

W. TODD AKIN  
2ND DISTRICT, MISSOURI

117 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-2561

301 SOVEREIGN COURT, SUITE 201  
ST. LOUIS, MO 63011  
(314) 590-0029

P.O. BOX 519  
ST. CHARLES, MO 63302  
(636) 949-6826

COMMITTEES:  
ARMED SERVICES  
BUDGET

Website:  
<http://www.house.gov/akin>

Congress of the United States  
House of Representatives  
Washington, DC 20515

June 7, 2012

The Honorable Lisa P. Jackson  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Jackson:

I would like to take this opportunity to express my concerns regarding recent reports involving the Environmental Protection Agency's (EPA) use of aerial surveillance inspections of regulated agricultural operations by the EPA's Region 7 Office of Enforcement. These flights and the use of "drones" have brought to light serious privacy concerns and raise a number of questions.

While recent news reports seem to indicate that that aerial surveillance activity has been limited to cattle feed operations in Iowa and Nebraska, I have a number of questions related to potential aerial surveillance operations conducted in Missouri. Therefore, I would appreciate your response to the following questions:

What statutory authority is the EPA relying on to conduct aerial surveillance inspections?

How many targeted aerial flight operations, if any, have taken place in Missouri?

Have these operations been restricted to aerial surveillance of cattle feed operations? Are other agricultural operations included in the aerial surveillance?

Are more flights planned and what criterion is used to decide appropriate areas of surveillance?

When did the EPA begin conducting such aerial surveillance?

While the Region 7 office has stated publically that such surveillance is cost effective, what is the cost to the American taxpayer for such surveillance? Have studies taken place to assess the cost-benefit of these flights?

At what elevation are these flights operated when images are recorded?

Letter to EPA – Page Two  
June 7, 2012

How many enforcement actions have taken place against Missouri agricultural operations resulting from aerial surveillance?

Are Missouri local or state authorities notified prior to surveillance being initiated?

Do these aerial surveillance flights disrupt operations or livestock?

Do you consult with the Missouri Department of Natural Resource (DNR) at any point during these flights or during the enforcement process?

Are images of non-farm businesses or residences ever photographed that are not subject to regulation under the Clean Water Act or other applicable federal law?

Are the images made public at any time? How long does the EPA retain them and who maintains them?

If the photographic images are not used in an enforcement action, for how long do the images remain on file? How are they disposed of once the images are no longer needed?

Are any of these images shared or distributed to other federal or state agencies other than the State of Missouri? Does the EPA anticipate it will share the images? Are the images subject to release under the Freedom of Information Act?

Missouri farmers and agribusinesses seek to operate at the highest levels of integrity and in concern for maintaining a sustainable environment. I look forward to a better understanding of the EPA's use of aerial surveillance inspections and I would appreciate your prompt by June 18, 2012.

Sincerely,



W. Todd Akin  
Member of Congress

CC: EPA Regional Administrator Karl Brooks, Region 7