

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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November 7, 2017

The Honorable Lamar Smith  
Chairman  
House Committee on Science, Space and Technology  
2321 Rayburn House Office Building  
Washington D.C. 20515

Dear Chairman Smith:

We write to express our disappointment that Scott Pruitt, the Administrator of the Environmental Protection Agency (EPA), has yet to testify before the Committee on Science, Space and Technology.<sup>1</sup> Administrator Pruitt's predecessor, Gina McCarthy, testified before this Committee on three occasions during the second term of the Obama Administration, testifying first just four months after her confirmation.<sup>2</sup> By comparison, Administrator Pruitt was confirmed eight months ago.

The Science Committee has oversight jurisdiction over the EPA's science programs and research. Further, Congress and the Science Committee have a constitutional role in holding the Executive Branch of the government accountable and providing legitimate oversight of federal agencies, particularly when questions of waste, inefficiencies, ineffectiveness, and potentially unethical behavior arise. During Administrator Pruitt's short tenure at EPA, multiple issues have already emerged regarding the costs of his travel, use of a 24/7 security detail, the vetting of scientific grants by political appointees, wasteful use of limited Agency financial resources, his ties and interactions with the industries he is expected to regulate, and other matters.

We respectfully request that you invite EPA Administrator Pruitt to testify before the Science Committee as soon as possible. Specifically, we would like to hear concrete responses from Administrator Pruitt regarding the following issues:

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<sup>1</sup> Coral Davenport, "Senate Confirms Scott Pruitt as E.P.A. Head," *New York Times*, February 17, 2017, accessed here: <https://www.nytimes.com/2017/02/17/us/politics/scott-pruitt-environmental-protection-agency.html>

<sup>2</sup> As EPA Administrator Gina McCarthy testified before the Science Committee three times, on the following dates: November 14, 2013, <https://science.house.gov/legislation/hearings/full-committee-hearing-strengthening-transparency-and-accountability-within>; July 9, 2015, <https://science.house.gov/legislation/hearings/examining-epa-regulatory-overreach>; and June 22, 2016, <https://science.house.gov/legislation/hearings/full-committee-hearing-ensuring-sound-science-epa>

## Questionable Expenses, Trips, & Security:

- I. At the same time Administrator Pruitt has called for reducing the budget of the EPA by one-third, his office has contracted to spend more than \$25,000 to construct a Sensitive Compartmented Information Facility (SCIF) in his own office. Two SCIFs already exist in the same building. He should account to Congress and the public for this duplicative and wasteful use of taxpayer funds.<sup>3</sup>
  
- II. For the first time ever in the EPA's history, the Agency is now providing a 24/7 security detail for its Administrator. This has come with more than just a financial cost to the agency. It has also delayed and diminished the ability of the EPA's Office of Enforcement and Compliance Assurance (OECA) to do its job. The OECA, according to their website, "goes after pollution problems that impact American communities through vigorous civil and criminal enforcement. Our enforcement activities target the most serious water, air and chemical hazards. As part of this mission, we work to advance environmental justice by protecting communities most vulnerable to pollution."<sup>4</sup> However, Administrator Pruitt now reportedly has 18 officials from OECA detailed to providing him round-the-clock security rather than pursuing criminal cases against corporations that violate federal environmental regulations and foul the environment. This office, which has been understaffed for years, attempts to ensure the environmental security and safety of American citizens being harmed by pollution and other toxic hazards.<sup>5</sup> Diverting these officials to Pruitt's personal security detail further undercuts the mission and effectiveness of this office.
  
- III. Multiple media stories have detailed the excessive costs of Administrator Pruitt's travel, including the use of private charter and military aircraft at a cost to taxpayers of more than \$58,000. He has also reportedly been flying in first class when he has flown on commercial flights, along with at least some of his security detail.<sup>6</sup> Administrator Pruitt should justify the costs of his travel to the public.

