

May 16, 2018

Inspector General Arthur A. Elkins, Jr.
U.S. Environmental Protection Agency
Office of Inspector General
1200 Pennsylvania Avenue, N.W. (2410T)
Washington, D.C. 20460

Re: Request for Investigation into Conduct of Administrator Scott Pruitt

Dear Inspector General Arthur A. Elkins, Jr.:

On August 28, 2017 your office announced its intention to investigate potential ethics violations pertaining to EPA Administrator Scott Pruitt's travel expenses. As former employees of EPA who served both Republican and Democratic Administrations, we are deeply concerned that the numerous scandals surrounding Administrator Pruitt have compromised the Agency's mission and damaged the morale of its work force, while the evidence increasingly shows that millions of dollars are being wasted that could be better spent protecting public health and the environment. We write to respectfully request that you complete your investigation and present your findings as soon as possible, so that EPA can better focus on its statutory responsibilities.

We trust that your investigations will be informed by long-standing rules that are supposed to ensure that federal employees serve the public interest rather than their own, and do not waste resources that taxpayers have entrusted them to manage. For example:

- Employees have a duty to act impartially and not give preferential treatment to any private organization or individual, and to avoid any actions creating an appearance of bias. *See* Executive Order 12674, Executive Order 12731, 5 C.F.R. § 2635 et seq., "Standards of Ethical Conduct for Employees of the Executive Branch."
- Agencies must conduct rulemaking in a publicly transparent manner. This requires that any communications with outside parties, oral or written, containing significant discussion or facts affecting a formal or informal rulemaking proceedings be summarized in writing and placed in the public rulemaking docket. *See* Administrator William D. Ruckelshaus. "Contacts with Persons Outside the Agency." May 19, 1983; Administrator Lisa P. Jackson to all employees. "Transparency in EPA's Operations." April 23, 2009.
- Federal appointees are explicitly barred from accepting any gifts from registered lobbyists or lobbying organizations during their service. *See* Executive Order 13490 (January 21, 2009), and Executive Order 13770 (January 28, 2017). This gift ban is intentionally much more restrictive than OGE gift regulations in Subpart B of 5 C.F.R. § 2635,¹ and an appointee may not so much as "accept a \$15 lunch from a registered lobbyist," and must make proper disposition of gifts by paying fair market value or returning tangible items. 5 C.F.R. § 2635.205.

¹ Robert I. Cusick, Director of OGE: Memo to Designated Agency Ethics Officials. February 11, 2009.
[https://www.oge.gov/Web/OGE.nsf/0/3BB000F6B9C1309A85257E96005FBB7C/\\$FILE/DO-09-007.pdf](https://www.oge.gov/Web/OGE.nsf/0/3BB000F6B9C1309A85257E96005FBB7C/$FILE/DO-09-007.pdf)

- Employees may not misuse their office for private gain, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity. 5 C.F.R. §§ 2635, Subpart G.
- Employees have “a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes.” 5 C.F.R. § 2635.704(a).
- Employees may not use government aircraft unless no commercial airline is reasonably available, and the actual cost of using government aircraft is no more than the cost of using commercial aircraft. *See* OMB Circular No. A-126. Employees must travel by common carrier when it is reasonably available, 41 C.F.R. § 301-2.3, traveling in coach-class unless more expensive fares are warranted by “exceptional security circumstances” where use of coach accommodations would “endanger [employee’s] life or government property.” § 301-10.123.
- Agencies may cover only those expenses “essential to the transaction of official business,” § 301-2.2, and may not cover “costs resulting from circuitous routes, delays, or luxury accommodations or services unnecessary or unjustified in the performance of official business.” § 301-2.4.
- Retaliatory personnel action, threatened or actual, against federal employees who disclose evidence of “Government illegality, waste, and corruption” is explicitly illegal. Federal Whistleblower Protection Act of 1989, 5 U.S.C. § 1201 et seq.

We believe there is currently sufficient information available in the public record to allow your office to fairly determine whether the rules above have been violated. Attached to this letter is a long (yet non-exhaustive) list of what we believe are the most serious of these allegations. *See* Attachment A. While we acknowledge that the scope of your inquiry has expanded considerably since your announcement in August, we are concerned that until your investigation is completed, Administrator Pruitt will continue to act in ways that call into question his adherence to ethical standards and harm EPA’s ability to protect public health and the environment.

We thank you for considering our views, and look forward to your report.

Doreen Cantor Paster, former Branch Chief, Office of Pollution Prevention and Toxics

Bernadine Abbott Hoduski, former Library Director, Region 7

Dwight Alpern, former Attorney-Advisor, Clean Air Markets Division

Jeffrey Alson, former Environmental Engineer, Office of Transportation and Air Quality

Marc Alston, former Watershed Coordinator, Water Programs Region 8

Cindy Anderson, former Attorney, OGC, General Law Office

Phyllis Anderson, former Attorney/Advisor, Associate Director, Superfund

Anne Weinberg Anne, former Environmental Protection Specialist, Office of Water

Aldo Anzzolin, former Hydrogeologist/Environmental Engineer, Office of Water (OGWDW)

John Bachmann, former Associate Director for Science/Policy, OAR

Kathleen Bailey, former Sr Management Analyst, Office of Policy

Daiva Balkus, former Director, Office of Cooperative Environmental Management

Linda Baric, former Budget Analyst, Office of the Comptroller, Region III

Janice Bartel, former Project Management, Brownfields

Jeuli Bartenstein, former Director, Human Capital Planning, OARM

Kandice Bellamy, former Inspector, Region 9 Enforcement Division

Bonnie Bellow, former Public Affairs Director, Region 2

Victoria Binetti, former Associate Director, Water Protection Division, Region 3

Richard Biondi, former Associate Director, Air Enforcement Division

Celia Bloomfield, former Environmental Protection Specialist, Air program

Patricia Bonner, former EPA, Office of the Administrator/Policy

Barbara Borden, former Superfund Management Specialist, Comptroller Office

Marilyn Bracken, former Deputy Assistant Administrator, Pesticides and Toxics Substances

