Statement of David Fotouhi
Nominee for Deputy Administrator of the U.S. Environmental Protection Agency
Before the U.S. Senate Committee on Environment and Public Works

Good morning, Chairman Capito, Ranking Member Whitehouse, and Distinguished Members of the Committee.

It is my honor to appear before you today as President Trump's nominee for Deputy Administrator of the Environmental Protection Agency. I want to thank President Trump for the confidence he has placed in me and Administrator Zeldin for his support of my nomination. If confirmed, I pledge to work every day for the American people to advance the mission of EPA to protect human health and the environment, and to support Administrator Zeldin as he does the same.

I want to thank my family, current and former colleagues, and close friends for being here to support me, many of whom traveled great distances. In particular, I want to thank my parents, who are here today, for their sacrifices and unabating support.

EPA's mission is deeply personal to me. I am an immigrant to this country. I was born in Venezuela and came to the United States as a child with my parents, with the hope of a better future. As a naturalized citizen, I have a unique appreciation for our nation's heritage of conservation and strong environmental protections that are not shared by many other countries. The American legacy of stewardship towards our air, water, and land was not my birthright—it was not something I was predestined to enjoy. But thankfully, I do get to enjoy it, along with every other American. And we need to look no further than to places like Venezuela to see how differently things can go. From my perspective, I see environmental protection and conservation as woven into every fiber of this country. They are at the core of what makes this nation great and prosperous.

EPA's human health mission specifically resonates with me in a deeply personal way. Like millions of other Americans, I am a cancer survivor. EPA plays a critical role in protecting the health of all Americans, including by reducing cancer risk through programs addressing air and water quality along with hazardous waste and chemical substances, across the Agency and directly in communities facing the greatest challenges.

Professionally, I have devoted my life to environmental law and environmental issues. I have practiced environmental law for nearly 14 years, including my prior service at EPA. In private practice, I have represented a broad array of clients and spent much of my career helping them understand and achieve compliance with their environmental legal obligations and responsibilities.

As mentioned, I served for nearly four years at EPA, culminating in my time as the Agency's acting General Counsel. It was a privilege to work alongside the career lawyers and other professionals at EPA, where I found some of the most knowledgeable and most dedicated public

servants. If confirmed, I will work every day to earn their trust and respect as I did during my prior tenure at the Agency.

That tenure also reaffirmed my belief in the importance of the rule of law. Indeed, it is critical that EPA upholds the rule of law by carrying out its mission based on the enumerated authorities given to it by Congress. EPA must also provide necessary clarity and certainty so that every American obligated by an environmental requirement knows exactly what is expected of them. If confirmed, I will work every day to earn and keep the public's trust in EPA and its actions.

America has made dramatic environmental progress in my lifetime. More Americans now have access to clean drinking water than ever before. Sulfur dioxide air emissions in 2023 were 94 percent lower than they were than in 1980. And NOx emissions were 75 percent lower. America accomplished this while growing our population and GDP, setting an example for the world. We have much to be proud of, but there is more work to do. In 2023, our major cities experienced more days of unhealthy air quality (ozone and PM 2.5) than in any year of President Trump's first term. More than 1,300 contaminated sites across the country remain on the National Priorities List, not ready to be fully returned to their communities for reuse. Drinking water supplies in some communities face challenges from lead and emerging contaminants like certain PFAS chemicals. And our changing climate demands work at home—like fully implementing the AIM Act and expediting carbon sequestration permitting—and work abroad to ensure a level global playing field that does not disadvantage hardworking Americans.

EPA must work with States, Tribes, and local partners, as well as with the regulated community and NGOs, to confront these and other issues, consistently with the law and while preserving our global economic dominance. I am confident EPA, under Administrator Zeldin's leadership, can make progress through smart, transparent, and cost-effective regulatory solutions rooted in sound science; through compliance efforts that achieve real pollution reduction and enforcement efforts for violators who refuse to follow the law; and, importantly, through unleashing American innovation and our economic growth engine to find tomorrow's solutions for today's challenges.

Thank you again for the opportunity to appear before you today. I look forward to learning more about your priorities and answering your questions.