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July 25, 2008

William A. Roderick
Deputy Inspector General
U.S. Environmental Protection Agency
Office of Inspector General
1200 Pennsylvania Avenue, N.W. (2410T)
Washington, DC 20460

Dear Mr. Roderick:

Earlier this week, I received a letter from U.S. Environmental Protection Agency (EPA) Administrator Stephen Johnson declining the Senate Judiciary Committee's request that he appear and testify at a Judiciary Committee hearing scheduled for July 30.

I called the hearing to examine whether EPA's decisions are being made in accord with the technical and legal conclusions of EPA's own staff and whether the White House improperly interfered with EPA decision making or with the information provided to Congress regarding the risks of global warming. The Senate Judiciary Committee intended, in particular, to follow up on questions arising from an investigation initiated by the Senate Environment and Public Works Committee about the White House's improper intrusion and influence at EPA to deny California's request for a Clean Air Act waiver, and on discrepancies between information provided to Congress by Administrator Johnson about the waiver decision and information from other sources.

The letter from EPA announcing that Administrator Johnson would not appear and testify gave no reasons for his refusal to appear. However, Administrator Johnson and EPA have cited claims of executive privilege from President Bush in failing to comply with information requests and requests for testimony from the Senate Environment and Public Works Committee and requests and subpoenas from the House Committee on Oversight and Government Reform. These privilege claims and Administrator Johnson's refusal to appear before the Senate Judiciary Committee have interfered with congressional oversight and access to information regarding the implementation of laws to address important environmental issues, including global warming and the threat to public health.

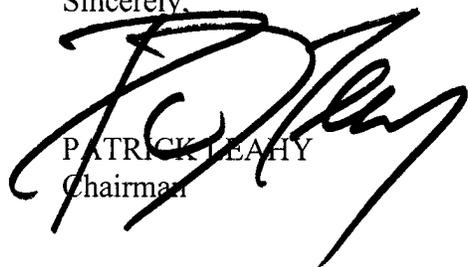
I ask you to investigate. Please include in your investigation: Whether EPA has complied with its responsibilities to provide information to Congress and the American people on environmental issues, including public health and other risks from global warming.

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Whether EPA's decision with respect to California's waiver from the Clean Air Act was made in accordance with the technical and legal conclusions of EPA's own staff or whether the White House improperly interfered with EPA decision-making. Whether Administrator Johnson's testimony to Congress regarding the California waiver decisions and other matters related to global warming was accurate and truthful. Finally, to the extent information has been withheld from Congress on the basis of a claim of executive privilege, please determine the factual basis for all claims of executive privilege.

Thank you for your prompt attention to this matter.

Sincerely,



PATRICK LEAHY
Chairman

cc: The Honorable Barbara Boxer
The Honorable James M. Inhofe