

**Congress of the United States**  
**Washington, DC 20515**

April 6, 2018

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

We formally request that you ask Environmental Protection Agency (EPA) Administrator Scott Pruitt to resign. Scott Pruitt's unethical behavior, wasteful use of taxpayer money, and his efforts to undermine the EPA's core mission to protect our environment and public health demand an appropriate response: his resignation or his firing.

**Unethical Behavior**

Pruitt worked out a special deal on housing rent with the wife of an industry lobbyist who represents companies regulated by the EPA and who was an active contributor to his political career. More specifically, Pruitt paid just \$50/night for a Capitol Hill condominium, and only for the nights he used a bedroom in the townhouse, a sum well below the market value.<sup>i</sup> Pruitt's daughter also stayed in the townhouse in a separate room, at no added cost.

More concerning to us are the conflicts of interest involved with his condominium arrangement. Companies represented by his lobbyist-landlord received EPA approval during his stay in the townhouse—the extent of which we do not fully know yet.<sup>ii</sup> The townhouse is also a known GOP fundraiser site, and several fundraisers were held during the timeframe that Administrator Pruitt was staying there. Pruitt did not report the details of this concerning arrangement to ethics counsel at the EPA, nor to the public, beforehand.

Separately, this past March, the White House Presidential Personnel Office denied Administrator Pruitt's request to substantially increase the salary of two of his staffers, who came from Oklahoma with him to DC. Seemingly unwilling to take "no" for an answer, Pruitt used an obscure provision of the Safe Drinking Water Act (SDWA) and "ordered" EPA to give those two Oklahoma staffers salary increases of \$28,130 and \$56,765—an issue the EPA Inspector General (IG) is now reviewing.<sup>iii</sup> In an interview after reports of the pay raises surfaced this week, Administrator Pruitt denied any knowledge of the matter.<sup>iv</sup> According to press reports, one of those staffers was also responsible for securing his personal housing arrangements. Pruitt also used this obscure legal provision to hire several industry lobbyists, a loophole that allows him to avoid having those hires sign your ethics pledge.

Administrator Pruitt has also engaged in potential anti-lobbying violations: the Government Accountability Office is investigating his appearance in a National Cattlemen's Beef Association video urging farmers to comment on proposed changes to the Clean Water Rule; and, the IG is already reviewing Pruitt's call for a mining group to lobby on the Paris climate agreement.

Administrator Pruitt also continually refuses to recuse himself on issues under EPA consideration. As Attorney General (AG) of Oklahoma, Pruitt sued the EPA 14 times, and in 13 of those 14 cases, regulated industries were also parties.<sup>v</sup> Mr. Pruitt and his affiliated Political Action Committees received campaign contributions from co-parties like Murray Energy, Peabody Energy and Southern Power Company. It was also found that Mr. Pruitt lied during his confirmation hearing by saying that he never used private email as AG, although private emails surfaced between AG Pruitt and Devon Energy, directly disputing his statement.

The core mission of the EPA is to protect the environment and human health. Yet, Administrator Pruitt spent most of his first year in office meeting with his industry stakeholders – meetings that undoubtedly influenced his policy directives and decision-making at the EPA. According to a *Washington Post* analysis of his public schedule, Pruitt held 218 meetings in 2017 with representatives of industries he regulates, while only meeting a dozen times with environmental and public health groups.<sup>vi</sup> In one case, just 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 to protect the watershed of Bristol Bay, Alaska under the Clean Water Act's 404(c) process in order to push forward a controversial proposal to build one of the world's largest open pit copper and gold mines there.<sup>vii</sup>

Administrator Pruitt has actively stacked the EPA with friends and industry insiders. An analysis by the Associated Press found that one-third of 59 new EPA political appointee positions it tracked were registered lobbyists or lawyers for fossil fuel producers, chemical manufacturers or other corporate clients.<sup>viii</sup> Pruitt also installed unqualified friends in EPA positions that don't require Senate confirmation. To lead the EPA's Superfund Task Force, Pruitt hired his friend Albert Kelly, who had previously provided three loans to Pruitt through his bank before being barred from the banking industry for life by the Federal Deposit Insurance Corporation (FDIC). The FDIC determined in May 2017 that it "ha[d] reason to believe that [Kelly] violated a law or regulation, by entering into an agreement pertaining to a loan by the Bank without FDIC approval" and in July determined that he was unfit to serve in any banking or banking-affiliated position, though did not publicize further specifics as to why.<sup>ix</sup>

