

United States Senate

WASHINGTON, DC 20510

December 27, 2016

The Honorable Scott Pruitt
Attorney General of Oklahoma
Oklahoma Attorney General's Office
313 NE 21st Street
Oklahoma City, OK 73105

Dear Mr. Pruitt,

As members of the Senate Environment and Public Works Committee, we look forward to discussing with you your nomination to be Administrator of the Environmental Protection Agency (EPA). Since its inception in 1970, EPA has played an integral role in federal and state efforts to protect public health and ensure we all have clean air to breathe and water to drink. It has long been the expectation of this Committee that the EPA Administrator put the public's interest first and commit to running the agency in a fully transparent manner.

We have been troubled that as Attorney General of Oklahoma you used, nearly verbatim, industry talking points in official correspondence your office sent to EPA concerning EPA's estimation of methane pollution in your state. Thanks to news reporting prior to your nomination, we now know about your close relationship with Devon Energy and that you appear to have been willing to accept its representations about its business practices without independent confirmation or analysis. That reporting, based on documents produced by your office pursuant to Freedom of Information Act requests, also documented how you and members of your staff have worked closely with fossil fuel industry lobbyists to craft positions taken by your office. What that conduct says about your ability to lead EPA in a manner that is not beholden to special or secret interests is a subject that we expect will receive a full airing during your confirmation hearing.

Your relationship with the Rule of Law Defense Fund (the Fund) has received less attention but is no less troubling. According to its website, the Fund is a "public policy organization for issues relevant to the nation's Republican attorneys general." The Fund's annual IRS 990 reports list you as a member of its board and news reporting indicates you were instrumental in efforts to organize the Fund and you have participated in retreats organized by the Fund as recently as this year. Its organization under section 501(c)(4) of the Internal Revenue Code means the Fund need not disclose the identities of its donors, though Freedom Partners, which funds initiatives supported by the Koch brothers, has given the Fund at least \$175,000 since 2014. The Fund's activities, and your relationship to it, also require a full examination during your confirmation process.

Before the Senate votes to confirm you to run EPA, it is important that you provide a full disclosure of your relationship with the energy industry so we can determine how that will influence your ability to run the agency. Accordingly, we request you provide the following information before your confirmation hearing before the Committee:

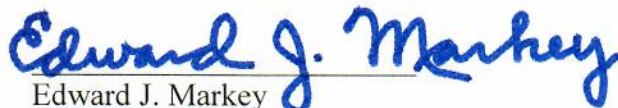
- A written explanation of the role you or any person under your supervision has played in the establishment and operation of the Fund;
- A list of all donors who have contributed to the Fund since its inception, total donated, and their affiliations;
- A list of all requests you have made for funding and what was given and from whom in response;
- A list of all expenditures of over \$1,000 made by the Fund since its inception;
- Details of any Fund expenditures over \$100 that have benefited you or any person under your supervision, including travel;
- All communications, including e-mails, between you and the Fund and between you and any individuals related to the establishment of the Fund or the conduct of the Fund's activities;
- A list of all meetings and fundraisers organized by or sponsored in whole or in part by the Fund that you or any person under your supervision attended, including the dates, locations, agendas and attendees; and
- A list of all federal and state legislation or regulations the Fund has taken a position on, Fund-organized legal briefs and letters to federal lawmakers, and all actions you have taken with respect to those matters.

The confirmation process, starting with your responses to Committee questions before your hearing, is an opportunity for you to dispel the notion that the advocacy you have undertaken on environmental issues as Attorney General of Oklahoma has been directed by and for the benefit of the energy industry. Accordingly, we look forward to your timely response to this request.

Sincerely,



Sheldon Whitehouse
United States Senator



Edward J. Markey
United States Senator



Jeffrey A. Merkley
United States Senator



Cory A. Booker
United States Senator



Bernard Sanders
United States Senator



Benjamin L. Cardin
United States Senator