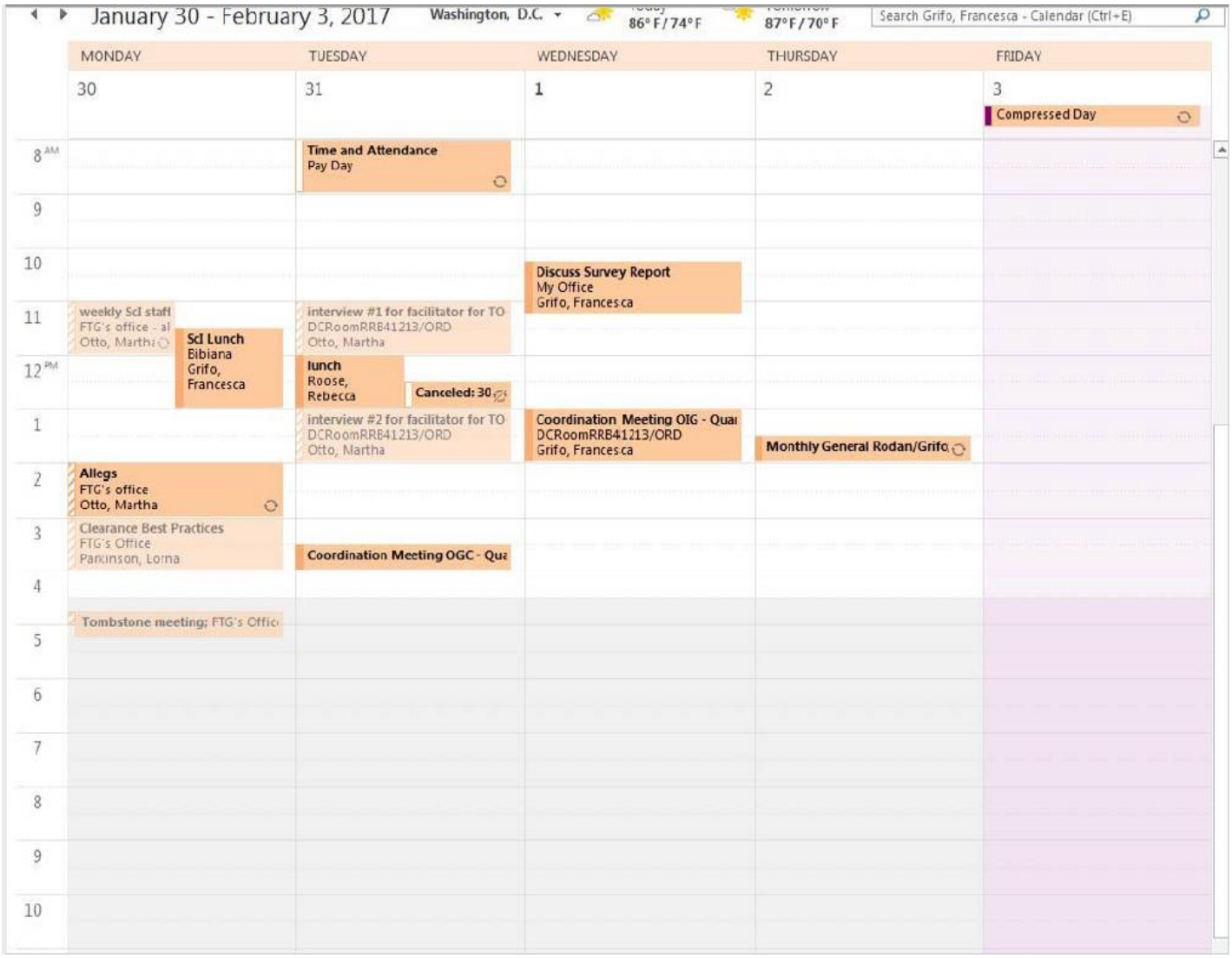
EPA-HQ-2017-008310: Request #3 Response



EPA-HQ-2017-008310: Request #4 Response

Return to document list

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100% Draft

From: Grifo, Francesca
Sent: Thursday, February 02, 2017 3:40 PM
To: Hitchens, Lynnann <hitchens.lynnann@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>
Subject: OSP Whistleblower Certification

Hi there –

Hope you all are the right folks to contact on this. I have heard that we are in the process of obtaining this certification from the Office of the Special Counsel. Is this true? Do you know its current status? I have had an external source publicly criticize the Agency for not having this so I promised to inquire about the status. The OIG has successfully completed their certification.

Thank you!!

Francesca

Francesca T. Grifo, Ph. D.