Jeffrey Bratko, former Environmental Scientist, Region 5, Air and Radiation Division, Air Enforcement and Compliance Assurance Branch, MN/OH Section

Joann Brennan McKee, former Deputy Director, Division of Environmental Planning and Protection, Region 2

John Brink, former Supervisory Environmental Scientist, Pollution Prevention, Pesticides and Toxics Program, Region 8

James Brusslan, former Assistant Regional Counsel, Office of Regional Counsel

Dale Bryson, former Director, Water Division, Region V, Chicago, Region V

Bruce Buckheit, former Director, Air Enforcement Division, OECA

Mike Burke, former Associate Director, Chesapeake Bay Program Office

Thomas Burns, former Supervisory Environmental Protection Specialist, Region 8

Bonnie Bush, former Environmental Engineer, Region 5 Air Enforcement

Joan Cabreza, former environmental scientist, Office of Ecosystems and tribal Affairs

David Calkins, former Chief, Air Programs, Region 9

Darcy Campbell, former Hydrologist, Ecosystem Protection

Carol Campbell, former ARA, R8, Ecosystems Protection and Remediation

Susan Catlette, former Center Director, Office of Air and Radiation, Indoor Air Quality

Glenn Cekus, former Environmental Scientist

Eugene Chaiken, former Chief, NPDES Support and Technical Assistance Branch, Water Division, Region 5

Tai Chang, former Deputy Director, Environmental Assessment and Innovation Division

JoAnn Chase, former Director and Senior Advisor to the Administrator, American Indian Environmental Office

Jeff Clark, former Associate Director, Office of Air Quality Planning and Standards

Kerrigan Clough, former Deputy Regional Administrator, R-8

Lori Cohen, former Associate Director, Region 10 Superfund Program

Faith Cole, former Environmental Scientist, Office of Research and Development

Jonathan Cole, former Associate Director & Deputy Ethics Official, Office of Criminal Enforcement, Forensics & Training, OECA

Kathleen Collins, former Water Quality Standards Coordinator, Office of Water

Kris Colt, former Manager, Pollution Prevention and Materials Management Unit

Daniel Costa, former Director Air Climate Energy Res, Office of Research and Development

Kathleen Cox, former Associate Director, Region III, Air Protection Division

Michael Cox, former Climate Change Adviser, Region 10

Bill Crews, former Performance Partnership Manager, Intergovernmental Affairs

John Cross Cross, former Manager, Superfund, Prevention and Waste programs

Lora Culver, former EPA

Marcia Curran, former EPA, Office of Pesticides and Toxic Substances

Nancy Curre, former Organizational Development Specialist, Office of Human Resources

George Czerniak, former Chief, Air and Radiation Division, Region 5

Nathan Dadap, former Physical Scientist, Region 9 Land Division

Nicholas Damato, former Supervisory Program Manager, Region 5, Water Division

Kathryn Davidson, former Deputy Director, Office of Management Programs, Region 10

Elaine F Davies, former Deputy Director, OSRTI, Office of Solid Waste and Emergency Response

J. Clarence Davies, former Ass't Administrator, Office of Policy, Planning, and Evaluation

Belle Davis, former EPA

Devra Davis, former Executive Secretary of the administrators toxic substances advisory committee, Administrator office

Jay Davis, former Data Analyst, Office of Environmental Information

J. Michael Davis, former Senior Science Advisor, Office of Research and Development

Swep Davis, former Deputy Assistant Administrator for Water, Water & Superfund

Susan Dax, former Deputy Director, Office of Financial Management

Richard Denney, former Associate General Counsel, OGC

Lynda Deschambault, former Environmental Scientist, Superfund, EPCRA, TSCA, etc.

Marcella DeVargas, former Environmental Protection Specialist, Solid and Hazardous Waste Program, Region VIII

John DeVillars, former Regional Administrator, New England

James Drummond, former EPA

James Dunn, former Environmental Engineer, Region VIII

Steve Dunn, former Environmental Protection Specialist, Office of Air and Radiation

Eleanor Dwight, former Public Affairs Specialists, Office of Communications and Public Involvement

John Eagles, former Regional Comptroller, Dallas Regional Office

Alan Eckert, former Associate General Counsel for Air and Radiation, Office of General Counsel

Jay Ellenberger, former Dep. Dir. Field & External Affairs Div., Office of Pesticide Programs

Judith Enck, former Regional Administrator, Region 2

David Farrel, former Environmental Scientist, Office of Federal Activities

Fraser Felter, former Congressional/State Liaison, Office of Public Affairs, Region 9

Frank Finamore, former Program Analyst, Office of Enforcement and Compliance Assurance

Carla Fisher, former EPA

Donna Fletcher, former Senior Policy Analyst, Office of Congressional and Intergovernmental Relations

Deborah Flood, former Enforcement Coordinator, Region 10, Office of Compliance and Enforcement

Gregory Foote, former Assistant General Counsel, OGC, Air and Radiation

Roy Fortmann, former Division Director and Deputy Ethics Official, Office of Research and Development

Jeffry Fowley, former Assistant Regional Counsel, Office of Regional Counsel, Region I

Douglas Fox, former Branch Chief, ORD

Lisa Friedman, former Associate General Counsel for Air & Radiation, Office of General Counsel

Robert Friedrich, former Deputy Associate General Counsel, General Law Office, Office of General Counsel

