

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

March 13, 2017

Mr. Arthur A. Elkins, Jr.
Inspector General
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Elkins:

We request that you initiate an investigation into policies and procedures regarding conflicts of interest at the U.S. Environmental Protection Agency (EPA). Recent news reports have indicated close coordination between industries regulated by EPA and Administrator Pruitt in his role as Attorney General of the State of Oklahoma. The reports raise serious concerns of potential conflicts of interest. For example, the *New York Times* suggests Mr. Pruitt closely coordinated with major oil and gas producers, electric utilities, and political groups, stating:

Industry executives and Mr. Pruitt held secret meetings to discuss more comprehensive ways to combat the Obama administration's environmental agenda, and companies and the organizations they funded repeatedly praised Mr. Pruitt and his staff for the assistance in their campaign.¹

The *Wall Street Journal* similarly reported that Mr. Pruitt was part of a coalition of mainly Republican state attorneys general who sued the government "over an array of regulations during Mr. Obama's presidency, targeting numerous environmental rules. Mr. Pruitt often joined lawsuits with energy companies that also contributed to his campaigns for the attorney general post."² Recent press accounts also indicate Mr. Pruitt has previously used a private email account for state business despite stating during his confirmation hearing that he had not.³

¹ *The Pruitt Emails: E.P.A. Chief Was Arm in Arm With Industry*, New York Times (Feb. 22, 2017).

² *EPA Chief Scott Pruitt's Emails Show Close Ties With Oil and Gas Companies*, Wall Street Journal (Feb. 23, 2017).

³ *New EPA Head Told Congress He Never Used Personal Email for Government Business. But It Turns Out He Did*, New York Times (Mar. 2, 2017).

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The Committee on Energy and Commerce has a longstanding interest in ensuring that government agencies maintain comprehensive and effective conflict of interest policies and procedures. To understand how EPA and your office might address any perceived or actual conflicts of interest given the previous business dealings detailed in the press and recently disclosed emails, we request an investigation addressing the following issues:

1. What conflict of interest policies, procedures, and laws exist to ensure Mr. Pruitt and all other current political appointees do not have conflicts of interest with their positions at EPA or with EPA enforcement actions? How do these policies ensure appointees are recused from enforcement actions where potential conflicts of interest exist?
2. What laws and agency policies govern potential financial conflicts of interest of Mr. Pruitt and all other current political appointees? Do these policies specifically consider whether Mr. Pruitt or other political appointees or their spouses maintain any financial holdings (including but not limited to stock holdings or mutual fund holdings) in the oil and gas industry or electric utility industry?
3. What agency ethics trainings and certifications are Mr. Pruitt and all other current political appointees required to complete in order to join the agency? What EPA ethics policies and procedures are they subject to going forward, and how do these policies ensure conflicts of interest are avoided?
4. How do agency conflict of interest policies, procedures, and any relevant laws restrict Mr. Pruitt's ability to coordinate, fundraise, or otherwise support organizations in which Mr. Pruitt previously served in a leadership capacity, such as the Republican Attorneys General Association?

It is critical that EPA and all federal agencies maintain effective conflict of interest policies and ethics requirements in order to ensure government operates in an honest and transparent manner. Your investigation will help us better understand the role your office will play in ensuring strict adherence to such rules and guidelines, and how EPA and its new management will address these concerns.

Sincerely,



Frank Pallone, Jr.
Ranking Member



Bobby L. Rush
Ranking Member
Subcommittee on Energy



Diana DeGette
Ranking Member
Subcommittee on Oversight
and Investigations



Kathy Castor
Vice Ranking Member
Committee on Energy and Commerce



John Sarbanes
Member of Congress



Paul D. Tonko
Ranking Member
Subcommittee on Environment