Additionally, Pruitt has worked to ensure that the EPA is cloaked in secrecy rather than being transparent and accountable to the American public. Within weeks of his arrival, the EPA's public affairs office stopped responding to many reporters' questions and sharing his complete schedule. EPA staff reported not being allowed to take notes in meetings or carry their cellphones, limiting the paper trail that can be requested under the Freedom of Information Act (FOIA). One FOIA request found that Pruitt's Superfund Task Force, chaired by his friend the FDIC-banned Albert Kelly, took no minutes of its meetings and produced just one document — a list of final recommendations. When EPA was mishandling its emergency response of Superfund sites, Pruitt's press office proactively challenged accounts of disarray.

## **Wasteful Use of Taxpayer Money**

Administrator Pruitt is under several EPA IG investigations for his wasteful use of taxpayer money. The IG is investigating Pruitt's decision to enter the EPA into a contract for a new \$43,000 secure phone booth inside his office, despite the fact that two secure facilities already exist in the same building.<sup>x</sup> It is also investigating his extravagant travel habits.

As has been widely reported, Pruitt spent more than \$105,000 on airline travel in his first year as Administrator, including questionable trips to his home state of Oklahoma, \$58,000 on chartered and military flights over the summer,<sup>xi</sup> \$120,000 for a trip to Italy for an environmental summit,<sup>xii</sup> and nearly \$40,000 on a trip to Morocco where he promoted natural gas exports,<sup>xiii</sup> seemingly more relevant to his future political aspirations in gas-rich Oklahoma than the statutory responsibilities of the EPA. Pruitt has also almost exclusively flown first class when on commercial flights, along with at least some of his security detail, and often stays at expensive luxury hotels. Pruitt's defense of these extravagant spending habits on the taxpayer's dime was his personal security; however, when questioned about these lavish arrangements, he switched tacks saying he would fly coach from now on, calling into question the legitimacy of his "security" arguments.

Additional wasteful spending issues have emerged in press reports. In 2017, Pruitt reportedly issued a \$120,000 no-bid contract to a Republican opposition research firm to track journalists and EPA employees. The contract was immediately canceled after media exposure, but its initial existence raises serious questions about transparency at the EPA under Pruitt's leadership.<sup>xiv</sup>

Pruitt has also spent excessively on ensuring secrecy at the EPA: he spent roughly \$9,000 on his personal office security, including, the addition of biometric locks for his office and, at his request, a \$3,000 sweep of his office to ensure it wasn't bugged – again, in a no-bid contract.<sup>xv</sup> Administrator Pruitt has not, to date, justified to Congress or the public the extreme secrecy and security on which he has expended too many taxpayer dollars.

## **Acting Counter to the Mission of the EPA**

The EPA's mission is to protect human health and the environment. Administrator Pruitt has repeatedly directed the agency to act counter to that mission.

Pruitt has taken efforts to weaken the agency of its scientific expertise. He has marginalized staff experts, refusing to meet with them, and actively worked to reduce the size of the agency. Some 700 employees have left the agency and another 2,000 positions may be eliminated.<sup>xvi</sup> These moves, combined with draconian budget cuts, would shrink staffing levels to those of the Reagan administration, before Congress expanded EPA's responsibilities under the 1990 Clean Air Act and other laws.

The EPA has two major independent scientific advisory boards, the Science Advisory Board and the Board of Scientific Counselors, to ensure the agency's policies reflect the best available science. 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>xvii</sup>

Administrator Pruitt has intentionally censored or drummed up public confusion around climate science, which the EPA has stated threatens human health. He personally oversaw the scrubbing of climate change references from the EPA website and has stated that he doesn't think humans are a "primary contributor" to global warming. Despite near-universal consensus from the global scientific community that climate change is real and caused by humans, Pruitt also attempted the creation of a "red team, blue team" debate over climate science to legitimize outlier voices.<sup>xviii</sup>

Also notable, though not surprising considering Pruitt's hiring decisions and extensive personal security requirements, EPA enforcement has dropped precipitously during Pruitt's tenure. According to the Environmental Integrity Project, Pruitt has slashed the number of civil cases filed against polluters by 44 percent and civil penalties have fallen by almost half, compared with averages from the Obama, Bush, and Clinton administrations.<sup>xix</sup> Lax enforcement of our environmental laws directly undermines EPA's core mission of protecting public health and the environment.