Scientific Integrity Official

US EPA Office of the Science Advisor

202-564-1687

http://www.epa.gov/osa/basic-information-about-scientific-integrity

709.64 kb/s

From: Hitchens, Lynnann
Sent: Thursday, February 02, 2017 4:20 PM
To: Grifo, Francesca <Grifo.Francesca@epa.gov>; Corbett, Krysti <Corbett.Krysti@epa.gov>
Subject: RE: OSP Whistleblower Certification

Francesca –

The agency has completed all of the requirements. If you need specific information, please give me a call. I tried to call you but there seemed to be a problem with your phone. I will be in the office tomorrow.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: 202-617-0738

709.64 kb/s

From: Grifo, Francesca
Sent: Thursday, February 02, 2017 4:38 PM
To: Hitchens, Lynnann <hitchens.lynnann@epa.gov>
Cc: Corbett, Krysti <Corbett.Krysti@epa.gov>
Subject: RE: OSP Whistleblower Certification

Great – very helpful. Is there a place on the internet where this is "officially" stated that I can point them to? Or is there an actual certificate that could be scanned and sent? Only the Inspector General certification is listed on the OSC website so if we have done this for whatever reason we are not getting credit for it.

Thank you!

Francesca

Francesca T. Grifo, Ph. D.

Scientific Integrity Official

US EPA Office of the Science Advisor

202-564-1687

http://www.epa.gov/osa/basic-information-about-scientific-integrity

From: Hitchens, Lynnann
Sent: Thursday, February 02, 2017 4:41 PM
To: Grifo, Francesca <Grifo.Francesca@epa.gov>
Cc: Corbett, Krysti <Corbett.Krysti@epa.gov>
Subject: RE: OSP Whistleblower Certification

The requirements were met and the information was submitted as required back in November, however we have not received any kind of certificate from OSC. Maybe there is a delay in confirmation, or perhaps someone needs to follow up.

Lynnann Hitchens

Acting Director, Office of Resources, Operations and Management

Office of Administration and Resources Management

P: 202-564-3184

M: 202-617-0738

From: Grifo, Francesca [mailto:Grifo.Francesca@epa.gov]
Sent: Thursday, February 02, 2017 4:44 PM
To: Gretchen Goldman
Subject: FW: OSP Whistleblower Certification

Followed up – so this is the status of our other whistleblower certification. I will keep pinging them until something is posted on OSC's website.

Best,

Francesca

Francesca T. Grifo, Ph. D.

Scientific Integrity Official

US EPA Office of the Science Advisor

202-564-1687

http://www.epa.gov/osa/basic-information-about-scientific-integrity

Return to document list

ED_001292A_00000091

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To: Grifo, Francesca[Grifo.Francesca@epa.gov]
From: Gretchen Goldman
Sent: Thur 2/9/2017 6:58:48 PM
Subject: RE: OSP Whistleblower Certification
MAIL_RECEIVED: Thur 2/9/2017 6:58:53 PM

Thanks, Francesca! I've also inquired with OSC about how updated the webpage is. I'd hope if you completed the certification in November that would be reflected, but perhaps not. We have now updated the EPA Differing Scientific Opinions policy grade to "yellow" per your previous feedback. That is reflected online and in our printed reports. See you at AAAS!

Gretchen

Return to document list

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To: Grifo, Francesca[Grifo.Francesca@epa.gov]
From: Francesca Grifo
Sent: Wed 2/8/2017 9:18:39 PM
Subject: Fwd: [goodregs] New bill to strengthen scientific integrity
MAIL_RECEIVED: Wed 2/8/2017 9:18:44 PM

Francesca T. Grifo
Sent from my iPhone - please forgive my brevity!

Begin forwarded message:

From: Yogin Kothari <YKothari@ucsusa.org>
Date: February 8, 2017 at 2:17:16 PM EST
To: "Coalition for Sensible Safeguards (goodregs)" <goodregs@listserver.citizen.org>
Subject: [goodregs] New bill to strengthen scientific integrity
Reply-To: Yogin Kothari <YKothari@ucsusa.org>

Apologies for cross posting. Thought some folks might be interested in this.

Congress is Trying to Protect Federal Scientists Because President Trump Isn't

GRETCHEN GOLDMAN, RESEARCH DIRECTOR, CENTER FOR SCIENCE AND DEMOCRACY | FEBRUARY 8, 2017, 10:03 AM EST

Today members of the Senate, led by Senator Bill Nelson, introduced a bill to strengthen scientific integrity in federal decision making. If ever there was a time that such a bill is needed, it is now.

