February 23, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Dear Administrator McCarthy,

The Committee on Science, Space, and Technology is conducting oversight of travel by U.S. Environmental Protection Agency (EPA) employees. According to a media reports, Janet McCabe, the Acting Assistant Administrator of EPA’s Office of Air and Radiation, routinely commutes to work in Washington, DC, from her home in Indianapolis, Indiana.\(^1\) Assistant Administrator McCabe reportedly returns to her home in Indianapolis for “separation” from her official work in Washington each weekend.\(^2\) Last year, President Obama issued an Executive Order, calling on the heads of each Executive Branch departments and agencies to “consider the development of policies to promote sustainable commuting.”\(^3\) In light of President Obama’s 2015 Executive Order, as well as McCabe’s role as the EPA’s chief proponent of the Clean Power Plan, McCabe’s routine travel raises significant questions as to her commitment toward furthering the reduction of carbon emissions that she promotes in her official capacity on the taxpayer’s dime.

According to a news report detailing McCabe’s significant role in spearheading the EPA’s outreach efforts to promote the Clean Power Plan to stakeholders across the country, McCabe is the “public face” of the EPA as it works to draw support for its controversial regulation.\(^4\) In an interview with McCabe days before the Agency promulgated its final rule, McCabe stated, “We were on the road a lot when the proposal went out, and then back off as we


\(^2\) Kuckro, *McCabe Savors Role*, supra note 1.


\(^4\) Kuckro, *McCabe Savors Role*, supra note 1.
were finalizing the rule. And now we and others from [the Office of Air and Radiation] are on the road talking to people because it would be helpful for us to go.”

Despite her hectic travel schedule as part of her official position with the EPA, McCabe routinely enjoys weekends away from Washington where she maintains her permanent home in Indianapolis. In the same interview she explained: “My mind is on [the Clean Power Plan] a lot. So I go home every weekend, get a little bit of separation. I do work at home. But at least I’m home, you know, with the dog and the spouse.”

Recently, the EPA Office of Inspector General (OIG) issued an audit, concluding that a former Region 9 Administrator traveled home to southern California from his office in San Francisco, accumulating $69,000 in excessive trips from October 2006 through January 2009. The former Region 9 Administrator claimed ineligible expenses associated with his travel, such as meals, mileage, and incidental expenses at a cost of nearly $4,000 to taxpayers. In its report, the EPA OIG identified a series of recommendations to the EPA to improve the agency’s oversight of routine travel by agency officials.

McCabe’s routine travel not only raises questions about her commitment toward furthering the carbon reduction agenda she promotes on official time and responsible stewardship of taxpayer dollars, but also raises significant concerns about how her practices coincide with President Obama’s Executive Order, calling for federal leadership in sustainability and greenhouse gas emission reductions. Specifically, Executive Order 13693 instructs the heads of Executive Branch departments and agencies to “consider the development of policies to promote sustainable commuting and work-related travel practices for Federal employees.”

In fact, in your capacity as EPA Administrator, you made public comments in support of the President’s Executive Order during a speech at the 2015 GreenGov Symposium. You stated, “The President’s recent executive order was absolutely a moment in time for us to step back and relish just how far we have come. When we start talking about how we move forward with our supply chain, we can send a signal that will reverberate to every economy and every sector in this country.” Although you have pledged your support for the President’s measure, examples such as the case of McCabe—the EPA’s chief advocate for reducing carbon emissions—raise significant questions about the example EPA is setting.

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5 Id.
6 Id.
7 Id.
9 Id. at 6–7.
10 Id. at 9, 19.
11 EO 13693, supra note 3.
12 Id.
14 Id. (emphasis added).
To better understand how EPA manages its travel policies in accordance with Executive Order 13693, I request the following documents and information as soon as possible, but by no later than noon on March 8, 2016:

1. All documents and communications referring or relating to Janet McCabe’s travel and associated expenses, including lodging, paid for by the EPA, from January 1, 2012 to the present.

2. All EPA policies and procedures related to official travel and associated expenses, including lodging.

3. A list of all EPA employees including GS-15 and senior executive service who routinely commute by aircraft to and from their permanent work station.

4. All directives and communications provided to EPA employees referring or relating to Executive Order 13693, including any e-mails from the Executive Office of the President.

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.

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.

If you have any questions about this request, please contact Lamar Echols or Caroline Ingram of the Committee Staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,

[Signature]

Lamar Smith
Chairman

cc: The Honorable Eddie Bernice Johnson, Ranking Minority Member