Odelia Funke, former Division Director, Senior Advisor, Office of Environmental Information

Roy Gamse, former (1) Deputy Assistant Administrator, Office of Planning & Evaluation; (2) Acting Assistant Administrator, Office of Planning & Management

Marius Gedgaudas, former Environmental Engineer, Air Programs Branch, Region 8

Daphne Gemmill, former Senior policy analyst, Superfund

Ruth Gibson, former Associate Director, Enforcement & Compliance Assurance Region 6

Ken Gigliello, former Environmental Scientist, Office of Enforcement and Compliance Assurance

Elliott Gilberg, former Director, Office of Site Remediation Enforcement, Office of Enforcement and Compliance Assurance

Michael Gill, former Superfund and Technology Liaison to Region 9, Office of Research and Development

Marcia Ginley, former Senior Attorney/Advisor, OECA, Air Enforcement Division

Eric Ginsburg, former Senior Policy Advisor, Office of Air Quality Planning and Standards, Office of Air and Radiation

William Glasser, former Environmental Scientist, Superfund

Aron Golberg, former Attorney, Office of General Counsel

Jill Grant, former Attorney-Advisor, Office of General Counsel

Mary Greene, former Associate Regional Counsel, Office of Regional Counsel

Willis Greenstreet, former Director of Administration, OARM

Terry Grogan, former Branch Chief, Office of Solid Waste

Richard Gross, former Chief, Existing Chemicals Branch, Office of Air and Toxics

Jim Grove, former Regional Enforcement Coordinator, Pacific Southwest Region, Enforcement Division

Michael Gruber, former Division Director, Policy and Information, Office of Solid Waste

Debra Gutenson, former Reg Impact Analyst, Office of Water

Carol Haines, former Laboratory QA/QC Coordinator and Health and Safety Manager, OEA

John Hannon, former Assistant General Counsel, Office of General Counsel, Air and Radiation Law Office

Jeff Hart, former Manager, OIG, Region 8

Deborah Hartman, former EPA, Office of Pesticide Programs

Mary Hay, former Assistant Regional Counsel, Legal Office - WDC and Chicago

Rebecca Hazen, former Director of Speechwriting, Office of the Administrator

James Heller, former Section Chief Water Programs, OAWP

Marc Herman, former EPA

Jonathan Herrmann, former Engineer, Office of Research and Development

Marion Herz, former Chief of Staff, Office of Compliance

Gary Hess, former Attorney, Office of Regional Counsel, Region 9

John Hidinger, former Director of State and Local Programs, Region VIII

Pam Hill, former Deputy Regional Counsel, Region I

John Hirzy, former Senior Scientist/Chemist, Office of Toxic Substances (and successor organizations)

William Houck, former Senior Advisor and Program Analyst, Office of Air and Radiation

David Howekamp, former Director, Air Division, Region 9

Kent Hustvedt, former Group Leader, Office of Air and Radiation

Deborah Janik, former Comptroller, Region 8

David Jesson, former Environmental Protection Specialist, Region 9

Karen Johnson, former Hydrologist, SDWA -ground water and enforcement

Jere Johnson, former Remedial Project Manager, Superfund Division, Region 9

Timothy Jones, former Environmental Protection Specialist, Office of Water
James Kamihachi, former Chief, Water Economics Branch, Office of Planning and Management
Christina Kaneen, former EPA
Marilyn Katz, former Associate Branch Chief, Office of Water
Stephen Keach, former Program Analyst, Office of Strategic Planning, Regional and State Planning Division
Karen Kellen, former Attorney, Superfund
Janet Keough, former Associate Director for Science, Office of Research and Development, Midcontinent Ecology Division
Sharon Kercher, former Deputy Assistant Regional Administrator, Office of Enforcement, Compliance and Environmental Justice, Region 8
Jim Ketcham-Colwill, former Policy Analyst, Office of Air and Radiation
Nancy Ketcham-Colwill, former Chief of Staff, Office of Air and Radiation
Lori Kier, former Senior Assistant Regional Counsel, Region 3 Office of Regional Counsel
Victor Kimm, former Deputy Assistant Administrator, OPTS
Monica Kirk, former Associate Regional Counsel, Region 10
Elaine Koerner, former Designated Federal Officer, Office of the Administrator
Carl Kohnert, former Deputy Director, Policy and management Division, Region 9
Steve Kovac, former Branch Manager / Supervisory Engineer, Region 7
Debra Kovacs, former Environmental Protection Specialist, Team Leader, Pesticides
Ron Kreizenbeck, former Deputy Regional Administrator, Region 10
Veronica Kuczynski, former Environmental Protection Specialist, Chesapeake Bay Program Office
Marilyn Kuray, former Attorney Advisor, Office of General Counsel
Ellen Kurlansky, former Policy Analyst, Office of Air and Radiation
John La Padula, former Deputy Division Director, Superfund
Suzette Leith, former Assistant Regional Counsel, Region 9
Bruce J. Lery, former Environmental Protection Specialist GS-13, Water Programs, and Superfund
Michael Levin Levin, former National Director, Regulatory Reform, OPPM
Rose Lew, former Environmental Scientist
Katharine Lewis Brown, former Supervisory Program Analyst, Office of Administration
Ted Linnert, former Public Affairs Specialist, Office of Communications and Public Involvement
Barbara Lithier, former Attorney, Office of Regional Counsel Region 10
Sam Little, former National Transportation Coordinator, Office of Federal Activities
Ellen Lorang, former Information Specialist, Office of Research and Development
John Lyon, former Branch Chief, Office of Enforcement (for water enforcement)
Anthony Maciorowski, former Deputy Director, Science Advisory Board

Elaine Manning, former Environmental Engineer, OAQPS

Debora Martin, former Director, Regional and State Planning Division, Office of Policy, Planning and Evaluation