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<sup>3</sup> See: Timothy Cama, "EPA spending almost \$25,000 for soundproof booth," *The Hill*, September 26, 2017, accessed here: <http://thehill.com/policy/energy-environment/352528-epa-spending-almost-25000-for-soundproof-booth>; Miranda Green, "EPA chief getting his own \$25,000 sound-proof booth," *CNN*, September 26, 2017, accessed here: [www.cnn.com/2017/09/26/politics/pruitt-sound-proof-booth/index.html](http://www.cnn.com/2017/09/26/politics/pruitt-sound-proof-booth/index.html); Michael Biesecker, "EPA buys Pruitt a special booth for secret communications," *Associated Press*, September 27, 2017, accessed here: [www.washingtonpost.com/politics/epa-buys-pruitt-a-special-booth-for-secret-communications/2017/09/27/446a13a2-a3c8-11e7-b573-8ec86cdfefed\\_story.html?utm\\_term=.78b652e0194d](http://www.washingtonpost.com/politics/epa-buys-pruitt-a-special-booth-for-secret-communications/2017/09/27/446a13a2-a3c8-11e7-b573-8ec86cdfefed_story.html?utm_term=.78b652e0194d)

<sup>4</sup> "About the Office of Enforcement and Compliance Assurance (OECA): What We Do," Environmental Protection Agency, accessed here: [www.epa.gov/aboutepa/about-office-enforcement-and-compliance-assurance-oeca](http://www.epa.gov/aboutepa/about-office-enforcement-and-compliance-assurance-oeca)

<sup>5</sup> See: Rene Marsh and Gregory Wallace, "EPA pulls agents from criminal investigations to guard Pruitt," *CNN*, September 21, 2017, accessed here: <http://www.cnn.com/2017/09/21/politics/epa-pruitt-agents/index.html>; Juliet Eilperin and Brady Dennis, "At EPA, guarding the chief pulls agents from pursuing environmental crimes," *Washington Post*, September 20, 2017, accessed here: [https://www.washingtonpost.com/national/health-science/at-epa-guarding-the-chief-pulls-agents-from-pursuing-environmental-crimes/2017/09/19/7b7b8b6c-9ce0-11e7-8ea1-ed975285475e\\_story.html?utm\\_term=.026af87ba494](https://www.washingtonpost.com/national/health-science/at-epa-guarding-the-chief-pulls-agents-from-pursuing-environmental-crimes/2017/09/19/7b7b8b6c-9ce0-11e7-8ea1-ed975285475e_story.html?utm_term=.026af87ba494)

<sup>6</sup> Brady Dennis and Juliet Eilperin, "EPA's Pruitt took charter, military flights that cost taxpayers more than \$58,000," *Washington Post*, September 27, 2017, accessed here: [https://www.washingtonpost.com/news/energy-environment/wp/2017/09/27/epas-pruitt-took-charter-military-flights-that-cost-taxpayers-more-than-58000/?utm\\_term=.c2eba157d74a](https://www.washingtonpost.com/news/energy-environment/wp/2017/09/27/epas-pruitt-took-charter-military-flights-that-cost-taxpayers-more-than-58000/?utm_term=.c2eba157d74a)

- IV. Many of Administrator Pruitt's taxpayer funded flights have been to his home state of Oklahoma and the justification for these flights has come into question. Press reports, based on data obtained through Freedom of Information Act (FOIA) requests to EPA, show that Administrator Pruitt often flies home on a Friday under the pretext of a business meeting and stays in his home state of Oklahoma over the weekend. From March through May 2017, he apparently spent 43 out of 92 days in Oklahoma.<sup>7</sup> This gives the appearance that Secretary Pruitt is mixing political gatherings and personal destinations with official business. The disproportionate attention to Oklahoma has already fueled speculation that Secretary Pruitt plans to return to the State and run for office. Congress and the American public deserve a thorough accounting for, and justification of, these frequent flights.

#### **Industry and Political Interests vs. Scientific Facts:**

- I. According to multiple media reports and substantiated by his own official calendar of meetings, which was released under a FOIA request, Administrator Pruitt has had a stream of corporate executives flowing through his office. From April 2017 through early September 2017, he met with senior officials from, or spoken at gatherings organized by, a multitude of corporate entities and industry associations. This included the Chemours Company, Shell Oil Company, Southern Company, Phillips 66, National Mining Association, National Association of Manufacturers, American Petroleum Institute, American Fuel & Petrochemical Manufacturers, Oklahoma Independent Petroleum Association, CropLife America, Boeing, General Electric, BMW, General Motors and the Ford Motor Company, among others. During the same time period he reportedly met with only two environmental groups and one public health organization, the American Academy of Pediatrics.<sup>8</sup>

Most disturbingly he has issued policy directives, favored by these corporations and industry trade groups, following these meetings. In one case, hours after meeting with the CEO of a foreign mining company, the Pebble Limited Partnership (PLP), EPA Administrator Pruitt directed his staff to withdraw from a plan under the Clean Water Act's 404(c) process to protect the watershed of Bristol Bay, Alaska. His decision will help the mining company push forward a controversial proposal to build one of the world's largest open pit copper and gold mines at the headwaters of one of the world's

