Dear Acting Director Vought:

In light of the evolving situation concerning the coronavirus (“COVID-19”) pandemic, we write to urge you to direct federal agencies to immediately reschedule all public hearings and meetings and extend public comment periods. The global public health pandemic has already reached over 186,000 cases here in the United States, and claimed the lives of more than 3,600 Americans. It is also increasingly affecting all aspects of public life in the United States. The right of the American people to meet with federal agencies and comment on proposed actions is invariably affected by the ongoing pandemic.

Americans engage in the administrative process in numerous ways, including by attending public hearings or submitting comments on agency actions subject to notice-and-comment procedures. A review of Regulations.gov reveals hundreds of federal agency comment periods with deadline for public comment in the month ahead.

For example, the Environmental Protection Agency’s (EPA) supplemental notice of proposed rulemaking Strengthening Transparency in Regulatory Science includes major provisions which would limit the Agency’s ability to use critical studies that demonstrate the consequences of pollution on public health. This rulemaking was published in the Federal Register on March 18, allowing for only 30 days until the April 17 comment deadline. Similarly, the comment period is scheduled to close on April 17 for an EPA proposal to rollback protections against threats from ponds storing dangerous waste left over from coal-burning power plants. We are concerned that the disruptions caused by COVID-19 will deprive citizens, local communities, and other stakeholders the opportunity to engage with agencies on these major policy revisions and many other rulemakings.

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We request that you direct agencies to promptly postpone and reschedule when it again becomes feasible to hold public hearings and meetings. We also would request that you direct these agencies to extend public comment periods by at least 45 days beyond the end of the declared national emergency, including comment periods which closed between March 13 to present, as well as those that are still open. We also request that you direct these agencies to extend the deadlines while still complying with statutory and judicial requirements.

Thank you for your immediate attention to this serious matter.

Sincerely,

Frank Pallone, Jr.
Chairman
Committee on Energy and Commerce

Jerrold Nadler
Chairman
Committee on the Judiciary

Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform

Eddie Bernice Johnson
Chairwoman
Committee on Science, Space, and Technology

Peter DeFazio
Chairman
Committee on Transportation and Infrastructure

Raúl M. Grijalva
Chairman
Committee on Natural Resources

Bennie G. Thompson
Chairman
Committee on Homeland Security

Maxine Waters
Chairwoman
Committee on Financial Services
Eliot L. Engel
Chairman
Committee on Foreign Affairs

Richard E. Neal
Chairman
Committee on Ways and Means

Mark Takano
Chairman
Committee on Veterans’ Affairs

Robert C. “Bobby” Scott
Chairman
Committee on Education and Labor

Nydia M. Velázquez
Chairwoman
Committee on Small Business

Adam Smith
Chairman
Committee on Armed Services