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COUNCIL • AMERICAN PUBLIC HEALTH ASSOCIATION • UNITED FARM WORKERS  
• FARMWORKER ASSOCIATION OF FLORIDA • INTERNATIONAL SOCIETY FOR  
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TOXICS • AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS • BUFFALO  
RIVER WATERSHED ALLIANCE • CENTER FOR BIOLOGICAL DIVERSITY • CENTER  
FOR FOOD SAFETY • ENDOCRINE SOCIETY • ENVIRONMENTAL DEFENSE FUND •  
ENVIRONMENTAL PROTECTION NETWORK • SIERRA CLUB • FEDERATION OF  
AMERICAN SCIENTISTS

*Via mail and e-mail August 6, 2018*

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**Re: Rescinding former Administrator Pruitt's 2017 policy directive  
regarding membership of EPA federal Advisory committees**

Dear Acting Administrator Wheeler, Acting Deputy Administrator Darwin, Principal Deputy  
Assistant Administrator Orme-Zavaleta, and Deputy Assistant Administrator Yamada:

The above-listed public-health, science, conservation, and higher-education organizations  
urge you to rescind the policy directive issued by former EPA Administrator Scott Pruitt on  
October 31, 2017, which barred scientists who conduct EPA-funded research from serving on

EPA federal advisory committees.<sup>1</sup> The Pruitt Directive is a thinly-veiled attempt to skew the membership of EPA’s non-partisan and independent scientific advisory boards. By barring scientists who receive EPA research funding, the Directive disproportionately and predictably excludes highly qualified academic scientists—who rely on such funding to conduct research in the public interest—while favoring individuals who work for regulated industries. Far from advancing the agency’s mission, it undermines the agency’s ability to access the best scientific and technical expertise, damages the integrity of the scientific process at EPA, and undermines the agency’s ability to protect public health and the environment. Because the Pruitt Directive was adopted by the stroke of a pen, without any formal process, Acting Administrator Wheeler can rescind it immediately.

Acting Administrator Wheeler stated in a recent address to staff that he is “ready to listen” and intends to “seek the facts” before reaching conclusions,<sup>2</sup> but the Directive undermines those goals. By excluding leading scientists from service on EPA advisory committees without any legitimate basis, the Directive damages staff morale and isolates EPA from the scientific community. It also exposes the agency to costly litigation. Not only is the Directive itself currently the subject of several lawsuits, but any rules that EPA subsequently issues with input from an advisory committee that has a skewed membership will be legally vulnerable as well. This creates legal risk and uncertainty and wastes resources that should be directed to achieving the mission of the agency. Acting Administrator Wheeler should abandon this misguided policy and refocus on protecting the environment and ensuring that every American has access to clean air and water.

These are not merely abstract issues for our organizations and our millions of members and supporters. Because EPA’s scientific advisory committees play a critical role in the development of rules and standards to protect public health and the environment, the Directive’s weakening of these committees, and disruption of their work, poses a danger to the health of children, families, communities, and the environment. For example, the Directive has resulted in the dismissal of several leading air pollution scientists from the committee charged with supporting the development of new protections against deadly particle pollution. These vital protections were already overdue, and now may be further delayed, weakened, or undermined as a consequence of the Directive.

The Pruitt Directive is part of a troubling pattern of attacks on the scientific process during Administrator Pruitt’s time leading the EPA. Administrator Pruitt questioned the science of human-caused climate change and suggested that climate change is good because “humans

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<sup>1</sup> EPA, “Strengthening and Improving Membership on EPA Federal Advisory Committees” (Oct. 31, 2017).

<sup>2</sup> Steve Davies, “Wheeler tells EPA employees he’s got their back,” *AgriPulse* (July 11, 2018), <https://www.agri-pulse.com/articles/11219-wheeler-tells-epa-employees-hes-got-their-back>.

have most flourished during . . . warming trends[.]”<sup>3</sup> Under Pruitt, EPA also proposed to prohibit consideration of scientific studies that rely on confidential health data—a move that would weaken public health protection by excluding many foundational public health studies from consideration in the development of standards. To repair the damage done to the scientific process during Pruitt’s tenure, Acting Administrator Wheeler should restore the agency’s commitment to using the best science to inform its decisions. Promptly repealing the Pruitt Directive, and thereby reinstating the eligibility of top scientific researchers to serve on EPA federal advisory committees, would represent a good start in a larger effort to right the ship at EPA.

The Pruitt Directive has been strongly criticized by Republicans and Democrats alike. Christine Todd Whitman, former EPA Administrator under George W. Bush, said, “[t]here was nothing in my experience at the Agency that would have made me think we needed to enact this sort of makeover.”<sup>4</sup> A legal brief submitted by former leaders of EPA from both parties, who served in the agency under the Reagan, Clinton, and Obama Administrations, explains that the Directive “tries to solve a problem that does not exist” and “undermines EPA’s ability to base its decisions on the best available science while serving no countervailing purpose.”

The Directive is currently the subject of three active lawsuits, pending in U.S. district courts in Washington, D.C., New York, and Massachusetts. The states of Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York, and Oregon, as well as the Pennsylvania Department of Environmental Protection, have filed briefs in support of the challengers. They explain that the Directive “has significant, negative impacts on EPA’s ability to carry out its core mission, to the detriment of states, regulated entities, and the American people” and that it also harms public state university systems, which depend on EPA’s grant funding to conduct cutting-edge research on public health and the environment.

The longer the Pruitt Directive remains in place, the greater the damage it will do to the integrity of the scientific process. Unless it is rescinded, more top scientists will be removed from EPA’s advisory panels, more scientific research will be disrupted, and the scientific credibility of EPA will sink lower. We urge you to abandon this harmful policy and rededicate the agency to its core mission of using the best science to protect public health and the environment.

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<sup>3</sup> John Bacon, “Scientists rebuff EPA chief’s claim that global warming may be good,” *USA Today* (Feb. 8, 2018), <https://www.usatoday.com/story/news/nation/2018/02/08/epa-chief-scott-pruitt-global-warming-may-good-thing/318850002/>.

<sup>4</sup> Brian Kahn, “The EPA’s Science Advisory Board Will Now Be Stocked By Industry Shills,” *Earther* (Oct. 31, 2017), <https://earther.com/the-epas-science-advisory-board-will-now-be-stocked-by-1820019955>.

We would welcome the opportunity to discuss our concerns with the Pruitt Directive in person with you and your staff.

Signed,

Union of Concerned Scientists  
Physicians for Social Responsibility  
National Hispanic Medical Association  
International Society for Children’s Health and the Environment  
Natural Resources Defense Council  
American Public Health Association  
United Farm Workers  
Farmworker Association of Florida  
International Society for Environmental Epidemiology  
Clean Air Task Force  
Earthjustice  
Breast Cancer Prevention Partners  
Alaska Community Action on Toxics  
American Association of University Professors  
Buffalo River Watershed Alliance  
Center for Biological Diversity  
Center for Food Safety  
Endocrine Society  
Environmental Defense Fund  
Environmental Protection Network  
Sierra Club  
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