Nancy Marvel, former Regional Counsel, Region 9

Mark Masarik, former Senior Advisor, Idaho Operations Office

Thomas Maslany, former Director, IECA, Office of Enforcement and Compliance Assurance

Kathryn Mazaika, former Environmental Scientist

Gavin McCabe, former Assistant Regional Counsel, Region 9

Cora McCoy, former EPA

Cheryl McGovern, former Environmental Protection Specialist, Region 9, Water Division, infrastructure Unit

Dan McGovern, former Regional Administrator

Donna McGowan, former Project Manager, Waste and Chemicals

Chilton McLaughlin, P.E., former Environmental Engineer, Chief State Programs Section, Region 7

Robert McManus, former Director, Oceans Division, OGC; OIA

Mary Lou Melkey, former Analyst, Office of solid waste and emergency response

David Menotti, former Associate General Counsel, Air and Radiation, OGC

Jane Metcalfe, former International Environmental Policy Specialist, Office of International and Tribal Affairs

Philip Metzger, former EPA

Tamara Mick, former EPA Specialist, Wetlands Section, Ecosystems Protection Branch

Phil Millam, former Director, Office of Water, Region 10

Debra Miller, former Contracting Officer, OARM, OAM

Marty Monell, former Deputy Director (management), Office of Pesticide Programs

Frank Montarelli, former EPA

Jane Moore, former Deputy Office Director, Office of Wastewater Management

David Morell, former Office Director (Office of Transportation and Land Use Policy), Air Programs (DC)

Rick Morgan, former Senior Energy Analyst

Marie Murphy, former Contract Specialist, Office of Policy & Management

Linda Murray, former Special Assistant to the Director, Health Effects Division, Office of Pesticide Programs

Robert Myers, former EPS, Superfund

Ginny Narsete, former Public Affairs Specialist, SUPERFUND

Bill Neuffer, former Environmental engineer, OAQPS

Barry Neuman, former Attorney-Advisor, Office of General Counsel

Jack Neylan, former Manager, OECA

Michael Nishi, former Program Management Advisor, Region 5 Indian Environmental Office

Marilyn Null, former Community Involvement Specialist, Haz Waste Management

Terry Oda, former Manager, NPDES & Water Quality Standards Office, Region 9

Karen O'Regan, former Environmental Specialist, Waste Programs

Peter Ornstein, former Deputy Regional Counsel, Office of Regional Counsel, Region VIII (Denver)

Richard Ossias, former Associate General Counsel, Air and Radiation Law Office

Ronald Outen, former EPA

Joseph Paisie, former Supervisory Environmental Protection Specialist, OAQPS OAR

Andrea Paleologos Belanger, former Special Assistant, Office of the Administrator

Jeanne Pascal, former EPA

Chester Pauls, former EPA

Leonidas Payne, former Environmental Protection Specialist, Region 9--NEPA Review

Greg Pennington, former Environmental Protection Specialist, Superfund

Sonya Pennock, former Manager, Public Affairs and Involvement, Office of Communication and Public Involvement, Region 8

Stephen Perkins, former Program Manager, Region 1

Kate Perry, former Attorney/Advisor, Congressional and Legislative Affairs, Enforcement, Homeland Security, Water

Anna Phillips, former Program Manager, Office of International and Tribal Affairs

Ervin Pickell, former Supervisory Attorney, Enforcement (OECA)

Joseph Piotrowski, former Environmental Engineer, OW and Region III

Stephen Pressman, former Associate General Counsel, Office of General Counsel

Ann E Prezyna, former Deputy Regional Counsel, Office of Regional Counsel, Region 10

Frank Princiotta, former Research Director, Office of Research and Development

Liz Purchia, former Acting Associate Administrator, Office of Public Affairs

Vernon Rail, former Legal intern, Water

Sally Rand, former Program Manager, Office of Atmospheric Programs

Carl B Reeverts, former Drinking Water Project Manager, Office of Groundwater and Drinking Water

Dan Reich, former Assistant Regional Counsel, Office of Regional Counsel

Patricia Reisbeck, former EPS and Lead Region Coordinator, Air Programs

Michelle Roos, former Environmental Specialist, Office of Air and Radiation and also Region 9

Lorraine Ross, former Senior Enforcement Attorney, Region 8

Sara Russell, former Grants Officer, Administration

Kendra Sagoff, former EPA

Mary Sanderson, former Supervisory Engineer, Region 1 - Office of Site Remediation and Restoration

Joseph Santarella, former Senior Enforcement Attorney, Region 8, Legal Enforcement Program

Vacys Saulys, former International Program Coordinator, Region 5

Eric Schaeffer, former Director, Office of Civil Enforcement

Grechen Schmidt, former Civil Investigator, Region 10 Office of Regional Counsel

Sara Schneeberg, former Assistant General Counsel, Air & Radiation Law Office, Office of General Counsel

Frances Schultz, former Assistant Director, Land Division, Region 9

David Schulz, former Power Industry National Oracle, Air Enforcement Region 5

Matt Schweisberg, former Chief, Wetlands Protection Section and Senior Wetlands Ecologist, Region I

Paul Schwengels, former Senior Program Manager, Climate Change Division, Office of Air and Radiation

Patricia Scott, former Environmental Protection Specialist, Office of Water

Kathy Setian, former Environmental Engineer, Superfund

Steve Shapiro, former Environmental Protection Specialist, Office of Pesticide Programs

Katherine Sibold, former Program Analyst, Office and Air and Radiation

Ellen Siegler, former Attorney, Office of General Counsel

Joseph Sierra, former Associate Director, Collection Strategies Division, OIC, Office of Environmental Information

