

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6371
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August 29, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Acting Administrator Wheeler:

The Committee on Science, Space, and Technology is continuing its oversight of the U.S. Environmental Protection Agency (EPA) and its scientific programs. Specifically, the Committee has concerns regarding the scientific integrity and validity of a recent study conducted by the National Vehicle and Fuel Emissions Laboratory (NVFEL) in Ann Arbor, Michigan.

On July 12, 2018, the Committee sent a letter requesting information relating to the NVFEL glider testing program and study.¹ On August 21, 2018, Assistant Administrator William L. Wehrum provided a response to the Committee.² The Committee still has concerns about certain aspects of the testing program, including EPA's stated rationale for initiating an emissions testing program for heavy-duty glider vehicles as well as the overall independence of the testing program. We are therefore writing to request a narrow set of documents and information to determine the accuracy of EPA's rationale.

In his response, Mr. Wehrum referenced language in the July 21, 2017, House Appropriations Committee's Report on Interior, Environment, and Related Agencies Appropriation Bill for 2018 as an impetus to conduct the test program at the NVFEL.³

¹ Letter from Hon. Lamar Smith, Chairman, H. Comm. on Sci., Space, & Tech., Hon. Bill Posey, Hon. Ralph Abraham, Hon. Clay Higgins, Hon. Andy Biggs, Hon. Brian Babin, & Hon. Gary Palmer to Hon. Andrew Wheeler, U.S. Env'tl. Prot. Agency (July 12, 2018).

² Letter from Ass't Adm'r Wehrum, U.S. Env'tl. Prot. Agency, to Hon. Lamar Smith, Chairman, H. Comm. on Sci., Space, & Tech. (August 21, 2018).

³ *Id.* (citing H.R. Rep. No. 115-238, at 61 (2017)).

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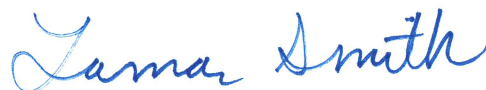
To appropriately inform the Committee on the rationale to initiate a testing program and the overall independence of the testing program, we request that EPA provide the Committee with documents and information. Please produce the following documents and information, in electronic format, for the time period July 1, 2017, to present:

1. All documents and communications, including but not limited to voicemails, between and among EPA employee William Charmley, EPA employee Angela Cullen, and Volvo representative Steve Berry referring or relating to emails dated September 5-6, 2017 discussing the potential of conducting a test program on heavy-duty glider vehicles.⁴
2. All documents and communications referring or relating to the following: (a) the date EPA leadership⁵ was informed about the NVFEL study on glider trucks, (b) the manner in which EPA leadership was informed of the NVFEL study, and (c) the name(s) of EPA leadership staff who were informed of the study.

We request that you provide these documents and information as soon as possible, but no later than 5:00 p.m. on September 12, 2018. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 394 of the Ford House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

The Committee on Science, Space, and Technology has jurisdiction over environmental and scientific programs and “shall review and study on a continuing basis laws, programs, and Government activities” as set forth in House Rule X. This request and any documents created as a result of this request will be deemed congressional documents and property of the House Science Committee. An attachment to this letter provides additional information about responding to the Committee’s request. If you have any questions about this request, please contact Committee staff at (202) 225-6371. Thank you for your attention to this matter.

Sincerely,



Lamar Smith
Chairman

⁴ Email from Envntl. Prot. Agency Employee to Volvo Employee (Sept. 5, 2017, 4:47 p.m.). This is from the Nov. 29, 2017, Freedom of Information Act (FOIA) request by the Environmental Defense Fund (EDF) for record relating to the testing of glider vehicles and correspondence regarding glider vehicles. Corresponding pages of the FOIA Protection Set are the following: ED_001620_00001637-00001, ED_001620_00001637-00002 (pgs. 292-93).

⁵ EPA leadership includes the Administrator, his assistant Administrators, and any political appointees including Senate confirmed and Schedule C appointees.

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Encl.

cc: The Honorable Eddie Bernice Johnson, Ranking Member, House Committee on Science,
Space, and Technology