The Trump administration has already revealed its disrespect for the use of science in federal decision-making. From instating sweeping gag orders on federal scientists right out of the gate, to across-the-board hiring freezes and disruptive holds on grants and contracts, early indications suggest that this administration is not likely to be a leader in championing scientific integrity in government decision-making.

Moreover, the administration's pick to lead the EPA, Scott Pruitt, has expressed limited understanding and respect for the EPA's scientific integrity policy, noting in his confirmation hearing, "I expect to learn more about EPA's scientific integrity policies." In the face of such abuses, a move to strengthen scientific integrity at federal agencies is certainly welcome.

Read more: http://blog.ucsusa.org/gretchen-goldman/congress-is-trying-to-protect-federal-scientists-because-president-trump-isnt

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Yogin Kothari

Washington Representative, Center for Science and Democracy

O: 202-331-5665 | C: 714-906-9916

Union of Concerned Scientists | 1825 K Street NW, Suite 800 | Washington, DC 20006

Follow me on Twitter | Read my blog

The Union of Concerned Scientists puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with citizens across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future.

www.ucsusa.org | Take action with our citizen network or expert network. | Support our work. |
Join the conversation on our blog or follow us on Facebook and Twitter.

You are currently subscribed to goodregs as: francescatgrifo@gmail.com. To unsubscribe click here: http://cts.citizen.org/u?id=103655780.c7bed2d8bcbd0e0230cacfbd4c41a02c&n=T&l=goodregs&o=4179726 or send a blank email to leave-4179726-103655780.c7bed2d8bcbd0e0230cacfbd4c41a02c@listserver.citizen.org.

814.04 kb/s

Return to document list

ED_001292A_00000037

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100% Draft

To: Grifo, Francesca[Grifo.Francesca@epa.gov]
From: Elena Saxonhouse
Sent: Mon 5/1/2017 11:29:30 PM
Subject: Meeting request re: OIG Hotline No. 2017-0183
MAIL_RECEIVED: Mon 5/1/2017 11:31:03 PM

Dear Dr. Grifo:
My colleague Joanne Spalding and I are going to be in DC next week and were hoping to meet with you to discuss our letter regarding Administrator Pruitt's statements about carbon dioxide. We would like to determine if there is additional information we can provide or other ways we can help to resolve our request. Do you have any availability the morning of Friday, May 12? I look forward to hearing from you.

Elena Saxonhouse
Senior Attorney
Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
Phone: 415-977-5765

Return to document list

ED_001292A_00000138

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To: Elena Saxonhouse[elena.saxonhouse@sierraclub.org]
From: Grifo, Francesca
Sent: Tue 5/2/2017 1:27:21 PM
Subject: Re: Meeting request re: OIG Hotline No. 2017-0183
MAIL_RECEIVED: Tue 5/2/2017 1:27:21 PM

Ordinarily I would welcome such a meeting but I will be out of the office on leave most of next week.

Thank you for reaching out!

Francesca

Sent from my iPhone

On May 1, 2017, at 7:31 PM, Elena Saxonhouse <elena.saxonhouse@sierraclub.org> wrote:

Dear Dr. Grifo:
My colleague Joanne Spalding and I are going to be in DC next week and were hoping to meet with you to discuss our letter regarding Administrator Pruitt's statements about carbon dioxide. We would like to determine if there is additional information we can provide or other ways we can help to resolve our request. Do you have any availability the morning of Friday, May 12? I look forward to hearing from you.

Elena Saxonhouse
Senior Attorney
Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
Phone: 415-977-5765

Return to document list

ED_001292A_00000036

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100% Draft

To: Grifo, Francesca[Grifo.Francesca@epa.gov]
From: Elena Saxonhouse
Sent: Wed 5/3/2017 10:32:01 PM
Subject: Re: Meeting request re: OIG Hotline No. 2017-0183
MAIL_RECEIVED: Wed 5/3/2017 10:33:06 PM

Sorry the timing won't work out. We'd be happy to set up a conference call for another time if that would be helpful.
-Elena

Elena Saxonhouse
Senior Attorney
Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
Phone: 415-977-5765

On Tue, May 2, 2017 at 6:27 AM, Grifo, Francesca <Grifo.Francesca@epa.gov> wrote:

Ordinarily I would welcome such a meeting but I will be out of the office on leave most of next week.

Thank you for reaching out!

