

# United States Senate

WASHINGTON, DC 20510

January 24, 2017

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

Dear Mr. Pruitt:

Your evasions during last week's confirmation hearing were troubling and left us, and many other Americans, concerned. Accordingly, we sent you questions for the record (QFRs) to give you another opportunity to provide information we consider essential to fulfilling our constitutional duty to provide advice and consent. Complete and direct answers to our questions, particularly to those covering your activities as Oklahoma's Attorney General, give you the opportunity to set the record straight about your apparent conflicts of interest and questionable understanding of science.

We have several overarching concerns after your confirmation hearing, including: (1) your lack of environmental policy and enforcement efforts; (2) your failure to disclose fully your fundraising from companies and trade associations with matters before the Environmental Protection Agency (EPA); (3) ongoing Open Records Act requests languishing in your office, one for over 740 days; and (4) your apparent embrace of "alternative facts" concerning well-established science.

First, the list you provided us of your environmental cases and other details about your environmentally-related budget and workload calculations were incomplete and misleading. You failed to include all of your cases challenging EPA regulations, took credit for several cases initiated by your predecessor, and claimed that fraud cases against fossil-fuel companies were cases to improve the environmental quality of your state. Given the opportunity, you failed to provide evidence to counter proof that you shuttered your office's Environmental Protection Unit in its "move" to the Federalism Unit. Nor did you provide any evidence that you accomplished anything other than undermining environmental protections that had been in place before you arrived, including a failure to act to protect victims of asthma, water pollution and earthquakes caused by fracking wastewater injection.

Second, despite public reporting of wide-ranging political and legal conflicts of interest that you may have as Administrator, you have neither acknowledged these conflicts could even raise the appearance of impropriety nor committed to avoiding them if confirmed. You have yet to respond to questions sent by several of us in December about your relationship with the Rule of Law Defense Fund (RLDF), a dark-money funded 501(c)(4) that took in over \$950,000 in contributions in 2015, nor provide a meaningful answer about your relationship with RLDF consistent with what you reported to the Office of Government Ethics (OGE).

The RLDF has contributed over \$500,000 to the Republican Attorneys General Association (RAGA) since 2014, effectively laundering the identity of RAGA donors. In exchange for high-dollar sponsorships, RAGA hosted “private meetings” between Republican attorneys general, co-plaintiffs and amici in your EPA challenges. You admitted you were not required to disclose your affiliation with RAGA to OGE, yet refused to answer our questions. You could not even provide a straight answer to the hypothetical question whether it might be a conflict of interest if you had solicited a million dollar political contribution from a company regulated by EPA.

Third, we would like to give you a chance to more credibly explain your failure to respond to various Open Records Act requests, including one submitted in January 2015 that your office says covers over 3,000 documents between your office and the likes of Koch Industries, Devon Energy, Murray Energy, and other fossil fuel interests. According to a recent *E&E* article, your office has 52 outstanding open records requests. In our QFRs, we have asked you to clear the backlog of these Open Records Act requests and provide the committee with communications with your political and campaign allies, entities regulated by the EPA, and other environmentally-related material that has been requested.

Finally, you made various erroneous statements concerning well-established science. You did not know there is a safe level of lead in the human body. You refused to repudiate statements you made that question the health impacts of mercury pollution. You refused to acknowledge that carbon pollution from human activities is widely recognized as the largest driver of climate change. These statements raise significant questions about whether instead of embracing science, you will be embracing “alternative facts.”

We take our duty to provide advice and consent on the President’s cabinet nominations very seriously, and encourage you to fully respond to all of our questions. The EPA Administrator is entrusted with the health and wellbeing of every American, all of whom deserve a clear picture of your record and vision for the EPA.

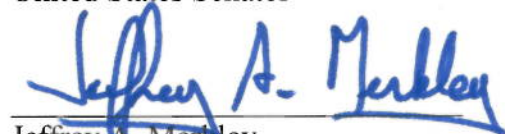
Sincerely,



Sheldon Whitehouse  
United States Senator



Bernard Sanders  
United States Senator



Jeffrey A. Merkley  
United States Senator



Kirsten E. Gillibrand  
United States Senator



Edward J. Markey  
United States Senator



Tammy Duckworth  
United States Senator