Margaret B Silver, former Supervisory Attorney, Region 10

Steven Silverman, former Attorney, OGC

Samuel Silverman, former Deputy Director, Office of Environmental Stewardship, Region I in Boston

Ron Slotkin, former Director, Office of Multimedia, Office of Public Affairs

Bruce Smith, former Project Manager, Water Division, Region 3

Linda K Smith, former Deputy Director, Office of Environmental Justice

John B Smith, former I.T. Specialist, Office of Environmental Information

Joseph Somers, former Chemical Engineer, Office of Air and Radiation

Betsy Southerland, former Director of the Office of Science and Technology, Office of Water

Tom Speicher, former R -8 Regional Counsel, General Counsel

Jonah Staller, former Associate Regional Counsel, Office of Regional Counsel, Region 8

Ann Stavola, former Senior Biologist, Office of Pesticide Programs

William Stevens, former Senior Advisor - Power Technologies, Office of Atmospheric Programs

Frederick F. Stiehl, former Attorney, Director, Enforcement Planning, Targeting and Data Management

Bernard Stoll, former Engineer, OIG

Dana Stotsky, former Enforcement Attorney, Region 8

Michael Strieby, former Environmental Scientist, EIS Analysis

Elsie Sunderland, former Physical Scientist, Office of Research and Development

Irving Susel, former Branch Chief, Economic Analysis Division

Joni Teter, former Senior Attorney, Legal Enforcement Program

Jennifer Thatcher, former Senior Program Analyst, Region 2, Office of Policy & Management

Dick Thiel, former Chief, Drinking Water Program Branch, Region 10

Deborah Thomas, former Supervisory Environmental Protection Specialist, Office of Enforcement and Compliance Assistance

Gary Timm, former Senior Technical Advisor, Office of Science Coordination and Policy

Heather Toney, former Regional Administrator, Region 4 Southeast

Stephen Tuber, former Assistant Regional Administrator, Region 8

Linda Tuxen, former Environmental Protection Specialist, Office of Research and Development

Gaylene Vasaturo, former Associate Regional Counsel, Office of Regional Counsel

Kathleen Veit, former Acting Associate Director, Region 10 Office of Air, Waste, and Toxics

Maria Parisi Vickers, Esquire, former Deputy Director

Clifford Villa, former Assistant Regional Counsel

Craig Vogt, former Deputy Director, Oceans and Coastal Protection Division

Chandler von Schrader, former ENERGY STAR Residential Manager, OAR

Evelyn Wachtel, former Environmental Protection Specialist, US-Mexico Border Water Infrastructure Program

Cheryl Wasserman, former Associate director for policy analysis, Office of Enforcement and Compliance Assurance

Edward Watters, former Chief, Employee Services Branch, Region 5

Bruce Weddle, former Deputy Director, Office of Compliance

Lydia Wegman, former Division Director, Office of Air and Radiation

Bonnie Weinbach, former Environmental Scientist, Region 2 and 5

Dov Weitman, former Chief, Nonpoint Source Control Branch, Nonpoint Source Control Program, Office of Water

Marjorie Coombs Wellman, former Environmental Protection Specialist, Office of Water

Peter Westlin, former Senior Environmental Engineer, Office of Air and Radiation

William Wick, former Office of Regional Counsel branch Chief, Office of Regional Counsel, Region 9

Russell Wiener, former Research Physical Scientist, Office of Research and Development

Betty Wiese, former Program Manager, Region 10

Mary Wilkes, former Regional Counsel, Region 4

Weston Wilson, former Environmental Engineer, Region 8

John Wilson, former Program Analyst, Office of Water

Neil Wise, former Director, Office of Waste Programs Enforcement, Office of Regional Counsel, Region III

William Wisniewski, former Deputy Regional Administrator, Region 3

Lily Wong, former Environmental Scientist, Region 9 Air Division

William Wuerthele, former Environmental Scientist - Water Quality Standards, Office of Water

Suzanne Wuerthele, former Regional Toxicologist, Region 8

Nancy Yoshikawa, former Environmental Scientist, Office of Water

David Ziegele, former Director/Office of Planning, Analysis & Accountability, Office of the Chief Financial Officer

Attachment A

Employees have a duty to act impartially and not give preferential treatment to any private organization or individual, and to avoid any actions creating an appearance of bias;

Agencies must conduct rulemaking in a publicly transparent manner; communications with outside parties must be summarized in writing and placed in the public rulemaking docket.

- Pruitt has reserved his time almost exclusively for meetings with industry representatives, and has granted almost no time to opposing viewpoints. Between February 12 and May 18, 2017, for example, he met multiple times almost daily with industry executives and lobbyists while meeting only two environmental groups and one public health group.¹
- Pruitt has frequently met privately with industry representatives shortly prior to major regulatory decisions directly benefiting the parties in question. For example, Pruitt met with officials from Fitzgerald Truck Sales, the nation's largest manufacturer of truck components known as gliders, on May 8, 2017.² On August 17, 2017, Pruitt announced the repeal of recently approved emissions and fuel efficiency standards for gliders, specifically in light of "significant issues" raised by stakeholders in the industry.³
- Pruitt's decision to replace six qualified university experts on the Science Advisory Board with representatives of manufacturers, petrochemicals, and other regulated industries, as well as his new policy of barring all scientists who have received any EPA funding, serves no rational function except to sharply limit expertise to industry sources.⁴
- From July 6 to October 20, 2017, Pruitt held at least seventeen closed door meetings with agribusiness, farm groups, and other industries to discuss proposed repeal and changes to the Waters of the U.S. rule. The rulemaking docket contains no information about Pruitt's remarks at these meetings, from which members of the public and media were barred.⁵