Francesca

Return to document list

ED_001292A_00000034

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100% Draft

To: Grifo, Francesca[Grifo.Francesca@epa.gov]
Cc: Brown, Clay[Brown.Clay@epa.gov]; Joanne Spalding[joanne.spalding@sierraclub.org]
From: Elena Saxonhouse
Sent: Fri 5/5/2017 2:49:46 PM
Subject: Supplement to Sierra Club request for investigation (OIG Hotline No. 2017-0183)
MAIL_RECEIVED: Fri 5/5/2017 2:50:52 PM
Sierra Club Scientific Integrity Complaint Update 5-5-17.pdf

Dear Dr. Grifo: Please see the attached supplement to our March 14, 2017 letter. Thank you for your attention to our concerns.

Elena Saxonhouse
Senior Attorney
Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
Phone: 415-977-5765

Return to document list

ED_001292A_00000033

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80% Draft

To: Elena Saxonhouse[elena.saxonhouse@sierraclub.org]; Grifo, Francesca[Grifo.Francesca@epa.gov]
Cc: Joanne Spalding[joanne.spalding@sierraclub.org]
From: Brown, Clay
Sent: Fri 5/5/2017 2:57:39 PM
Subject: RE: Supplement to Sierra Club request for investigation (OIG Hotline No. 2017-0183)
MAIL_RECEIVED: Fri 5/5/2017 2:57:40 PM

The correct Hotline number is 2017-0182.

Special Agent Clay M. Brown
Desk Officer for the EPA, OIG Hotline
US EPA, OIG, Office of Investigations HQ
1200 Pennsylvania Ave NW Mailcode 2431T
Washington, DC 20460

Hotline - 202-566-2476 or 888-546-8740

Hotline Fax 202-566-2599 Web Address oig_hotline@epa.gov

Hotline records are protected under the Privacy Act 5 U.S.C. § 552a. All EPA employees handling protected information have a legal and ethical obligation to hold that information in confidence and to actively protect it from improper uses. Except as specifically authorized, EPA employees shall not disclose, directly or indirectly the contents of any record about another individual to any person or organization. EPA employees who willfully release protected information, without authority, may be guilty of a misdemeanor and fined up to $5,000. In addition, any employee violating the Privacy Act or EPA regulations is subject to disciplinary action, which may result in dismissal.

From: Elena Saxonhouse [mailto:elena.saxonhouse@sierraclub.org]
Sent: Friday, May 05, 2017 10:50 AM
To: Grifo, Francesca <Grifo.Francesca@epa.gov>
Cc: Brown, Clay <Brown.Clay@epa.gov>; Joanne Spalding <joanne.spalding@sierraclub.org>
Subject: Supplement to Sierra Club request for investigation (OIG Hotline No. 2017-0183)

Dear Dr. Grifo: Please see the attached supplement to our March 14, 2017 letter. Thank you for your attention to our concerns.

Elena Saxonhouse

706.82 kb/s

Return to document list

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To: Brown, Clay[Brown.Clay@epa.gov]
Cc: Grifo, Francesca[Grifo.Francesca@epa.gov]; Joanne Spalding[joanne.spalding@sierraclub.org]
From: Elena Saxonhouse
Sent: Fri 5/5/2017 3:02:54 PM
Subject: Re: Supplement to Sierra Club request for investigation (OIG Hotline No. 2017-0183)
MAIL_RECEIVED: Fri 5/5/2017 3:04:01 PM
Sierra Club Scientific Integrity Complaint Update 5-5-17.pdf

A corrected version of the letter is attached.

Elena Saxonhouse
Senior Attorney
Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
Phone: 415-977-5765

On Fri, May 5, 2017 at 7:57 AM, Brown, Clay <Brown.Clay@epa.gov> wrote:

The correct Hotline number is 2017-0182.

Special Agent Clay M. Brown
Desk Officer for the EPA, OIG Hotline
US EPA, OIG, Office of Investigations HQ
1200 Pennsylvania Ave NW Mailcode 2431T
Washington, DC 20460

Hotline - 202-566-2476 or 888-546-8740

1.46 mb/s

Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612

Dr. Francesca Grifo, Scientific Integrity Official
U.S. Environmental Protection Agency
Office of the Science Advisor (8105R)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Submitted via E-Mail to grifo.francesca@epa.gov

May 5, 2017

Re: OIG Hotline No. 2017-0183, Supplemental Information

Dear Dr. Grifo:

We are writing to supplement our previous request for an investigation based on new information.

