

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

NEIL L. BRADLEY  
SENIOR VICE PRESIDENT &  
CHIEF POLICY OFFICER  
GOVERNMENT AFFAIRS

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January 31, 2017

The Honorable John Barrasso  
Chairman  
Committee on Environment and  
Public Works  
United States Senate  
Washington, DC 20510

The Honorable Tom Carper  
Ranking Member  
Committee on Environment and  
Public Works  
United States Senate  
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper:

The U.S. Chamber of Commerce wishes to express its views on the nomination of Attorney General Scott Pruitt to the position of Administrator of the Environmental Protection Agency (EPA).

The Chamber has long championed the belief that environmental policy can simultaneously be pro-environment, pro-energy, and pro-economic growth. Unfortunately, in the past EPA has pursued a regulatory agenda that has imposed significant economic costs with little environmental benefit. To compound matters, EPA has pursued its regulatory agenda in a manner that is opaque, eschews public participation, usurps the prerogatives of the states, and exceeds its statutory authority. The courts have on numerous occasions struck-down EPA regulatory initiatives.

For the sake of protecting the environment and furthering economic growth, it is imperative that the next Administrator of the EPA take a different approach.

Specifically, the next Administrator must commit to a transparent, fair, and inclusive process to setting and implementing federal environmental policy. Stakeholders representing all points of view should have an equal opportunity to comment and weigh-in on agency policy. The recent practice on the part of EPA of encouraging lawsuits and then quickly entering consent decrees to impose new regulations (known as “sue and settle”) must come to an end.

It is imperative that the next Administrator also work to restore cooperative federalism as a core EPA doctrine. Our federal system and many of our nation’s environmental laws rely on state and local officials to prevent, reduce, and eliminate pollution precisely because they are closest to the issue and have a better understanding than officials in Washington about what will work best in a given situation. EPA must work with, rather than infringe upon, state and local policymakers.

Finally, in addition to understanding EPA's mandate, the next Administrator should have a healthy appreciation of the boundaries imposed on the agency by federal law. Ultimately, it is the duty of the EPA Administrator to implement the laws passed by Congress, not to pursue novel ways of attempting to exceed the authority granted by Congress. Such attempts only end up distracting the agency from its core functions and competencies.

Although we will not agree on every issue, as both Attorney General for the State of Oklahoma and as the president's nominee to head the EPA, Scott Pruitt has demonstrated an appropriate understanding of the proper role of the EPA Administrator and a commitment to leading the agency in a direction that will protect public health and the environment. We encourage a swift vote on his nomination.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a large, stylized flourish at the end.

Neil L. Bradley

cc: Members of the Committee on Environment and Public Works