¹ Juliet Eilperin, Brady Dennis. "Obama blocked this controversial Alaskan gold mine. Trump just gave it new life." The Washington Post. May 12, 2017. <https://www.washingtonpost.com/news/energy-environment/wp/2017/05/12/obama-blocked-this-controversial-alaskan-gold-mine-trump-just-gave-it-new-life/?noredirect=on>

² Juliet Eilperin. "EPA plans to repeal emission standards for truck components." The Washington Post. October 23, 2017. https://www.washingtonpost.com/politics/epa-may-repeal-emission-standards-for-truck-components/2017/10/23/993170a0-b814-11e7-9e58-e6288544af98_story.html?utm_term=.e915fdbcb6237

³ US EPA. "EPA Announces Intent to Revisit Provisions of Phase 2 Heavy-Duty Rules." August 17, 2017. <https://www.epa.gov/newsreleases/epa-announces-intent-revisit-provisions-phase-2-heavy-duty-rules>

⁴ Lisa Friedman. "Pruitt Bars Some Scientists From Advising E.P.A." The New York Times. October 31, 2017. <https://www.nytimes.com/2017/10/31/climate/pruitt-epa-science-advisory-boards.html>

⁵ Andrew Haffner. "EPA chief Pruitt holds series of closed-door meetings in GF, Fargo." Grand Forks Herald. August 9, 2017. <http://www.grandforksherald.com/news/4310124-epa-chief-pruitt-holds-series-closed-door-meetings-gf-fargo>

Federal appointees may not accept gifts from registered lobbyists or lobbying organizations, and must make proper disposition by paying fair market value or returning tangible items.

- Pruitt's \$50-per-night lease agreement, covering February through April of 2017, for an apartment owned by Vicki Hart was significantly below market value for the Washington DC area. Vicki Hart is the wife of J. Steven Hart, chairman of the lobbying firm Williams & Jensen, which represented clients on at least half a dozen matters before the EPA during Pruitt's lease, most notably a pipeline-expansion plan recently approved by EPA.⁶ Williams & Jensen has also disclosed that Mr. Hart was directly lobbying EPA during the time of Pruitt's lease arrangement. *Id.* This included seeking appointments to the EPA Science Advisory Board for three candidates nominated by Dennis Treacy, president of the Smithfield Foundation arm of Smithfield Foods Inc., which Hart represented as a registered lobbyist at the time.⁷ Pruitt's daughter, who was not covered by the lease's written terms, also stayed in a second room in the apartment.⁸
- As an Oklahoma state senator in 2003, Pruitt purchased a luxury home from telecom giant AT&T, which was actively lobbying the legislature on several matters at the time, at nearly \$100,000 below its fair market value. Pruitt ultimately sided with AT&T on all these matters. The purchase was made through a shell company registered to Pruitt's friend and business partner, Kenneth Wagner, with a mortgage issued by a bank run by business associate Albert Kelly.⁹ Upon becoming Administrator, Pruitt hired Mr. Wagner and Mr. Kelly to high positions at EPA, despite their lack of relevant qualifications. Mr. Wagner is currently a Senior Advisor at EPA, while Mr. Kelly was Director of EPA's Superfund program until his resignation on May 1, 2018.¹⁰

⁶ Eric Lipton. "Pruitt Had a \$50-a-Day Condo Linked to Lobbyists. Their Client's Project Got Approved." The New York Times. April 2, 2018. <https://www.nytimes.com/2018/04/02/climate/epa-pruitt-pipeline-apartment.html>

⁷ Ellen Knickmeyer. "Memo: Pruitt landlord's husband sought EPA work for client." The Washington Post. May 2, 2018. https://www.washingtonpost.com/politics/federal_government/epa-security-chief-superfund-head-leave-amid-ethics-probes/2018/05/01/3118554e-4da9-11e8-85c1-9326c4511033_story.html?utm_term=.40314e1ba3d6

⁸ Cristina Alesci. "EPA ethics official says he didn't have all the facts on Pruitt's lease." CNN. April 5, 2018. <https://www.cnn.com/2018/04/04/politics/pruitt-lease-epa-ethics-decision/index.html>

⁹ Steve Eder and Hiroko Tabuchi. "Scott Pruitt Before the E.P.A.: Fancy Homes, a Shell Company and Friends With Money." The New York Times. April 21, 2018. <https://www.nytimes.com/2018/04/21/us/politics/scott-pruitt-oklahoma-epa.html>

¹⁰ Juliet Eilperin, Brady Dennis, and Emma Brown. "Two officials close to EPA chief Scott Pruitt resign amid scrutiny." The Washington Post. May 1, 2018.

https://www.washingtonpost.com/politics/a-top-aide-to-epa-chief-scott-pruitt-resigns-amid-scrutiny/2018/05/01/9db56f44-4d44-11e8-84a0-458a1aa9ac0a_story.html?noredirect=on&utm_term=.77bdb2aaeb0b

Employees may not misuse their office for private gain, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity;

Employees have a duty to protect and conserve Government property, and must travel using coach-class accommodations unless use of coach would endanger life or property;

Agencies may cover only those expenses “essential to the transaction of official business,” and may not cover “costs resulting from circuitous routes, delays, or luxury accommodations or services unnecessary or unjustified in the performance of official business.”