On the eve of the People's Climate March, which drew many thousands of people to Washington, DC to seek stronger action on climate change, the Environmental Protection Agency announced that it was "updating" its web pages that had formerly explained the causes of global warming to "reflect the approach of new leadership."[1]
The web pages that no longer appear on EPA's website[2] include the very pages that we cited in our March 14, 2017 letter seeking an investigation of Administrator Pruitt. These pages explain that carbon dioxide is a primary contributor to climate change, contradicting Administrator's Pruitt's public statements at the heart of our complaint. The removal of these webpages is an alarming development that underscores the importance of your investigation and the need for corrective action. It suggests that instead of correcting Administrator Pruitt's false version of the state of climate science, the Agency is instead conforming its website to reflect the Administrator's "alternative facts."

The removal of sources of information about climate change that have existed on the EPA website for decades will only further confuse the public and policymakers as to the scientific consensus on climate

[1] *EPA Kicks Off Website Updates* (Apr. 28, 2017), https://www.epa.gov/newsreleases/epa-kicks-website-updates.
[2] The web pages are archived on a page that alerts readers that it is "not the current EPA website." *See* https://19january2017snapshot.epa.gov/climatechange_.html. Not all the tools within the pages that were archived are maintained for public use. For example, the AVERT tool, which allowed users to calculate how much carbon dioxide could be avoided through various policy changes is no longer available.

change. As several petitions to reconsider EPA's Endangerment Finding are pending before the Agency, the suppression of scientific consensus on this matter has grave policy implications.

Scientific facts cannot be erased or revised to "reflect the approach" of new political appointees. The agency's Scientific Integrity Policy is clear on this point.[3] The move to revise portions of the agency's website that are merely reporting *facts*, not policy, is the next step in the erosion of scientific integrity at the agency that began with Administrator Pruitt's misinformation on the relationship between carbon dioxide and global warming. EPA staff told the Washington Post, "[W]e can't have information which contradicts the actions we have taken in the last two months [on the website.]"[4] This attempt to bend facts to political will cannot be normalized. It is unacceptable behavior for the leadership of any administrative agency – and especially for one that prides itself on science-based decisionmaking.

It is not only Sierra Club that is alarmed by this development. The public, the media, and EPA's own staff recognize the move to revise the climate change website as politicization and suppression of science. The Washington Post noted that the language on the site had been used to challenge Administrator Pruitt's statements on CNBC,[5] and there were further reports that, "[a]ccording to veteran EPA employees . . . the revisions seem to be aimed at justifying the Trump administration's drastic rollback of Obama-era climate change policies. . . 'I think we are feeling whipsawed and outraged on behalf of the American people, who rely on us for unbiased scientific information and data,' one EPA staffer said. 'This hiding of and, going forward, refusal to update vital scientific data is completely unprecedented and counter to everything a democracy stands for and does.'"[6] Thus, it is clear that this action has already undermined the scientific integrity of the agency.

---

[3] *See* U.S. Environmental Protection Agency Scientific Integrity Policy (2012) (hereinafter "Policy"), https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf. The Policy states that it "[f]acilitates the free flow of scientific information" (p. 4); that "policy makers shall not knowingly misrepresent, exaggerate, or downplay areas of scientific uncertainty associated with policy decisions" (p. 5); that the Policy "is intended to outline the Agency's expectations for developing and communicating scientific information to the public, to the scientific community, to Congress, and to the news media by further providing for and *protecting the EPA's longstanding commitment to the timely and unfiltered dissemination of its scientific information – uncompromised by political or other interference.*" (p. 5); that "[t]he Agency's scientists and managers are expected to: Represent Agency scientific activities clearly, accurately, honestly, objectively, thoroughly, without political or other interference" (p. 6); and that "[u]nder no circumstances should the public affairs staff attempt to alter or change scientific findings or results. The role of the public affairs officer is to ensure that the science is plainly and clearly communicated for the intended audience in a timely fashion." (p. 7).

[4] Chris Mooney & Juliet Eilperin, THE WASHINGTON POST, *EPA Website Removes Climate Science Site from Public View After Two Decades* (Apr. 29, 2017), https://www.washingtonpost.com/news/energy-environment/wp/2017/04/28/epa-website-removes-clima te-science-site-from-public-view-after-two-decades/?utm_term=.55fda09f8e4e .

[5] *Id.*

[6] Andrew Freeman, *Trump's big EPA website changes reach 'whole new level of willful ignorance'*, May 2, 2017, http://mashable.com/2017/05/02/epa-climate-change-website-changes-willful-ignorance/#280YtgVTbiq7.

We urge you to use your oversight authority to stem the loss of scientific integrity at the agency. Rather than suppressing the scientific data that has long been hosted on the EPA's website, the agency should maintain this public resource.[7] That it clearly contradicts Administrator Pruitt's statements should lead the Administrator to correct himself, not to take down the website.

