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## United States Senate

COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <http://commerce.senate.gov>

JOHN KEAST, STAFF DIRECTOR  
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May 13, 2020

The Honorable Sean O'Donnell  
Inspector General  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Inspector General O'Donnell:

On March 16, 2020, President Trump nominated Ms. Nancy Beck, Principal Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention, U.S. Environmental Protection Agency (EPA) to serve as Chairman and Commissioner of the U.S. Consumer Product Safety Commission (CPSC).

As part of the U.S. Senate Committee on Commerce, Science, and Transportation's process of reviewing all pending nominations, it has come to my attention that a "Request for Investigation" was filed against Ms. Beck by Citizens for Responsibility and Ethics (CREW) on October 31, 2017.<sup>1</sup> In the Request, CREW requested that your office investigate whether Ms. Beck "improperly participated in a rulemaking from which she should have recused herself," and also review the "subsequent determination by EPA's ethics official that she may fully participate in the rulemaking and similar matters in the future despite her apparent conflicts of interest."<sup>2</sup>

To date, I have not seen any announcement from your office regarding the status of this matter. I understand that the EPA Office of the Inspector General "typically does not announce, confirm or deny the existence of an open investigation or make public the results of investigations," but does generally make Reports of Investigations (ROI) and other materials public upon a Freedom of Information Act (FOIA) or similar request.<sup>3</sup>

Through this letter, and pursuant to the Senate's constitutional power to advise and consent to all nominations, I hereby request a formal update on the status of the CREW Request or any other pending inquiries into Ms. Beck. Specifically, this update should include:

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<sup>1</sup> Citizens for Responsibility and Ethics in Washington, Request for Investigation of Dr. Nancy Beck's Participation in Rulemaking Involving Her Former Employer and Review of Ethics Authorization, dated Oct. 31, 2017.

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Environmental Protection Agency, Investigations, available at <https://www.epa.gov/office-inspector-general/investigations>.

- 1) Any other inquires or complaints against Ms. Beck, including all inquiries or requests from EPA personnel, other U.S. government employees, or any outside group or organization;
- 2) A copy of any ROIs or other materials prepared or compiled as part of such investigation;
- 3) If no ROI was produced or investigation conducted, a detailed explanation of why the ROI or investigation was not produced or conducted; and
- 4) Whether any EPA or any other U.S. Government personnel, including but not limited to the Executive Office of the President or the Office of Management and Budget, impaired or in any way impeded any investigation of Ms. Beck.

Thank you in advance for your assistance with this matter. I look forward to receiving a response from you in the near future and in no event later than May 27, 2020.

Sincerely,



MARIA CANTWELL  
Ranking Member