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U.S. Senate Date: Thursday, March 13, 2025

Committee on Environment
and Public Works

Washington, D.C.

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BUSINESS MEETING

Thursday, March 13, 2025

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 1:55 p.m. in room S-120, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

Present: Senators Capito, Whitehouse, Cramer, Lummis, Curtis, Graham, Sullivan, Ricketts, Wicker, Boozman, Husted, Kelly.

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. So I am going to call this meeting to order. I appreciate everybody's flexibility and I would like to thank my staff and Senator Whitehouse's staff for accommodating us to be able to be here in the Capitol. It is a big benefit.

So I am going to waive an opening statement for me, but I am going to say that the two folks that, David Fatouhi and Aaron Szabo, testified before our committee and I am certainly in favor of them. They are going to be filling important roles at the EPA, and I look forward to having their service.

So I am going to let -- I am not going to let -- now, Senator Whitehouse can give his opening statement.

[The prepared statement of Senator Capito follows:]

STATEMENT OF THE HONORABLE SHELDON WHITEHOUSE, A UNITED STATES SENATOR FROM THE STATE OF RHODE ISLAND

Senator Whitehouse. Well, actually, thank you, because you have let me do this, and your team has set up the video monitor. I wanted to share two minutes and 20 seconds from the hearing involving Aaron Szabo, because nobody else was in the room at the time, and it is one of the ways in which I want to express my frustration with where we are going on climate change stuff.

We just had Zeldin, who was tolerably reasonable in what he said in his hearings, say that he is going to undo this whole litany of regulatory things, including everything having to do with the climate change religion. Every single one of your States has a State university that doesn't just understand climate science, it teaches climate science.

So the notion that we are now in a place in which the person in charge of protecting us in this area is saying that it is a climate change religion and not climate science puts me into a really challenging position. If you can roll the tape, this is the kind of person that he will have working for him, and I just don't think this qualifies as any kind of a decent, straight answer.

Go ahead.

[Recording played; text of recording follows:]

"Senator Whitehouse. ... your work for Project 2025. You

were a contributor to that document and were thanked by the author of that chapter on EPA, correct?

Mr. Szabo. Yes, that is correct, Senator.

Senator Whitehouse. How did you contribute? What precise advice did you give to the document's authors?

Mr. Szabo. Thank you, Senator, for that question. I provided just general advice and thoughts with respect to policies that, within the Clean Air Act section specifically.

Senator Whitehouse. Do you have, or do they have any record of the advice that you gave?

Mr. Szabo. I am not aware of any records they may have. I was a volunteer, and I do not have any records myself.

Senator Whitehouse. You have no notes, you have no memos, nothing was in writing on all of this?

Mr. Szabo. I have no records, Senator.

Senator Whitehouse. Is that because you had records and you have gotten rid of them, or were there never any records?

Mr. Szabo. Senator, I have no records.

Senator Whitehouse. That doesn't answer the question.

Is the reason you have no records because you got rid of your records of your engagement with Project 2025?

Mr. Szabo. Senator, as a private organization, I am not sure what their recordkeeping policies were or are. But I do not have any records.

Senator Whitehouse. Did you submit anything in writing to them at any point? Did you ever have records? You not them, you.

Mr. Szabo. Senator, I provided advice to Project 2025.

Senator Whitehouse. How? By email? By phone? Personal conversations? Memos?

Mr. Szabo. Senator, I provided them advice in a number of ways.

Senator Whitehouse. Including ways that were in writing?

Mr. Szabo. Senator, that is likely.

Senator Whitehouse. Likely? Isn't that something you would actually know, since it was your advice and you would have written it down? How is that likely? Isn't that yes or no?

Mr. Szabo. Senator, I would have to go back and, as I said, I have no records. I would have to go think more about whether there were --

Senator Whitehouse. Well, I will ask you to think more and also to make this a records preservation request. And we will follow up as appropriate."

[Recording ends.]

Senator Whitehouse. So I don't know about all of you, but I have been a trial lawyer and a witness like that, no jury would ever believe anything else that he said after that.

Then in the question I asked in the QFR, what the hell

happened, and he said, "I have been the subject of attempts to steal personal information through electronic means. Like many Federal Government employees, I had completed Standard Form 86 stolen in 2015. I periodically delete old messages and documents that are no longer necessary to help ensure privacy and security to my family, those I interact with, and myself."

If that was the true answer, he had plenty of time to give it at the time. I am just really disturbed at the quality of these people that are coming into EPA. I hope that we work our way forward and continue to build a record of what the hell is going on there, and how that contrasts with what your home State universities actually teach, we can begin to find a way to work together to clean up what appears to be very ugly mess coming into EPA.

Thank you very much for the time, the courtesy and the AV support.

[The prepared statement of Senator Whitehouse follows:]

Senator Capito. Sure, thank you.

Thank you, Ranking Member Whitehouse. At this time, I will ask Senators to hold their remarks on the nomination until after the roll call votes.

I note the presence of a quorum, and I now call up Presidential Nomination 13-6, David Fatouhi of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

I move to approve and report the nomination favorably. Is there a second?

Senator Wicker. Second.

Senator Capito. Thank you very much.

The Clerk will call the roll.

The Clerk. Mrs. Alsobrooks?

Senator Whitehouse. No, by proxy.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mr. Cramer?

Senator Cramer. Yes.

The Clerk. Mr. Curtis?

Senator Curtis. Yes.

The Clerk. Mr. Graham?

Senator Graham. Yes.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Padilla?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye.

The Clerk. Madam Chairman, the yeas are 10, the nays are 9.

Senator Capito. Thank you. With that, the nominee is favorably reported.

I will now call up Presidential Nomination 25-53, Aaron Szabo of Virginia to be Assistant Administrator of the Environmental Protection Agency. I move to approve and report the nomination favorably. Is there a second?

Senator Ricketts. Second.

Senator Capito. Second. The Clerk will call the roll.

The Clerk. Mrs. Alsobrooks?

Senator Whitehouse. No, by proxy.

The Clerk. Ms. Blunt Rochester?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Boozman?

Senator Boozman. Yes.

The Clerk. Mr. Cramer?

Senator Cramer. Yes.

The Clerk. Mr. Curtis?

Senator Curtis. Aye.

The Clerk. Mr. Graham?

Senator Graham. Yes.

The Clerk. Mr. Husted?

Senator Husted. Aye.

The Clerk. Mr. Kelly?

Senator Kelly. No.

The Clerk. Ms. Lummis?

Senator Lummis. Aye.

The Clerk. Mr. Markey?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Merkley?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Padilla?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Ricketts?

Senator Ricketts. Aye.

The Clerk. Mr. Sanders?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Schiff?

Senator Whitehouse. No, by proxy.

The Clerk. Mr. Sullivan?

Senator Sullivan. Aye.

The Clerk. Mr. Whitehouse?

Senator Whitehouse. No.

The Clerk. Mr. Wicker?

Senator Wicker. Aye.

The Clerk. Madam Chairman?

Senator Capito. Aye.

The Clerk. Madam Chairman, the yeas are 10, the nays are 9.

Senator Capito. All right, thank you. The nominee is favorably reported. Thank you again.

Does anybody have any comments or statements? All right, with that, this meeting is adjourned. Thank you all very much. I appreciate it.

[Whereupon, at 2:03 p.m., the meeting was adjourned.]