- Pruitt reclassified two political aides, Sarah Greenwalt and Millan Hupp, as “administrative hires” under § 300j–10 of the Safe Drinking Water Act, in order to grant them extraordinary pay raises previously expressly denied by the White House.¹¹ The legislative history of § 300j–10, which grants the Administrator authority to appoint up to 30 “scientific, engineering, professional, legal, and administrative specialists” in supergrade positions, clearly notes that this “provision was intended to augment the Agency’s cadre of senior management and scientific personnel”¹² and enable the agency to meet its “*most critical needs* for additional personnel”(emphasis added).¹³ The raises were withdrawn after the information became public. Mr. Pruitt first denied any knowledge of the salary increases, then admitted he had approved them but denied knowing about the size of the increases.¹⁴
- According to former staffer Kevin Chmielewski, Pruitt directed his staff aides to find meetings to schedule that would allow him to travel to Oklahoma and other destinations he wished to visit on “official business,” with all costs reimbursed by taxpayers.¹⁵ Pruitt spent 43 out of 92 days travelling to Oklahoma in March, April, and May of 2017, primarily for speeches at industry functions.¹⁶
- In June of 2017, Pruitt and a retinue of staff spent a week traveling to Italy at a cost of over \$120,000, which included a cost of over \$39,000 for his personal security detail alone, as well as expensive meals and lodging in five star hotels.¹⁷ Some of these high costs,

¹¹ John Bowden. “Pruitt directed staff to approve raises for top aides: report.” The Hill. April 5, 2018.

<http://thehill.com/policy/energy-environment/381917-pruitt-directed-staff-to-approve-raises-for-top-aides-report>

¹² Floor statement of Sen. Randolph. 123 Cong. Rec. S18370-79 (daily ed. Nov. 1, 1977), at 249.

¹³ H.R. Rep.No. 338, 95th Cong., 1st Sess. 1977, 1977 U.S.C.C.A.N. 3648, at 3663, 1977 WL 16117.

¹⁴ Brady Dennis and Juliet Eilperin. “Scott Pruitt admits little culpability in EPA controversies, mostly blames aides and staff.” The Washington Post. April 26, 2018. https://www.washingtonpost.com/news/energy-environment/wp/2018/04/26/scott-pruitt-braces-for-tough-questions-at-double-hearings-on-capitol-hill/?noredirect=on&utm_term=.2e751679d3b5

¹⁵ Brady Dennis and Juliet Eilperin. “Former Pruitt aide alleges wasteful spending, extravagant travel by EPA chief.” The Washington Post. April 12, 2018. https://www.washingtonpost.com/news/energy-environment/wp/2018/04/12/former-pruitt-aide-alleges-litany-of-wasteful-spending-extravagant-travel-by-epa-chief/?noredirect=on&utm_term=.619eff2521d5

¹⁶ <http://www.environmentalintegrity.org/news/epa-administrator-pruitt-spends-almost-half-his-days-travelling-to-oklahoma/>

¹⁷ Lachlan Markay and Sam Stein. “Scott Pruitt’s Rome Trip: More Time on Tourism Than Official Business.” The Daily Beast. May 7, 2018. <https://www.thedailybeast.com/scott-pruitts-rome-trip-more-time-on-tourism-than-official-business>

including a \$36,000 chartered military jet from Cincinnati to New York enabling Pruitt to catch his flight to Italy, were incurred for a visit and private tour of the Vatican, which was not clearly related to the official business of the EPA.¹⁸ This trip was arranged in part by Leonard A. Leo, a longtime friend of Mr. Pruitt and head of the Federalist Society.¹⁹ Mr. Leo had previously coordinated closely with Pruitt during his tenure as Attorney General of Oklahoma, and was previously the director of a nonprofit group that donated \$145,000 to Pruitt's Rule of Law Defense Fund in 2014. Mr. Leo was responsible for arranging most of Pruitt's schedule in Italy, and travelled in Pruitt's motorcade and accompanied him to multiple events during the trip, over the objection of Pruitt's aides.²⁰

- In December of 2017, Pruitt and a retinue of staff spent four days traveling to Morocco at a cost of over \$100,000, which included \$16,217 for Pruitt's Delta Air Lines fare and \$494-per-night stays in a luxury hotel in Paris.²¹ News reports have revealed evidence that the purpose of this trip, which included meetings and dinners with representatives of Morocco's phosphate industry, was to promote natural gas exports. *Id.* The trip was arranged by Richard Smotkin, a former Comcast lobbyist and another longtime personal friend of the Administrator. Smotkin not only arranged the trip and served as a direct broker and liaison for Pruitt's meetings with Moroccan officials, but accompanied Pruitt to multiple official events on the trip itself, including a private meeting with the chairman of a major phosphate exporter. Shortly after the trip, in April of 2018, Smotkin was awarded a \$40,000 per month contract by the Moroccan government (retroactive to January 1, 2018), and is now registered as a foreign lobbyist representing Morocco's interests.
- Pruitt had also planned to travel to Australia in late fall of 2017 at the direct suggestion of former lobbyist Matthew C. Freedman, chief executive of the firm Global Impact Inc. and treasurer for the American Australian Council.²² Mr. Freedman was put in contact with Pruitt aides Millan Hupp and Sarah Greenwalt by Mr. Smotkin, and over several weeks of direct email and phone coordination with these aides, recommended reasons on which an official visit could be justified, as well as suggestions for Pruitt's itinerary. *Id.*

¹⁸ Michael Biesecker. "New travel costs revealed for EPA head amid ongoing scrutiny." The Associated Press. March 21, 2018. https://www.apnews.com/7c35a9f631344fa0ba87b09b28ee5927/New-travel-costs-revealed-for-EPA-head-amid-ongoing-scrutiny?utm_campaign=SocialFlow&utm_source=Twitter&utm_medium=AP_Politics

¹⁹ Eric Lipton, Lisa Friedman, and Kenneth P. Vogel. "A Lobbyist Helped Scott Pruitt Plan a Morocco Trip. Then Morocco Hired the Lobbyist." The New York Times. May 1, 2018. <https://www.nytimes.com/2018/05/01/us/pruitt-epa-trips-lobbyists.html>