Equally concerning is Pruitt's politicization of the grant-making process, assigning political aide John Konkus to review all EPA grants. Traditionally, scientific experts – not political appointees – review EPA grants awards. Konkus has no scientific background or expertise, ensuring that grants will be judged by political criteria rather than on their scientific and technical merits. Konkus' impartiality is called into question because, in addition to signing off on EPA grants, he is consulting for private clients part-time.<sup>xx</sup>

Similarly, the regulatory mission of the EPA is in danger. Pruitt has moved to rollback or review nearly 50 existing regulations protecting the air, water, and climate, many of which would help prevented tens of thousands of premature deaths and saved billions of dollars in public health benefits.<sup>xxi</sup>

A snapshot of the regulations is as follows:

- Pruitt initiated the repeal of the Clean Power Plan, which would limit carbon pollution, and also reduce emissions of other harmful pollutants from power plants that can adversely affect public health.
- Pruitt rescinded the Clean Water Rule, critical for safeguarding the drinking water of more than 117 million Americans.
- Pruitt withdrew a 1995 Clean Air Act guidance that protects people against cancer-causing air pollutants. This change will increase hazardous air pollution from major industrial polluters on nearly 200 pollutants, including arsenic, lead, and mercury.
- Pruitt has failed to enforce a rule that strengthened limits on ozone pollution, which causes smog.
- Pruitt recently moved to roll back federal fuel efficiency standards for cars and light trucks, which will lead to more harmful air pollution and less efficient vehicles, forcing consumers to pay more at the pump.
- The EPA has delayed, and is expected to propose to weaken, limits on chemicals like arsenic, lead, and mercury that power plants dump into waterways.
- Pruitt withdrew a proposed ban on, chlorpyrifos, a commonly used pesticide that can damage the nervous system, despite the EPA's own scientists arguing risks to human health.

- Pruitt granted an industry request to reconsider the coal ash rule, which set national standards for the disposal of toxic coal residue, and has proposed to weaken those standards.
- The EPA plans to revise an Obama-era rule that prevents farmworkers younger than 18 from applying dangerous pesticides, threatening the health of children.

For these reasons, we ask that you fire Scott Pruitt from the Environmental Protection Agency immediately. A man under numerous investigations both for ethical concerns and wasteful spending, who has actively moved to undermine environmental rules and regulations at industry request, is antithetical to the job of EPA Administrator. Mr. Pruitt needs to go.

Sincerely,



Donald S. Beyer Jr.  
Member of Congress



David N. Cicilline  
Member of Congress



Nanette Diaz Barragán  
Member of Congress



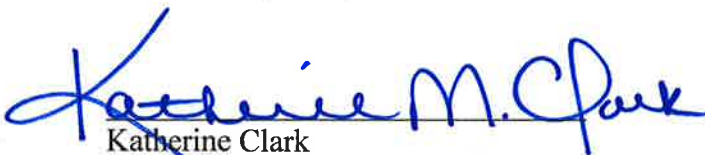
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Katherine Clark  
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Keith Ellison  
Member of Congress



Jimmy Gomez  
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Sheila Jackson Lee  
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James P. McGovern  
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Jamie Raskin  
Member of Congress



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Carol Shea-Porter  
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Bonnie Watson Coleman  
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Barbara Lee  
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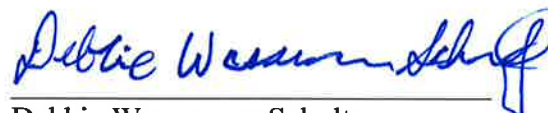
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Gerald E. Connolly  
Member of Congress



