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ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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October 4, 2007

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The Honorable David M. Walker
Comptroller General
U.S. Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Comptroller General Walker:

Under Rules X and XI of the Rules of the House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the efficiency and effectiveness of the various Government agencies within its jurisdiction to assess and collect fines and penalties. The agencies under the Committee's jurisdiction that should have significant activity in this area include the Environmental Protection Agency (EPA), the Nuclear Regulatory Commission, the Food and Drug Administration, the Federal Trade Commission, and the Federal Communications Commission. The Committee also has jurisdiction over programs within the Department of Energy, the Department of Commerce, and the Consumer Products Safety Commission, but would expect less of such activities in these agencies. Our understanding of how each agency assesses and collects fines and penalties is critical for us to conduct our oversight of this critical tool in the Government's arsenal to ensure compliance with our Nation's laws and regulations.

Accordingly, we seek your assistance in this endeavor. We request that the Government Accountability Office (GAO) provide us with an analysis of the current number and amounts of fines and penalties assessed and collected by these agencies. We understand that the range of programs to review within a given agency could be lengthy. For example, EPA issues civil penalties for violations or noncompliance with a variety of environmental statutes and regulations, including the Clean Air Act; Clean Water Act; Federal Insecticide, Fungicide, and Rodenticide Act; Resource Conservation and Recovery Act; Safe Drinking Water Act; Toxic Substances Control Act; and the Comprehensive Environmental Response, Compensation, and Liability Act. EPA also has a criminal enforcement program that uses more stringent sanctions to promote deterrence and help ensure compliance in order to protect human health and the

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environment. Given these complexities, the Committee is open to agency-specific reviews or other approaches for ensuring comprehensive coverage of this important area.

We appreciate your assistance with this request. Please contact John F. Sopko, Chief Counsel for Oversight and Investigations, at (202) 226-2424, to further discuss the scope and timing of this review.

Sincerely,



John D. Dingell
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and Investigation

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable Ed Whitfield, Ranking Member
Subcommittee on Oversight and Investigations