

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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September 7, 2021

The Honorable Michael S. Regan
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Dear Administrator Regan,

We are conducting oversight of a senior Environmental Protection Agency (EPA) official's ties to China. Dr. Chris Frey, the Deputy Assistant Administrator for Science Policy in the Office of Research and Development,¹ continues to be affiliated with a Chinese university and previously served as a consultant for the Hong Kong Environmental Protection Agency. These connections raise concerns about Dr. Frey's role as the highest-level political appointee serving in the office charged with conducting "the research for EPA that provides the foundation for credible decision-making to safeguard human health."²

According to media reports, Dr. Frey maintains a connection with the Hong Kong University of Science and Technology (HKUST), his previous employer.³ Instead of resigning his position with HKUST, he is only taking a leave of absence, indicating Dr. Frey intends to return to work for HKUST after his service in the Biden Administration. At a time when the Biden Administration is pushing for costly climate change "solutions" that benefit China, it raises questions about why a senior EPA official has such strong ties to China, the world's largest emitter of greenhouse gases.⁴

Academics from all eight of Hong Kong's publicly-funded universities, of which the HKUST is one, have expressed concerns about the increasing role played by the government in

¹ Press Release, N.C. State University, *Frey Selected for EPA Science Policy Post*, Feb 3, 2021, available at <https://news.ncsu.edu/2021/02/frey-epa-appointment>.

² *About the Office of Research and Development*, U.S. Environmental Protection Agency, available at <https://www.epa.gov/aboutepa/about-office-research-and-development-ord> (last visited Aug 24, 2021).

³ See Andrew Kerr, *Biden EPA Appointee Allowed to Retain Ties With University Controlled by Chinese Government*, DAILY CALLER, Aug. 24, 2021, available at <https://dailycaller.com/2021/08/24/biden-epa-appointee-university-hong-kong-china-christopher-frey/>.

⁴ *Report: China emissions exceed all developed nations combined*, BBC NEWS May 7, 2021, available at <https://www.bbc.com/news/world-asia-57018837>.

Beijing in their administration and challenges to academic freedoms.⁵ In fact, according to a recent *New York Times* article, leaders at HKUST, where Dr. Frey maintains his leave of absence, suspended students who held a memorial for a colleague who died during the 2019 Hong Kong protests.⁶ In light of this reporting, we are interested in understanding what analysis EPA conducted with regard to whether Dr. Frey's continued affiliation with HKUST runs afoul of the emoluments clause of the Constitution. The emoluments clause prevents any person that holds an official office from receiving gifts, payments, or titles from foreign governments.⁷

It is imperative that all officials at EPA, particularly senior political appointees are taking their ethical obligations seriously and not using positions of public trust to benefit former employers or foreign governments. To help us better understand Dr. Frey's relationship with China, please provide the following information by September 21, 2021:

- (1) All documents and communications from January 20, 2021 to present, between Dr. Frey and anyone affiliated with the Hong Kong University of Science and Technology or the Hong Kong Environmental Protection Agency.
- (2) All documents and communications from January 20, 2021 to present, between Dr. Frey and EPA officials, including but not limited to ethics counsels and the chief of staff, related to Dr. Frey's work in China.
- (3) All documents and communications from January 20, 2021 to present, between Dr. Frey and EPA officials related to potential Biden Administration policy decisions affects on China.
- (4) All documents and communications from January 20, 2021 to present, between and among EPA ethics officials related to Dr. Frey's prior connections with Chinese entities and any associated ethical obligations.
- (5) All documents and communications from January 20, 2021 to present, related to any work or writing Dr. Frey is conducting in connection with his affiliation with the Hong Kong University of Science and Technology.

To ask any follow-up or related questions, please contact Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Thank you in advance for your cooperation with this inquiry.

⁵ See Timothy McLaughlin, *How Academic Freedom Ends*, THE ATLANTIC, Jun. 6, 2021, available at <https://www.theatlantic.com/international/archive/2021/06/china-hong-kong-freedom/619088/>.

⁶ Vivian Wang, *'It Feels Like We're Just Waiting to Die': Hong Kong Targets Student Unions*, NY TIMES, Aug. 1, 2021, available at <https://www.nytimes.com/2021/07/31/world/asia/hong-kong-students.html>.

⁷ U.S. Constitution, Art. I, § 9, cl. 8.

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Sincerely,



Ralph Norman

Ranking Member

Subcommittee on Environment



Paul A. Gosar, D.D.S.

Member of Congress



Bob Gibbs

Member of Congress



Pat Fallon

Member of Congress



Yvette Herrell

Member of Congress

cc: The Honorable Ro Khanna, Chairman
Subcommittee on Environment