To resolve our concerns, as set forth in this letter and our letter of March 14, 2017, we respectfully request that the Office of the Science Advisor, or, as originally requested, the Office of the Inspector General, take the following actions:

> (1) Advise Administrator Pruitt to publicly correct his statements regarding the relationship between carbon dioxide and global warming so that they are consistent with the broad scientific consensus on climate change (documented in our March 14, 2017 letter), EPA's own evaluation of that science as described in the removed websites, and as exhaustively set forth in the Endangerment Finding, which reflects EPA's official position.
>
> (2) In keeping with the Agency's dedication to "unfiltered dissemination of scientific information," advise that employees must maintain the public availability of the agency's science and research, including the website summaries removed on April 28, 2017.
>
> (3) Advise EPA staff, including Administrator Pruitt, that any employee who revises *or omits* scientific facts presented by the Agency in order to conform to the political views of managers is violating the Scientific Integrity Policy and subject to discipline.

Please do not hesitate to contact us if you would like to discuss our request or seek further information.

Sincerely,

Elena Saxonhouse, Senior Attorney
(415) 977-5765
elena.saxonhouse@sierraclub.org

Joanne Spalding, Chief Climate Counsel
(415) 977-5725
joanne.spalding@sierraclub.org

[7] Mooney & Eilperin, *supra* note 4 ("The page contains scientific explanations of climate change and its causes and consequences, and has existed in one form or another since at least 1997.").

Sierra Club - Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612

Dr. Francesca Grifo, Scientific Integrity Official
U.S. Environmental Protection Agency
Office of the Science Advisor (8105R)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Submitted via E-Mail to grifo.francesca@epa.gov

May 5, 2017

Re: OIG Hotline No. 2017-0182, Supplemental Information

Dear Dr. Grifo:

We are writing to supplement our previous request for an investigation based on new information.

On the eve of the People's Climate March, which drew many thousands of people to Washington, DC to seek stronger action on climate change, the Environmental Protection Agency announced that it was "updating" its web pages that had formerly explained the causes of global warming to "reflect the approach of new leadership."[1]

The web pages that no longer appear on EPA's website[2] include the very pages that we cited in our March 14, 2017 letter seeking an investigation of Administrator Pruitt. These pages explain that carbon dioxide is a primary contributor to climate change, contradicting Administrator's Pruitt's public statements at the heart of our complaint. The removal of these webpages is an alarming development that underscores the importance of your investigation and the need for corrective action. It suggests that instead of correcting Administrator Pruitt's false version of the state of climate science, the Agency is instead conforming its website to reflect the Administrator's "alternative facts."

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[1] *EPA Kicks Off Website Updates* (Apr. 28, 2017), https://www.epa.gov/newsreleases/epa-kicks-website-updates.

[2] The web pages are archived on a page that alerts readers that it is "not the current EPA website." *See* https://19january2017snapshot.epa.gov/climatechange .html. Not all the tools within the pages that were archived are maintained for public use. For example, the AVERT tool, which allowed users to calculate how much carbon dioxide could be avoided through various policy changes is no longer available.

change. As several petitions to reconsider EPA's Endangerment Finding are pending before the Agency, the suppression of scientific consensus on this matter has grave policy implications.

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[3] *See* U.S. Environmental Protection Agency Scientific Integrity Policy (2012) (hereinafter "Policy"), https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf. The Policy states that it "[f]acilitates the free flow of scientific information" (p. 4); that "policy makers shall not knowingly misrepresent, exaggerate, or downplay areas of scientific uncertainty associated with policy decisions" (p. 5); that the Policy "is intended to outline the Agency's expectations for developing and communicating scientific information to the public, to the scientific community, to Congress, and to the news media by further providing for and *protecting the EPA's longstanding commitment to the timely and unfiltered dissemination of its scientific information – uncompromised by political or other interference*." (p. 5); that "[t]he Agency's scientists and managers are expected to: Represent Agency scientific activities clearly, accurately, honestly, objectively, thoroughly, without political or other interference" (p. 6); and that "[u]nder no circumstances should the public affairs staff attempt to alter or change scientific findings or results. The role of the public affairs officer is to ensure that the science is plainly and clearly communicated for the intended audience in a timely fashion." (p. 7).

[4] Chris Mooney & Juliet Eilperin, THE WASHINGTON POST, *EPA Website Removes Climate Science Site from Public View After Two Decades* (Apr. 29, 2017), https://www.washingtonpost.com/news/energy-environment/wp/2017/04/28/epa-website-removes-clima te-science-site-from-public-view-after-two-decades/?utm_term=.55fda09f8e4e .