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<sup>7</sup> Lisa Friedman, "Scott Pruitt Spent Much of Early Months at E.P.A. Traveling Home, Report Says," *New York Times*, July 24, 2017, accessed here: [www.nytimes.com/2017/07/24/climate/scott-pruitt-epa-travel-expenses.html](http://www.nytimes.com/2017/07/24/climate/scott-pruitt-epa-travel-expenses.html)

<sup>8</sup> See, Steven Mufson and Juliet Elperin, "EPA chief Pruitt met with many corporate execs. Then he made decisions in their favor," *Washington Post*, September 23, 2017, accessed here: [www.washingtonpost.com/news/energy-environment/wp/2017/09/22/epa-chief-pruitt-met-with-many-corporate-execs-shortly-before-making-decisions-in-their-favor/?utm\\_term=.a1400c7e358a](http://www.washingtonpost.com/news/energy-environment/wp/2017/09/22/epa-chief-pruitt-met-with-many-corporate-execs-shortly-before-making-decisions-in-their-favor/?utm_term=.a1400c7e358a); James Jacoby, Anya Bourq and Frank Koughan (producers), "War On The EPA," *PBS Frontline*, October 11, 2017, accessed here: [www.pbs.org/wgbh/frontline/film/war-on-the-epa/](http://www.pbs.org/wgbh/frontline/film/war-on-the-epa/); Eric Lipton and Lisa Friedman, "E.P.A. Chief's Calendar: A Stream of Industry Meetings and Trips Home," *New York Times*, accessed here: [www.nytimes.com/2017/10/03/us/politics/epa-scott-pruitt-calendar-industries-coal-oil-environmentalists.html](http://www.nytimes.com/2017/10/03/us/politics/epa-scott-pruitt-calendar-industries-coal-oil-environmentalists.html)



largest natural sockeye salmon fisheries.<sup>9</sup> These actions raise serious questions about whether the EPA Administrator is attempting to fulfill the Agency's mission to protect the public health of Americans or if he is simply carrying out the agenda of the very industries he is supposed to regulate. The public deserves an explanation from Administrator Pruitt.

- II. Administrator Pruitt has taken steps to remove independent scientists from the Agency's science advisory panels and stock these panels with industry representatives and scientists financed by industry interests.<sup>10</sup> Repopulating these science advisory boards with individuals who work for, or are financed by, those industries that are supposed to be regulated by the Agency undermines the scientific integrity of the EPA. These actions undercut the mission of the EPA and endanger the health and safety of the public.<sup>11</sup> "The mission of EPA is to protect human health and the environment," according to the Agency's own web-site.<sup>12</sup> It is not to protect the interests of industry. Information from industry and the perspectives of industry are important, but they should not supplant sound objective scientific data.
- III. Rather than having scientific experts review potential EPA grant awards to nonprofits, universities and other institutions, which has traditionally been the case at EPA, Administrator Pruitt has placed that responsibility into the hands of political appointees.<sup>13</sup> While new Administrations and new Administrators of federal agencies periodically re-evaluate their programs and policies, Scott Pruitt has demanded that all competitive

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<sup>9</sup> Drew Griffin, Scott Bronstein and John D. Sutter, "EPA head met with a mining CEO -- and then pushed forward a controversial mining project," *CNN*, September 22, 2017, accessed here: <http://www.cnn.com/2017/09/22/politics/pebble-epa-bristol-bay-invs/index.html>

<sup>10</sup> See: Chris Mooney and Juliet Eilperin, "EPA just gave notice to dozens of scientific advisory board members that their time is up," *Washington Post*, June 20, 2017, accessed here: [https://www.washingtonpost.com/news/energy-environment/wp/2017/06/20/trump-administration-to-decline-to-renew-dozens-of-scientists-for-key-epa-advisory-board/?utm\\_term=.e70070171039](https://www.washingtonpost.com/news/energy-environment/wp/2017/06/20/trump-administration-to-decline-to-renew-dozens-of-scientists-for-key-epa-advisory-board/?utm_term=.e70070171039); Rene Marsh and Theodore Schleifer, "Pruitt removes scientists from key EPA board," May 8, 2017, *CNN*, accessed here: [www.cnn.com/2017/05/08/politics/epa-scott-pruitt-board/index.html](http://www.cnn.com/2017/05/08/politics/epa-scott-pruitt-board/index.html); Zach Coleman, "A Little Less Science for EPA's Science Advisory Boards," *UNDARK*, July 12, 2017, accessed here: <https://undark.org/2017/07/12/epa-science-advisory-board-pruitt/>

