



The Johns Hopkins Center for a Livable Future  
Bloomberg School of Public Health  
615 North Wolfe Street, W7010  
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Members of the United States Senate

*Disclaimer: The opinions expressed herein are our own and do not necessarily reflect the views of The Johns Hopkins University.*

Dear Members of the U.S. Senate,

We are researchers based at the Johns Hopkins Center for a Livable Future, an interdisciplinary academic center based within the Bloomberg School of Public Health in the Department of Environmental Health and Engineering. The Center engages in research, policy analysis, education, and other activities guided by an ecologic perspective that diet, food production, the environment, and public health are interwoven elements of a complex system.

On January 18<sup>th</sup>, 2017, Oklahoma Attorney General Scott Pruitt testified before the Senate Environment and Public Works Committee on his nomination to be the administrator of the United States Environmental Protection Agency (EPA). We are writing to express our concerns regarding the possible confirmation of Mr. Pruitt for this role due to the adversarial positions he has taken previously on matters related to the protection of public health and the environment, a history of contention with the agency he has been nominated to lead, and multiple conflicts of interest. We believe that as EPA Administrator, Mr. Pruitt would impede the implementation of climate change mitigation strategies and threaten the implementation and enforcement of regulations and proposed rules that protect the environment and public health.

The World Health Organization (WHO) has declared climate change one of the greatest health risks of the 21<sup>st</sup> Century,<sup>1</sup> while the American Public Health Association (APHA), an organization with over 140 years of experience protecting and promoting health, recently declared 2017 the “Year of Climate Change and Health” in response to the significance of this public health threat.<sup>2</sup> Climate change impacts—such as rising sea levels, warming temperatures, alterations in precipitation, and increasing severity, frequency and duration of heat waves, droughts, flooding and extreme weather events—all threaten human health and safety, both directly and through their negative effects on agriculture, nutrition, and food safety and security.<sup>3</sup>

Other climate change related public health threats involving the food system include: likely increases in bacteria-related food illness due to warmer temperatures; potential increases in the exposure to chemical contaminants in food (higher mercury concentrations in seafood due to warmer sea surface temperatures, and the introduction of contaminants into the food chain due to

storm water runoff from extreme weather events); and the potential disruption of food distribution due to damaged roads and waterways from extreme weather events.<sup>4</sup> Additionally, climate change is anticipated to disrupt agriculture and fisheries, important sectors of the U.S. economy, through a wide variety of mechanisms that make it more difficult to grow crops, produce food animals, and catch fish.<sup>5</sup> These disruptions can negatively impact food availability, access, and quality in the U.S. and globally, and potential food shortages can lead to rising domestic food prices, humanitarian crisis, and national security concerns.<sup>5</sup>

Despite the resounding scientific consensus that anthropogenic climate change is unequivocal and poses serious risks to human health, Mr. Pruitt has previously stated that the science on climate change is uncertain, and that proposed environmental regulations are unable to stop global warming.<sup>6</sup> Mr. Pruitt has sued over the EPA's determination that greenhouse gas pollution endangers health and the environment, and has attempted to halt and roll back efforts critical to combatting climate change and protecting human health, including the EPA's Clean Power Plan. It is imperative that we remain committed to our efforts to reduce emissions from power production considering that those from livestock production, which contribute more global anthropogenic greenhouse gas emissions than the entire transportation sector,<sup>7</sup> are currently unregulated<sup>8</sup> and receive comparatively little attention.

When it comes to the agriculture sector, Mr. Pruitt has demonstrated a willingness to place industry interests above environmental protection. When Mr. Pruitt took office in Oklahoma in 2005, he inherited a case his predecessor had brought against 14 poultry companies for poultry waste pollution in the Illinois River Watershed. Elected in the midst of this suit, Mr. Pruitt received at least \$40,000 in campaign contributions from poultry executives involved in the lawsuit or attorneys at the firms representing the companies.<sup>9</sup> The federal judge still has not ruled on this case. Mr. Pruitt formed an agreement with Arkansas and the poultry companies involved to conduct a study on appropriate phosphorus levels in the Illinois River and shut down the specialized unit of four attorneys and a criminal investigator who initially brought the lawsuit against the poultry companies.<sup>9</sup> Under Mr. Pruitt, a 2003 agreement between Oklahoma and Arkansas to reduce poultry waste pollution and monitor progress expired and was never renewed.<sup>9</sup> These events demonstrate Mr. Pruitt's allegiance to donors and may forecast his future actions—or lack thereof—taken to protect natural resources and the public's health from agriculture-related pollution.

Mr. Pruitt has a history of contention with the EPA that includes efforts to stop the agency from requiring coal-burning power plants to install scrubbers to reduce air pollution in national parks and a challenge of efforts to reduce mercury, ozone, and carbon pollution. Coal-burning power plant emissions cause smog, acid rain, air pollution, and the release of toxins, all of which can adversely affect the food system.<sup>10,11</sup> Mr. Pruitt has also challenged the Clean Water Rule: Definition of "Waters of the United States," a rule that brought approximately 117 million Americans, or one in three people, under the clear protection of the Clean Water Act<sup>12</sup> by covering additional waterways, like streams and wetlands, that can contribute to downstream pollution. Mr. Pruitt's opposition to these EPA initiatives serve not only as additional examples of his disregard for the environment and the adverse health impacts of climate change, but also his unwillingness to protect the air we breathe, the water we drink, and the food we eat.

