

Congress of the United States

House of Representatives

Washington, D.C. 20515

April 1, 2020

The Honorable Russell T. Vought
Acting Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

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.¹ 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.² 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.³ 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.

¹ Centers for Disease Control and Prevention, Coronavirus Disease 2019 (COVID-19), (www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html).

² 85 Fed. Reg. 15396 (Mar. 18, 2020).

³ 85 Fed. Reg. 12456 (Mar. 3, 2020).

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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



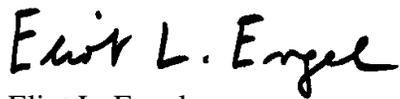
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Chairman
Committee on Natural Resources



Bennie G. Thompson
Chairman
Committee on Homeland Security



Maxine Waters
Chairwoman
Committee on Financial Services



Eliot L. Engel
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Committee on Foreign Affairs



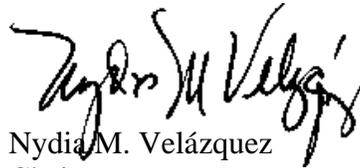
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Committee on Ways and Means



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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