<sup>11</sup> See: Chris Mooney and Juliet Eilperin, "EPA just gave notice to dozens of scientific advisory board members that their time is up," *Washington Post*, June 20, 2017, accessed here: [https://www.washingtonpost.com/news/energy-environment/wp/2017/06/20/trump-administration-to-decline-to-renew-dozens-of-scientists-for-key-epa-advisory-board/?utm\\_term=.e70070171039](https://www.washingtonpost.com/news/energy-environment/wp/2017/06/20/trump-administration-to-decline-to-renew-dozens-of-scientists-for-key-epa-advisory-board/?utm_term=.e70070171039); Rene Marsh and Theodore Schleifer, "Pruitt removes scientists from key EPA board," May 8, 2017, *CNN*, accessed here: [www.cnn.com/2017/05/08/politics/epa-scott-pruitt-board/index.html](http://www.cnn.com/2017/05/08/politics/epa-scott-pruitt-board/index.html); Zach Coleman, "A Little Less Science for EPA's Science Advisory Boards," *UNDARK*, July 12, 2017, accessed here: <https://undark.org/2017/07/12/epa-science-advisory-board-pruitt/>

<sup>12</sup> "Our Mission and What We Do," Environmental Protection Agency (EPA), accessed here: <https://www.epa.gov/aboutepa/our-mission-and-what-we-do>

<sup>13</sup> See: Sean Reilly, "Pruitt assigns political appointee to vet grant requests," *E&E News*, August 17, 2017, accessed here: <https://www.eenews.net/stories/1060058907>; Annie Snider, "EPA puts grants under scrutiny cuts some funding," *PoliticoPro*, August, 24, 2017, accessed here: [www.politicopro.com/energy/whiteboard/2017/08/epa-puts-grants-under-scrutiny-cuts-some-funding-092068](http://www.politicopro.com/energy/whiteboard/2017/08/epa-puts-grants-under-scrutiny-cuts-some-funding-092068); Juliet Elperin, "EPA now requires political aide's sign-off for agency awards, grant applications," *Washington Post*, September 4, 2017, accessed here: [www.washingtonpost.com/politics/epa-now-requires-political-aides-sign-off-for-agency-awards-grant-applications/2017/09/04/2fd707a0-88fd-11e7-a94f-3139abce39f5\\_story.html?utm\\_term=.c7e64ada8711](http://www.washingtonpost.com/politics/epa-now-requires-political-aides-sign-off-for-agency-awards-grant-applications/2017/09/04/2fd707a0-88fd-11e7-a94f-3139abce39f5_story.html?utm_term=.c7e64ada8711); Daniella Diaz, "Report: Political aide signs off grant applications, awards at EPA," *CNN*, September 5, 2017, accessed here: [www.cnn.com/2017/09/05/politics/epa-john-konkus-grant-award-applications/index.html](http://www.cnn.com/2017/09/05/politics/epa-john-konkus-grant-award-applications/index.html)

scientific and other grant solicitations be reviewed by political appointees in the EPA's Office of Public Affairs (OPA).<sup>14</sup> The individual assigned to vetting these scientific grants has no scientific background or expertise, ensuring that grants will be judged by political criteria rather than on their scientific and technical merits. This is bound to undermine the integrity of EPA-funded scientific studies and harm U.S. environmental research, scientific innovation and the safety of the public from potential exposure to harmful chemicals. Administrator Pruitt should explain the rationale for this questionable change in the EPA's grant-making process, as it appears to rely on politics rather than science as a barometer of integrity and necessity.

- IV. Since taking over as Administrator of the EPA, Administrator Pruitt has directed that terms he appears to dislike, such as "climate change," be scrubbed from the Agency's website.<sup>15</sup> An abundance of scientific evidence has clearly shown the climate is changing, the planet is warming, and human caused carbon emissions are largely to blame. Personal beliefs are not science and attempting to hide terms from the public won't make issues disappear. Administrator Pruitt should justify his actions and explain how these decisions were based on scientific evidence and not political beliefs.

Moreover, it was concerning to hear that the EPA's Office of Public Affairs decided to cancel the speaking appearance of three agency scientists who were scheduled to report on their work and discuss climate change at a conference in Rhode Island.<sup>16</sup> The Narragansett Bay Estuary Program, funded through the EPA, was hosting the conference and the scientists were expected to discuss the state of the Bay. Given the lack of explanation from the Administration, this agency action reinforces concerns that the Agency is silencing science they dislike and preventing EPA scientists from engaging in scientific discussions. The EPA has a responsibility to the public to adequately address these issues, not silence scientists or scrub away scientific evidence that simply highlights the issue of climate change.

