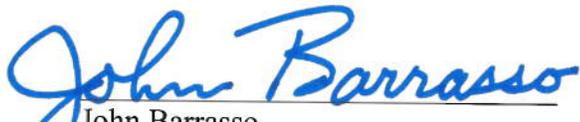
James Inhofe  
United States Senate

<sup>4</sup> Ann E. Marimow & Lenny Bernstein, *Former senior EPA adviser Beale expected to plead guilty in \$900,000 pay fraud*, THE WASHINGTON POST (Sept. 4, 2013), available at [http://articles.washingtonpost.com/2013-09-04/national/41765323\\_1\\_epa-agency-funds-environmental-issues](http://articles.washingtonpost.com/2013-09-04/national/41765323_1_epa-agency-funds-environmental-issues).

<sup>5</sup> *What You Need To Know About The Sequester*, THE WHITE HOUSE BLOG, available at <http://www.whitehouse.gov/issues/sequester> (last accessed Sept. 16, 2013).

<sup>6</sup> *EPA Considering Mandatory Furlough Days For Employees if Sequestration Implemented*, BLOOMBERG BNA (Feb. 22, 2013), available at <http://www.bna.com/epa-considering-mandatory-n17179872498/>.

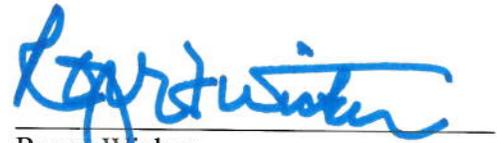
<sup>7</sup> David A. Farenthold & Lisa Rein, *They said the sequester would be scary. Mostly, they were wrong*, THE WASHINGTON POST (June 30, 2013), available at [http://articles.washingtonpost.com/2013-06-30/politics/40292466\\_1\\_sequestration-predictions-obama-administration](http://articles.washingtonpost.com/2013-06-30/politics/40292466_1_sequestration-predictions-obama-administration).

  
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United States Senate

  
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Mike Crapo  
United States Senate

  
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John Boozman  
United States Senate

  
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Jeff Sessions  
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Roger Wicker  
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Deb Fischer  
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