[5] *Id.*

[6] Andrew Freeman, *Trump's big EPA website changes reach 'whole new level of willful ignorance'*, May 2, 2017, http://mashable.com/2017/05/02/epa-climate-change-website-changes-willful-ignorance/#280YtgVTbiq7.

We urge you to use your oversight authority to stem the loss of scientific integrity at the agency. Rather than suppressing the scientific data that has long been hosted on the EPA's website, the agency should maintain this public resource.[7] That it clearly contradicts Administrator Pruitt's statements should lead the Administrator to correct himself, not to take down the website.

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(1) Advise Administrator Pruitt to publicly correct his statements regarding the relationship between carbon dioxide and global warming so that they are consistent with the broad scientific consensus on climate change (documented in our March 14, 2017 letter), EPA's own evaluation of that science as described in the removed websites, and as exhaustively set forth in the Endangerment Finding, which reflects EPA's official position.

(2) In keeping with the Agency's dedication to "unfiltered dissemination of scientific information," advise that employees must maintain the public availability of the agency's science and research, including the website summaries removed on April 28, 2017.

(3) Advise EPA staff, including Administrator Pruitt, that any employee who revises *or omits* scientific facts presented by the Agency in order to conform to the political views of managers is violating the Scientific Integrity Policy and subject to discipline.

Please do not hesitate to contact us if you would like to discuss our request or seek further information.

Sincerely,

Elena Saxonhouse, Senior Attorney
(415) 977-5765
elena.saxonhouse@sierraclub.org

Joanne Spalding, Chief Climate Counsel
(415) 977-5725
joanne.spalding@sierraclub.org

[7] Mooney & Eilperin, *supra* note 4 ("The page contains scientific explanations of climate change and its causes and consequences, and has existed in one form or another since at least 1997.").

EPA-HQ-2017-008310: Request #6 Response

LAMAR S. SMITH, Texas
CHAIRMAN

EDDIE BERNICE JOHNSON, Texas
RANKING MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6301
(202) 225-6371
www.science.house.gov

May 22, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator Pruitt:

The Committee on Science, Space, and Technology is continuing its longstanding oversight of the Environmental Protection Agency (EPA) and its scientific programs. During the previous administration, the Committee documented numerous instances of the politicization of EPA scientific and regulatory processes. For example, senior EPA officials routinely held secretive meetings or conversed via private email with environmental activist organizations,[1] provided access to draft EPA documents,[2] and offered comments and suggestions on advocacy groups' work products.[3] The Committee learned that the close relationship between the Obama EPA and activist environmental groups was not surprising; many of the EPA's senior officials, including some still working at the agency, previously worked for these organizations.[4]

The Committee recently learned of an invitation-only meeting, described as the "EPA Scientific Integrity Annual Stakeholder Meeting," scheduled for June 14, 2017, at EPA headquarters in Washington.[5] The invitation, sent via email by EPA's Scientific Integrity Official, Dr. Francesca Grifo, invites 45 individuals to EPA where Dr. Grifo will "answer your questions, share current scientific integrity initiatives, and discuss future plans for scientific integrity at EPA."[6]

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[1] Letter from Hon. Lamar Smith, Chairman, H. Comm. on Science, Space, and Technology, to Hon. Gina McCarthy, Administrator, U.S. EPA, May 14, 2015.
[2] *Id.*
[3] *Examining EPA's Predetermined Efforts to Block the Pebble Mine, Part II Before the H. Comm. on Science, Space, and Technology*, 114th Cong. (2016).
[4] *See*, e.g., Darren Samuelsohn, *'NRDC Mafia' Finding Homes on Hill, in EPA*, N.Y. TIMES, Mar. 6, 2009, *available at* http://www.nytimes.com/gwire/2009/03/06/06greenwire-nrdc-mafia-finding-homes-on-hill-in-epa-10024.html.
[5] Email from Francesca Grifo, Scientific Integrity Official, U.S. EPA (on file with author).
[6] *Id.*

The EPA scientific integrity program's website states, "[s]cience is the backbone of EPA's decision-making. The Agency's ability to pursue its mission to protect human health and the environment depends upon the integrity of the science on which it relies."[7] In describing its mission, the program's website also provides information on the importance of scientific integrity:

> Scientific integrity helps to build public support. People are more likely to support the Agency if they can trust the quality and integrity of its work … Since EPA reseach [sic] often involves a great deal of cooperation and coordination among many different people in different disciplines and institutions, scientific integrity promotes the values that are essential to collaborative work, such as trust, accountability, and fairness.[8]

Unfortunately, despite this stated commitment to inclusivity, outreach, and a belief in the importance of promoting scientific integrity to build public support, the June 14 stakeholder meeting appears to be markedly exclusive. While Dr. Grifo included a number of respected scientists and non-political scientific organizations in her 45 meeting invitations, only one invitation was sent to an organization that is readily identifiable as representing the views and interests of industries impacted by agency decisions underpinned by EPA's scientific programs.[9] It does not appear that any state environmental or scientific officials received invitations to attend despite the clear impact of EPA's scientific programs on regulations and other agency actions on states.