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Mark Pocan  
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Debbie Wasserman Schultz  
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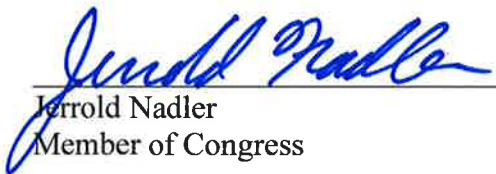
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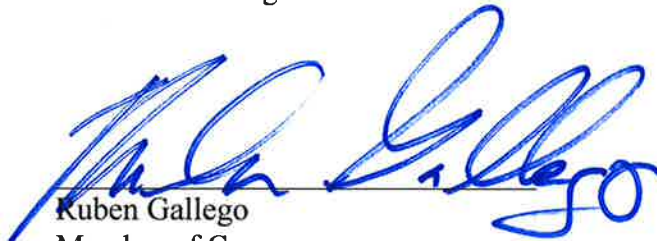
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Member of Congress



A. Donald McEachin  
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Eleanor Holmes Norton  
Member of Congress



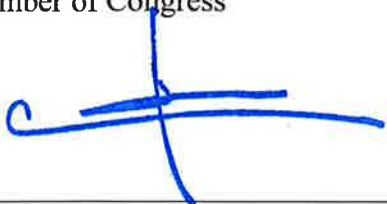
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Suzan K. DelBene  
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*G. F. Butterfield*

G. F. Butterfield  
Member of Congress

*Anthony G. Brown*

Anthony G. Brown  
Member of Congress

*Denny Heck*

Denny Heck  
Member of Congress

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<sup>i</sup> Lipton, Eric, "Pruitt Had a \$50-a-Day Condo Linked to Lobbyists. Their Client's Project Got Approved," *The New York Times*, April 2, 2018, accessed here: <https://www.nytimes.com/2018/04/02/climate/epa-pruitt-pipeline-apartment.html>

<sup>ii</sup> Visser, Nick, "EPA Reportedly Approved Pipeline Project Linked to Lobbyist Renting Room to Pruitt," *The Huffington Post*, April 3, 2018, accessed here: [https://www.huffingtonpost.com/entry/scott-pruitt-pipeline-project-apartment\\_us\\_5ac307bbe4b04646b64577c3](https://www.huffingtonpost.com/entry/scott-pruitt-pipeline-project-apartment_us_5ac307bbe4b04646b64577c3)

<sup>iii</sup> Plott and Meyer, "Scott Pruitt Bypassed the White House to Give Big Raises to Favorite Aides," *The Atlantic*, April 3, 2018, accessed here: <https://www.theatlantic.com/politics/archive/2018/04/pruitt-epa/557123/>

<sup>iv</sup> *FoxNews*, "EPA Chief Pruitt: I Blocked Raises Granted to Aides," April 4, 2018, accessed here: <https://video.foxnews.com/v/5763934674001/?#sp=show-clips>

<sup>v</sup> "Pruitt v. EPA: 14 Challenges of EPA Rules by the Oklahoma Attorney General", *The New York Times*, January 14, 2017, accessed here: <https://www.nytimes.com/interactive/2017/01/14/us/politics/document-Pruitt-v-EPA-a-Compilation-of-Oklahoma-14.html>

<sup>vi</sup> Dennis and Eilperin, "How Scott Pruitt turned the EPA into one of Trump's most powerful tools", *The Washington Post*, December 31, 2017, accessed here: [https://www.washingtonpost.com/national/health-science/under-scott-pruitt-a-year-of-tumult-and-transformation-at-epa/2017/12/26/f93d1262-e017-11e7-8679-a9728984779c\\_story.html?utm\\_term=.fale93f792b1](https://www.washingtonpost.com/national/health-science/under-scott-pruitt-a-year-of-tumult-and-transformation-at-epa/2017/12/26/f93d1262-e017-11e7-8679-a9728984779c_story.html?utm_term=.fale93f792b1)

<sup>vii</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>viii</sup> Biesecker, Linderman and Lardner, "What swamp? Lobbyists get ethics waivers to work for Trump", *Associated Press*, March 8, 2018, accessed here: <https://apnews.com/2e23b380a1ec4232abde917d8796d7a6/What-swamp?-Lobbyists-get-ethics-waivers-to-work-for-Trump>

