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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510–6250

June 28, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Dear Administrator Pruitt:

I write to request information on the position of the Environmental Protection Agency's (EPA) Scientific Integrity Official. As explained by one observer, the EPA's Scientific Integrity Official is responsible for "document[ing] science 'incidents' at the agency, and even 'investigat[ing]' science problems—alongside no less than the agency's inspector general."[1] I respectfully ask for your assistance in better understanding the responsibilities, authority, and budget for this position.

In March 2009, President Obama issued a memorandum directing federal agencies to create "scientific integrity" policies.[2] In February 2012, the EPA published its Scientific Integrity Policy to, among other things, "ensure scientific integrity throughout the EPA and promote scientific and ethical standards . . . ."[3] The EPA's Policy established a Scientific Integrity Committee, chaired by the Scientific Integrity Official and comprised of Deputy Scientific Officials representing each of the EPA's program offices.[4]

On November 25, 2013, former Administrator Gina McCarthy appointed Dr. Francesca Grifo, formerly of the Union of Concerned Scientists, as the EPA's Scientific Integrity Official.[5] As chair of the Scientific Integrity Committee, Dr. Grifo is charged with investigating allegations of "scientific misconduct" within the agency.[6] However, the scope of this authority is limited. The Scientific Integrity Committee's policies require it to refer any matters with legal, ethical, or criminal ramifications to the EPA's Office of Inspector General, the EPA's Ethics Official, or the Office of Special Counsel.[7]

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[1] Kimberly A. Strassel, *Anatomy of a Deep State*, The Wall Street Journal (May 25, 2017).
[2] *See* Memorandum for the Heads of Executive Departments and Agencies (Mar. 9, 2009).
[3] U.S. Envt'l Prot. Agency, Scientific Integrity Policy (2012), *available at* https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf; *see also* Memorandum from Bob Perciasepe, Deputy Administrator, U.S. Envt'l Prot. Agency, to all EPA employees (Feb. 16, 2012).
[4] Scientific Integrity Policy, *supra* note 3, at 10.
[5] Press Release, U.S Envt'l Prot. Agency, EPA Appoints New Scientific Integrity Official (Nov. 25, 2013).
[6] Scientific Integrity Policy, *supra* note 3, at 10.
[7] U.S. Envt'l Prot. Agency, Scientific Integrity Annual Report – FY 2014 (2015), *available at* https://www.epa.gov/sites/production/files/2015-04/documents/annual_report_scientific_integrity_2014_final_pages.pdf.

Dr. Grifo is allegedly investigating a complaint brought by the Sierra Club about the scientific integrity of your statements on whether carbon dioxide is a primary cause of global warming.[8] One observer noted concern about the apparent politicization of the EPA scientific process—specifically the one-sided nature of the EPA's annual Scientific Integrity stakeholder meeting.[9] Another commentator similarly wrote that Dr. Grifo had politicized the EPA's research by "inviting numerous far-left political groups to advise the EPA on its scientific standards."[10] By these accounts, Dr. Grifo is "a government employee using taxpayer funds to gather political activists on government grounds to plot—let's not kid ourselves—ways to sabotage the Trump administration."[11]

To better understand the role of the EPA's Scientific Integrity Official, I respectfully request that you please provide the following information and materials:

1. For each fiscal year since fiscal year 2011, please provide budgetary data for the EPA's Scientific Integrity Committee, including the Scientific Integrity Official, all Deputy Scientific Integrity Officials, and all supporting staff members.

2. Please explain the Scientific Integrity Official's statutory authority to investigate Senate-confirmed officials.

3. Please explain why the EPA created a position of Scientific Integrity Official rather than authorize an existing senior official to exercise the responsibilities of that position.

4. Please explain how the EPA's Scientific Integrity Committee is accountable to the Senate-confirmed leadership.

Please provide this information as soon as possible, but no later than 5:00 pm on July 12, 2017.

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate "the efficiency, economy, and effectiveness of all agencies and departments of the Government."[12] Additionally, S. Res. 62 (115th Congress) authorizes the Committee to examine "the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs."[13]

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[8] *Supra* note 1.
[9] *Id.*
[10] Philip Wegmann, *Exclusive: Far-left green groups invited to advise EPA on scientific integrity*, Wash. Examiner, May 18, 2017.
[11] *Supra* note 1.
[12] S. Rule XXV(k); *see also* S. Res. 445, 108th Cong. (2004).
[13] S. Res. 62 § 12, 115th Cong. (2015).

If you have any questions about this request, please ask your staff to contact David Brewer at (202) 224-4751. Thank you for your prompt attention to this matter.

Sincerely,

Ron Johnson
Chairman

cc: The Honorable Claire McCaskill
Ranking Member