On the other hand, a significant number of environmental and other left-leaning activist organizations apparently have received invitations. The in-house lobbyist for Earthjustice received an invitation, as did a non-scientist vice president of Demos. Public Citizen was asked to send two representatives, as was the Natural Resources Defense Council. Three spots were reserved for the Union of Concerned Scientists; Dr. Grifo's affinity for that environmental activist organization can perhaps be explained by the fact that she was employed by the Union of Concerned Scientists prior to joining EPA.[10]

We can think of no scientific or policy-based rationale for limiting invitations to a meeting on EPA Scientific Integrity to a relatively small number of individuals and organizations whose overall mix skews decidedly toward pro-regulation environmental activism. Science does

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[7] U.S. EPA, Programs of the Office of the Science Advisor, Basic Information about Scientific Integrity, *available at* https://www.epa.gov/osa/basic-information-about-scientific-integrity (last visited May 22, 2017).
[8] *Id.*
[9] Email from Francesca Grifo, Scientific Integrity Official, U.S. EPA (on file with author).
[10] U.S. EPA, Careers, Profiles of Women of EPA: Francesca Grifo, *available at* https://www.epa.gov/careers/profiles-women-epa-francesca-grifo (last visited May 21, 2017).

indeed provide the underpinnings for EPA's decision-making, and it is essential in gaining public trust and support that EPA's scientific integrity programs and activities be transparent and accessible to all with an interest in EPA actions.

To ensure transparency and public support for EPA's scientific integrity programs, we urge you to open the planned June 14 "EPA Scientific Integrity Annual Stakeholder Meeting" to the public so that all who wish to may attend and learn about EPA's ongoing protocols and programs. If holding an open meeting is not feasible, we ask that you endeavor to ensure that the invitation list to Dr. Grifo's meeting is balanced and truly representative of those with an interest in scientific integrity at your agency. We ask that you provide an update to the Committee on the June 14 meeting, including a response to the issues raised in this letter, as soon as possible but no later than June 5, 2017.

If you have any questions about this request, please contact Joseph Brazauskas of the Science, Space, and Technology Committee staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,

Lamar Smith

Rep. Lamar Smith
Chairman
Committee on Science,
Space, and Technology

Andy Biggs

Rep. Andy Biggs
Chairman
Subcommittee on
Environment

cc: The Honorable Eddie Bernice Johnson, Ranking Member, Committee on Science, Space, and Technology

The Honorable Suzanne Bonamici, Ranking Member, Subcommittee on Environment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 06 2017

OFFICE OF
RESEARCH AND DEVELOPMENT

The Honorable Lamar Smith
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Smith:

Thank you for your letter of May 22, 2017 concerning the Environmental Protection Agency's (EPA) upcoming Scientific Integrity Stakeholder Meeting scheduled for June 14, 2017.

The Agency agrees that invitees to the EPA Scientific Integrity Stakeholder meeting should include a balanced representation of those organizations having an interest in scientific integrity at the EPA. Past stakeholder meetings included representatives of both non-governmental organizations and the regulated community. In response to your request, we recently sent invitations to additional organizations representing the regulated community and state governments.

As you aptly state in your letter, science does indeed provide the underpinnings of EPA's decision making, and it is of utmost importance that our scientific integrity programs are both accessible and transparent to all with an interest in EPA activities. We will strive to ensure the make-up of those attending this, and future, Scientific Integrity Stakeholder meetings is balanced and includes a representative cross-section of all stakeholders with an interest in scientific integrity at the EPA.

Again, thank you for your letter. As requested, we will provide you with an update of the meeting after it occurs. If you have any further questions, please contact me or your staff may contact Christina Moody in the EPA's Office of Congressional and Intergovernmental Relations at moody.christina@epa.gov or 202-564-0260.

Sincerely,

Robert Kavlock

Robert J. Kavlock, Ph.D.
Acting Assistant Administrator
for the Office of Research and Development