<sup>ix</sup> Order of Prohibition from Further Participation, In the Matter of ALBERT C. KELLY, individually, and as an institution-affiliated party of SPIRITBANK, TULSA, OKLAHOMA, Federal Deposit Insurance Corporation (FDIC), FDIC-15-0179e, July 27, 2017. *See also*, Sharon Lerner, "Banned from the Banking Industry for Life, a Scott Pruitt Friend Finds a New Home at the EPA," *The Intercept*, December 28 2017, accessed here: <https://theintercept.com/2017/12/28/scott-pruitt-failed-banker-running-epa-superfund-program/> and Mike Soraghan, "SUPERFUND: The development deal that led to Pruitt adviser's banking ban," *E&E News*, February 6, 2018, accessed here: <https://www.eenews.net/stories/1060072949>

<sup>x</sup> Ebbs, Stephanie. "EPA spent more than \$43,000 on a 'secure phone booth' for Scott Pruitt's office" *ABC News*, May 14, 2008, accessed here: <http://abcnews.go.com/Politics/epa-spent-43000-secure-phone-booth-scott-pruitts/story?id=53738101>

<sup>xi</sup> Holden, Adragna, and Guillén, "Pruitt spent over \$105,000 on first-class flights", *Politico*, March 20, 2018, accessed here: <https://www.politico.com/story/2018/03/20/pruitt-epa-first-class-flights-430700>

<sup>xii</sup> Biesecker, Michael, "New travel costs revealed for EPA head amid ongoing scrutiny", *Associated Press*, March 21, 2018, accessed here: <https://www.apnews.com/7c35a9f631344fa0ba87b09b28ee5927/New-travel-costs-revealed-for-EPA-head-amid-ongoing-scrutiny>

<sup>xiii</sup> Biesecker, Michael, "EPA chief jets to Morocco to help promote fossil fuel use", *Associated Press*, December 15, 2017, accessed here: <http://www.chicagotribune.com/sns-bc-us--epa-pruitt-travel-morocco-20171213-story.html>

<sup>xiv</sup> Lipton and Friedman, "E.P.A. Contractor Has Spent Past Year Scouring the Agency for Anti-Trump Officials", *The New York Times*, December 15, 2017, accessed here: <https://www.nytimes.com/2017/12/15/us/politics/epa-scott-pruitt-foia.html>

<sup>xv</sup> Biesecker, Michael, "EPA chief sweeps office for bugs, installs high-tech locks", *Associated Press*, December 19, 2017, accessed here: <https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1>

<sup>xvi</sup> *See*: Friedman, Affo and Kravitz, "E.P.A. Officials, Disheartened by Agency's Direction, Are Leaving in Droves", *The New York Times*, December 22, 2017, accessed here: <https://www.nytimes.com/2017/12/22/climate/epa-buyouts-pruitt.html>

<sup>xvii</sup> *See*: Mooney and Eilperin, "EPA just gave notice to dozens of scientific advisory board members that their time is up," *The 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->

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<sup>xviii</sup> Holden, Emily, “Pruitt will launch program to 'critique' climate science”, *E&E New*, June 30, 2017, accessed here: <https://www.eenews.net/stories/1060056858>

<sup>xix</sup> Volcovici, Valerie, “U.S. environmental penalties nearly halve in Trump's first year: report”, *Reuters*, February 15, 2018, accessed here: <https://www.reuters.com/article/us-usa-epa-enforcement/u-s-environmental-penalties-nearly-halve-in-trumps-first-year-report-idUSKCN1FZ2D6>

<sup>xx</sup> Cole, Devan, “House Dems Raise Concerns about EPA Employee Allowed to be Media Consultant,” *CNNPolitics*, March, 6, 2018, accessed here: <https://www.cnn.com/2018/03/06/politics/house-democrats-epa-letter-to-scott-pruitt/index.html>

<sup>xxi</sup> Popovich, Albeck-Ripka, and Pierre-Louis, “67 Environmental Rules on the Way Out Under Trump” *The New York Times*, January 31, 2018, accessed here: <https://www.nytimes.com/interactive/2017/10/05/climate/trump-environment-rules-reversed.html>