

June 6, 2022

VIA EMAIL

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Please see the enclosed letter submitted for your consideration.

Sincerely,



Debra Wong Yang



Barbara L. McQuade

June 6, 2022

The Honorable Charles E. Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Thomas Carper  
Chairman  
U.S. Senate Committee on  
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410 Dirksen Senate Office Building  
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The Honorable Shelley Moore Capito  
Ranking Member  
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Re: *Confirmation of David M. Uhlmann to Serve as Assistant Administrator for Enforcement and Compliance Assurance of the U.S. Environmental Protection Agency*

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Carper, and Ranking Member Capito:

We are former United States Attorneys from both Democratic and Republic administrations who respectfully request that the United States Senate move swiftly to confirm David M. Uhlmann as Assistant Administrator for the Office of Enforcement and Compliance Assurance at the Environmental Protection Agency. EPA plays a critical role in corporate accountability efforts. The failure to confirm an EPA enforcement chief deep into the second year of the Biden administration undermines the rule of law, public health, and environmental protection.

During our tenures as United States Attorneys, the Justice Department and EPA worked together to bring criminal cases against BP, Volkswagen, and Carnival Corporation, because egregious violators of the law should not have a competitive advantage over companies who invested resources in ethics, integrity, and compliance programs. We relied on civil enforcement to promote public health and ensure that vulnerable communities received the environmental protection that all Americans deserve. From a law enforcement perspective, it is essential for EPA to have a confirmed Assistant Administrator for Enforcement and Compliance Assurance.

Mr. Uhlmann is uniquely well-qualified to provide fair and principled leadership to EPA's law enforcement and compliance assurance programs. Mr. Uhlmann served for 17 years as a

career environmental crimes prosecutor at the Justice Department, handling landmark cases that brought justice to communities scarred by pollution. He has served for the last 15 years as the Director of the Environmental Law and Policy Program at the University of Michigan Law School, one of our top public universities. No prior nominee to serve as Assistant Administrator for Enforcement and Compliance Assurance has as much depth and breadth of experience.

Mr. Uhlmann has advised companies and investors about compliance with the environmental laws and served as Counselor to the Monitor appointed to oversee Volkswagen's ethics, integrity, and compliance programs in the wake of the diesel scandal. He understands that we cannot regulate our way out of every environmental problem. He stressed at his confirmation hearing that one of his priorities will be supporting the efforts of companies who make ethics, integrity, and environmental stewardship a priority, while ensuring that they are not at a competitive disadvantage with companies who break the law and expose communities to harm.

President Biden nominated Mr. Uhlmann to serve in this critical law enforcement role more than 11 months ago, on June 23, 2021, and again on January 4, 2022. We respectfully submit that the nomination of Mr. Uhlmann deserves consideration by the full Senate without further delay.

Thank you for your consideration.

Sincerely,<sup>1</sup>

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