We call on you as Chairman of the House Committee on Science, Space and Technology to request that Administrator Pruitt testify before the Committee as soon as possible. Not only is such oversight routine, but as a public official Administrator Pruitt has an obligation to address his conduct and management of EPA. His leadership of EPA in eight short months has already resulted in policies that favor the very industries he is supposed to regulate, potentially resulting in harm to Americans' public health and safety.

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<sup>14</sup> "Protocol for Office of Public Affairs Review of Draft Competitive Grant Solicitations," Office of the Administrator, Environmental Protection Agency (EPA), accessed here: [www.documentcloud.org/documents/3954249-EPA-s-new-procedures-for-drafting-competitive.html#document/p1](http://www.documentcloud.org/documents/3954249-EPA-s-new-procedures-for-drafting-competitive.html#document/p1)


<sup>15</sup> See: Michael Hiltzik, "Trump's EPA has started to scrub climate change data from its website," *Los Angeles Times*, May 1, 2017, accessed here: <http://www.latimes.com/business/hiltzik/la-fi-hiltzik-epa-climate-20170501-story.html>; Michael Collins, "EPA removes climate change data, other scientific information from website," *USA Today*, April 29, 2017, accessed here: <https://www.usatoday.com/story/news/politics/2017/04/29/epa-removes-climate-change-data-other-scientific-information-website/101072040/>; Niina Heikkinen, "EPA Just Scrubbed Even More Mentions of Climate from Its Web Site," *ClimateWire*, May 8, 2017, accessed here: <https://www.scientificamerican.com/article/epa-just-scrubbed-even-more-mentions-of-climate-from-its-web-site/>

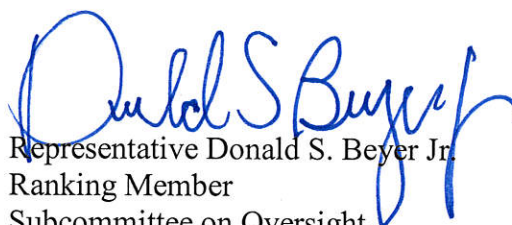
<sup>16</sup> Friedman, Lisa, "E.P.A. Cancels Talk on Climate Change by Agency Scientists," *New York Times*, Oct. 22, 2017, accessed here: <https://www.nytimes.com/2017/10/22/climate/epa-scientists.html>


Each of the items mentioned above deserves its own hearing. There has been no satisfactory response by either Mr. Pruitt or the EPA justifying the above issues. At a minimum, the Committee and the public deserve a detailed explanation of the actions taken by Administrator Pruitt and the EPA. It is critically important that the Committee engage in serious oversight of the Executive Branch and ensure that the policies and practices of the EPA are not harming the American people. It is important we hear from Administrator Pruitt to understand how he believes he is carrying out the core mission of the EPA to protect the American public from environmental risks while managing the Agency in an effective, efficient and ethical manner.

Thank you for your attention to this matter.

Sincerely,

  
Representative Eddie Bernice Johnson  
Ranking Member

  
Representative Donald S. Beyer Jr.  
Ranking Member  
Subcommittee on Oversight

  
Representative Suzanne Bonamici  
Ranking Member  
Subcommittee on Environment

  
Representative Zoe Lofgren

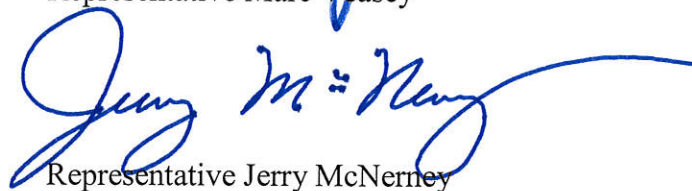
  
Representative Daniel W. Lipinski

  
Representative Ami Bera

  
Representative Elizabeth Esty

  
Representative Marc Veasey

  
Representative Jacky Rosen

  
Representative Jerry McNerney



Representative Ed Perlmutter



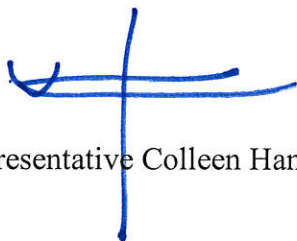
Representative Paul Tonko



Representative Bill Foster



Representative Mark Takano



Representative Colleen Hanabusa



Representative Charlie Crist