²⁰ *Id.*

²¹ Kevin Sullivan, Juliet Eilperin, and Brady Dennis. "Lobbyist helped arrange Scott Pruitt's \$100,000 trip to Morocco." The Washington Post. May 1, 2018. https://www.washingtonpost.com/national/health-science/lobbyist-helped-broker-pruitts-100000-trip-to-morocco/2018/05/01/b2e20ee0-4d76-11e8-b725-92c89fe3ca4c_story.html?utm_term=.2d368bbc9392

²² Brady Dennis and Juliet Eilperin. "D.C. consultant and former lobbyist helped arrange Scott Pruitt's canceled trip to Australia, records show." The Washington Post. May 2, 2018. https://www.washingtonpost.com/news/energy-environment/wp/2018/05/02/dc-consultant-and-former-lobbyist-helped-arrange-scott-pruitts-canceled-trip-to-australia-records-show/?utm_term=.a0f9e24136ef

- Pruitt has routinely flown using first and business-class accommodations citing security concerns,²³ in spite of an October 17, 2017 memo from a member of Pruitt’s personal security detail noting that there were “no known investigations... concerning threats to Scott Pruitt,” as well as a February 14, 2018 memo from EPA’s Office of Homeland Security Intelligence Team emphasizing that no credible security threat existed justifying such costs.²⁴
- Despite the conclusions of the memos described above, Pruitt has expanded his security detail to over triple the size of that of prior administrators. The unprecedented nature of this extensive 24/7 security detail necessitated pulling special agents from around the country, who would otherwise be investigating environmental crimes, in two-week rotations to serve as the Administrator’s personal bodyguards, at a cost to the taxpayers of over \$3 million including significant overtime pay.²⁵ These expenses also included full security coverage for the Administrator on vacation and over holidays, including attendance at a University of Kentucky basketball game, Christmas at his home in Oklahoma, and family trips to the Rose Bowl and Disneyland. *Id.*

Retaliatory personnel action, threatened or actual, against federal employees who disclose evidence of illegality, waste, and corruption is illegal.

- According to former Deputy Chief of Staff Kevin Chmielewski, Pruitt “sought to marginalize, remove, or otherwise retaliate against agency employees” who raised concerns about excessive spending. When Mr. Chmielewski refused to approve such spending requests, he was placed on administrative leave and replaced by Ms. Hupp.²⁶
- Chief of Staff Ryan Jackson was also marginalized after refusing to approve improper spending requests, resulting in his displacement by Ms. Hupp and Ms. Greenwalt.²⁷
- Special agent Eric Weese was dismissed as the head of Mr. Pruitt’s protective detail after denying Mr. Pruitt’s requests to use lights and sirens on his agency-issue vehicle to expedite non-emergency trips to restaurants and airports, and indicating that he would

²³ Brady Dennis and Juliet Eilperin. “EPA chief has unusual waiver to fly in first or business class.” The Washington Post. February 14, 2018. https://www.washingtonpost.com/national/health-science/epa-chief-has-unusual-waiver-to-fly-in-first-or-business-class/2018/02/14/9f29a658-11b0-11e8-9570-29c9830535e5_story.html?utm_term=.8e601d06774b

²⁴ Request to EPA OIG from Senators Thomas R. Carper and Sheldon Whitehouse for Senate Environment and Public Works Committee Probe of Scott Pruitt’s Security Detail Justification. April 10, 2018. <https://assets.documentcloud.org/documents/4435353/Request-for-Senate-Environment-and-Public-Works.pdf>

²⁵ Juliet Eilperin and Brady Dennis. “Pruitt’s round-the-clock security has cost taxpayers nearly \$3 million.” The Washington Post. April 7, 2018. https://www.washingtonpost.com/news/energy-environment/wp/2018/04/07/pruitts-round-the-clock-security-has-cost-taxpayers-nearly-3-million/?utm_term=.5372171bf2d2

²⁶ Letter from Senators Carper, Whitehouse, and Reps. Cummings, Connolly, and Beyer to Administrator Pruitt. April 12, 2018. <https://assets.documentcloud.org/documents/4436639/Congressional-Democrats-Letter-Outlining.pdf>

²⁷ *Id.*

oppose signing security waivers allowing Pruitt to fly in first class.²⁸ Mr. Weese was transferred from the security detail and replaced by Pasquale Perrotta, who subsequently approved Mr. Pruitt's requests. *Id.* Mr. Perrotta also approved numerous other security expenses of questionable necessity, such as the construction of the \$43,000 security booth, a bullet-proof SUV, and a \$3,000 sweep of the EPA offices for listening devices conducted by a private security firm founded by Mr. Perrotta, and for which he served as Vice President during his tenure at EPA.²⁹

- At least three other EPA career officials were demoted, reassigned, or pushed to request new positions after raising concerns about Pruitt's improper spending and management.³⁰

²⁸ Eric Lipton, Kenneth P. Vogel, and Lisa Friedman. "E.P.A. Officials Sidelined After Questioning Scott Pruitt." The New York Times. April 5, 2018. <https://www.nytimes.com/2018/04/05/business/epa-officials-questioned-scott-pruitt.html>

²⁹ Kenneth P. Vogel, Eric Lipton, and Lisa Friedman. "At E.P.A., Pruitt's 'Sheriff' Clashed With Critics of Spending." The New York Times. April 12, 2018. <https://www.nytimes.com/2018/04/12/climate/epa-scott-pruitt-pasquale-perrotta.html>

³⁰ Eric Lipton, Kenneth P. Vogel, and Lisa Friedman. "E.P.A. Officials Sidelined After Questioning Scott Pruitt." The New York Times. April 5, 2018. <https://www.nytimes.com/2018/04/05/business/epa-officials-questioned-scott-pruitt.html>