United States Senate
WASHINGTON, DC 20510

October 4, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Acting Administrator Wheeler:

As strong supporters of prioritizing children's health, we are concerned by recent reports about the Environmental Protection Agency's plans for the Office of Children's Health Protection, which is critical to protecting the health of America's infants, children, and young adults from environmental risks. We write to express our strong support of the EPA's Office of Children's Health Protection, and remain concerned regarding the protection of children's health by the EPA. Many stakeholders are concerned about the future of this office and EPA's mission regarding children's health, after EPA's recent decision that the Director of EPA's Office of Children's Health Protection has been put on administrative leave. We also are alarmed about the negative impacts that this abrupt move could have on protecting the health of America's children and request additional information about the future of EPA's Office of Children's Health Protection (OCHP).

We recognize the important role that EPA's Office of Children's Health Protection plays as one of the only offices that addresses the impact of EPA regulations and policies on the health of America's infants, children, and young adults. Infants and children are uniquely vulnerable to environmental contaminants and face disproportionate exposure to environmental factors that negatively affect health. The OCHP, an office established over 20 years ago, is an incredibly important office dedicated to protecting America's children from environmental health risks. We are concerned about the future of this office and ensuring that all EPA actions and programs continue to address the unique vulnerabilities of children.

As a reminder, the Explanatory Statement for the Consolidated Appropriations Act, 2018 (P.L. 115-141) continues longstanding General Guidelines for Reprogramming that require agencies funded by the Department of the Interior, Environment and Related Agencies subcommittee to submit reorganization proposals for Committee review prior to implementation, including reorganizations of significant national importance and organizations that include any closures, transfers of functions, and consolidations. We expect that any proposed changes to the OCHP would not be initiated or implemented without the required approval from the Appropriations Committee.

In order to address these concerns, we seek responses to the following questions about EPA's decisions to continue to prioritize protecting children's health.

1. What are EPA's long-term plans for the Office of Children's Health Protection?
2. Have there been discussions about reorganizing the Office of Children's Health Protection? If so, why?
3. Are there any plans to reorganize the Office of Children's Health Protection? If so, what are those plans?
4. Are there plans to reduce funding or shift resources related to the staff, authorities and work of the Office of Children's Health Protection?
5. How do you address proposed rules and regulations that are in conflict with concerns raised by the Office of Children's Health Protection?
6. What is the plan for permanently filling the role of Director at EPA's Office of Children's Health Protection?

In addition, we request a full and complete explanation of the facts and purposes behind the personnel action taken against Dr. Etzel, the Director of OCHP, in order to assure Congress and the public that the leadership of this office is being handled appropriately, and according to the laws and agency procedures governing career civil service protections.

We urge the EPA to continue the work of the Office of Children's Health Protection to ensure that EPA's regulations and policies adequately protect the public health of America's infants, children, and young adults. In addition, we request that EPA answer these questions for Congress and the public as soon as possible, and no later than October 18, 2018.

Sincerely,

Tom Udall
United States Senator

Jack Reed
United States Senator

Jeffrey A. Merkley
United States Senator

Richard J. Durbin
United States Senator

Patty Murray
United States Senator