

**Environmental Protection Agency Designate E. Scott Pruitt**

**Attorney General, State of Oklahoma**

**Senate Confirmation Hearing Opening Statement**

**January 18, 2017**

Chairman Barrasso, Ranking Member Carper, members of the Committee, it is a great privilege to be here today and be considered for the position of Administrator of the Environmental Protection Agency. I want to start with what is most important to you and to the public: if I have the honor to serve as EPA Administrator, my overarching goal will be to lead in a way that our future generations inherit a better and healthier environment. It will be my absolute privilege to work with the thousands of dedicated public servants at EPA who have devoted their careers to helping realize this shared goal. I've always said that if you love what you do, you'll never work a day in your life, and I know those who work at EPA do so because of their tireless dedication to what they do.

EPA serves a critical mission. As I have repeatedly emphasized in my testimony to this body and elsewhere, promoting and protecting a strong and healthy environment is among the lifeblood priorities for the government, and EPA is vital to that mission. When I was sworn in as Oklahoma Attorney General, I was immediately confronted with an important water quality issue on the scenic Illinois River. High phosphorous levels were causing a range of environmental problems, and Oklahoma—the downstream state—had been in a long-running dispute with Arkansas over how to control those levels. It's well understood that

interstate water issues are among the most challenging in environmental law and policy. However, I worked together with my Democratic counterpart in Arkansas to reach an historic agreement to clean up that river. While this was a proud success of cooperation among the states, I also came to appreciate that if we had not solved these challenges among us, EPA would provide a vital function in ensuring the protection of the shared resources.

Environmental law, policy, and progress are all based on cooperation: cooperation between the States, cooperation between the States and EPA, and cooperation between the regulators and the public. Such cooperation is essential because clean air and water and a healthy environment are essential to the American way of life and key to our economic success and competitiveness. We should be proud of the progress we have made as a Nation in emphasizing environmental stewardship while also growing our economy. If confirmed as Administrator, I will work tirelessly to build on such progress in promoting a healthier environment and stronger economy for future generations by focusing on three core philosophies: rule of law, cooperative federalism, and public participation.

First, under our Constitution, the role EPA plays in protecting the environment is defined by statute, just as statutes limit every federal agency. Members of this body and of the House of Representatives have worked tirelessly over decades to set the balance in environmental policies through the laws that they have passed. The EPA's role is to administer those laws faithfully.

As Attorney General of Oklahoma, I saw examples where the Agency became dissatisfied with the tools Congress has given it to address certain issues, and bootstrapped its own powers and tools through rulemaking. This, unfortunately, has resulted only in protracted litigation, where the courts suspended most of these rules after years of delay. In the meantime, we lost the opportunity for true environmental protection as a Nation. This is not the right approach.

If given the opportunity to serve as Administrator, I will work to ensure that EPA has a cooperative and collaborative relationship with Congress in fulfilling its intent. The agency must be committed to using its expertise in environmental issues not to end run Congress, but rather to implement its direction, so that Congress may decide the proper policies for our Nation, and the EPA can go about the business of enacting effective regulations that survive legal scrutiny. The purpose of regulation is to make things regular, to put the public on clear notice of its obligations, and to do so fairly, without picking winners and losers. I look forward to working with each of you to accomplish this goal.

Second, cooperative federalism must be respected and applied by the EPA with regard to our environmental laws. Congress has wisely and appropriately directed the EPA through our environmental statutes to utilize the expertise and resources of the States to better protect the environment, and for the States to remain our nation's frontline environmental implementers and enforcers. If we truly want to advance and achieve cleaner air and water the States must be partners and not mere passive instruments of federal will. If confirmed, I will utilize the relationships I have forged with my counterparts in the States to ensure that EPA

returns to its proper role, rather than using a heavy hand to coerce the States into effectuating EPA policies.

Third, it is critical to me that EPA also truly listen to the diverse views of the American people, and learn from them. If confirmed as Administrator, I am committed to ensuring EPA's decisions are conducted through open processes that take into account the full range of views of the American people, including the economic consequences of any regulation. Environmental regulations should not occur in an economic vacuum. We can simultaneously pursue the mutual goals of environmental protection and economic growth. But that can only happen if EPA listens—listens to the views of all interested stakeholders, including the States, so that it can determine how to realize its mission while considering the pragmatic impacts of its decisions on jobs, communities, and most importantly, families.

It is, after all, EPA's core mission to protect people. It is not EPA's mission to be *against* sectors of industry in general, or against particular States. My first and primary goal as Administrator will be to return the agency to that core mission of protecting the American people through common sense and lawful regulations.

In closing, my time as Attorney General of Oklahoma afforded me the opportunity to travel my state meeting farmers, ranchers, landowners, and small business owners of all sorts. These are good people-- hardworking Americans who want to do the right thing by the environment. They want the air that their children breathe and the waters in which they swim to be clean. They *want* to follow the

law. But recently they have felt hopeless, subject to a never ending torrent of new regulations that only a lawyer can understand. They fear the EPA, and that just shouldn't be the case. If confirmed, I will work tirelessly to ensure that the EPA acts lawfully, sensibly, and with those hardworking Americans ever in mind.

Thank you.