Mr. Pruitt misrepresented his own past statements and legal positions on these issues during his confirmation hearing. For example, he claimed that his challenge to the 2011 Mercury and Air Toxics Standards “was with regard to the process that was used in that case and how it was not complicit with statutes as defined by Congress.” In reality, Mr. Pruitt challenged these standards on process and substantive grounds, arguing that the Mercury and Air Toxics Standards were unlawful under the Clean Air Act. Mr. Pruitt’s claim that his legal challenges of the EPA in this case and others were purely with regard to process is an example of his attempt to mislead the Committee during his hearing and disguise his opposition to the substance of current environmental laws.

Lastly, Mr. Pruitt’s campaign contributors include representatives of the poultry industry and several energy companies; his co-parties in suits against the EPA have included the American Petroleum Institute, the National Mining Association, Peabody Energy, and several other energy companies. Mr. Pruitt has suggested that if confirmed as EPA administrator, he plans to address his conflicts of interests in ongoing lawsuits against the agency by switching sides and representing the EPA in suits that he brought forth, rather than recusing himself from those cases. As Senator Edward J. Markey (D-Mass.) told Mr. Pruitt, “If you don’t agree to recuse yourself, then you become plaintiff, defendant, judge, and jury on the cases you are bringing right now as attorney general of Oklahoma against the EPA.”

Mr. Pruitt’s conflicts of interests associated with his political and legal career and his antagonistic positions on matters related to health, the environment, and climate change calls into question his understanding and acceptance of the science so crucial to decision making at the EPA and should disqualify him from consideration for the position of EPA administrator. In order to preserve current EPA rules and regulations, advance the protection of the environment and public health, and defend the integrity of this government agency, we urge you to consider the concerns presented here in your decision to confirm Mr. Pruitt’s nomination as administrator of the EPA. Please do not hesitate to contact us at (410) 502-7578 if you have any questions.

Sincerely,

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## References:

1. World Health Organization. Climate Change and Health. 2017. Accessed January 31, 2017. Link: <http://www.who.int/globalchange/en/>
2. American Public Health Association. 2017 is the Year of Climate Change and Health. 2017. Accessed January 31, 2017. Link: <https://www.apha.org/topics-and-issues/climate-change>
3. United States Environmental Protection Agency. Climate Impacts on Human Health. Updated: January 13, 2017. Accessed: February 1, 2017. Link: <https://www.epa.gov/climate-impacts/climate-impacts-human-health>
4. USGCRP (2014). Hatfield, J., G. Takle, R. Grotjahn, P. Holden, R. C. Izaurralde, T. Mader, E. Marshall, and D. Liverman, 2014: Ch. 6: Agri-culture. Climate Change Impacts in the United States: The Third National Climate Assessment, J. M. Melillo, Terese (T.C.) Richmond, and G. W. Yohe, Eds., U.S. Global Change Research Program, 150-174. Link: <http://nca2014.globalchange.gov/report/sectors/agriculture>
5. United States Environmental Protection Agency. Climate Impacts on Agriculture and Food Supply. Updated: October 6, 2016. Accessed: February 1, 2017. Link: <https://www.epa.gov/climate-impacts/climate-impacts-agriculture-and-food-supply>
6. Kaczynski, A. In interviews, Trump's EPA pick questioned climate change, said Obama EPA rules would be undone. CNN. December 13, 2016. Link: <http://www.cnn.com/2016/12/13/politics/kfile-scott-pruitt-climate-change-epa/>
7. Gerber PJ, Steinfeld H, Henderson B, et al. Tackling Climate Change through Livestock—A Global Assessment of Emissions and Mitigation Opportunities. Rome: Food and Agriculture Organization of the United Nations; 2013. Link: <http://www.fao.org/3/i3437e.pdf>
8. Environmental Protection Agency. Agriculture: Laws and Regulations that Apply to Your Agricultural Operation by Farm Activity. Accessed: February 3, 2017. Link: <https://www.epa.gov/agriculture/agriculture-laws-and-regulations-apply-your-agricultural-operation-farm-activity>
9. Lipton E, Davenport C. Scott Pruitt, Trump's E.P.A. Pick, Backed Industry Donors Over Regulators. The New York Times. January 14, 2017. Accessed: February 1, 2017. Link: <https://www.nytimes.com/2017/01/14/us/scott-pruitt-trump-epa-pick.html>
10. United States National Library of Medicine, National Institutes of Health. Toxtown: Coal-Fired Power Plants. Updated: January 5, 2017. Accessed: February 3, 2017. Link: [https://toxtown.nlm.nih.gov/text\\_version/locations.php?id=155](https://toxtown.nlm.nih.gov/text_version/locations.php?id=155)
11. United States Environmental Protection Agency. Progress Cleaning the Air and Improving People's Health. Updated: January 18, 2017. Accessed: February 3, 2017. Link: <https://www.epa.gov/clean-air-act-overview/progress-cleaning-air-and-improving-peoples-health>
12. United States Environmental Protection Agency. News Releases: Clean Water Rule Protects Streams and Wetlands Critical to Public Health, Communities, and Economy. May 27, 2015. Accessed: January 31, 2017. Link: <https://www.epa.gov/newsreleases/clean-water-rule-protects-streams-and-wetlands-critical-public-health-communities-and>