

Pruitt Believes EPA Has 'A Very Important Role'

Scott Pruitt, Donald Trump's choice to lead the Environmental Protection Agency (EPA), faced Republican and Democratic members of the Senate Environment and Public Works Committee on Jan. 18 during his confirmation hearing. Democrats explored his record as Oklahoma's Attorney General trying to create some sort of problem with his relationship with the oil and gas industry and Pruitt's lawsuits against former President Obama's federal regulatory agencies, including EPA, Fish and Wildlife Service, Department of Interior, and others.

Actually, Pruitt had little official oversight of the oil and gas industry as Attorney General.

Several Democrats criticized Pruitt for sending a letter in 2011 to EPA stating problems he saw with its proposed methane rule. They alleged the letter appeared to closely resemble a similar letter from Devon Energy Corp., an oil and gas company based in Oklahoma City.

"It was sent not on behalf of one company," Pruitt said. "It was sent on behalf of industry."

The oil and gas industry worked with Pruitt and other attorney generals from Texas and some 30 other states in several cases challenging federal overreach that infringes on states' rights. One such case was a lawsuit filed by Pruitt and the Domestic Energy Producers Alliance, which included the Texas Alliance of Energy Producers, in 2014 against the Department of Interior and Fish and Wildlife Service regarding a practice known as "sue and settle."

"Sue and settle" was a game regulators within the Obama administration played with environmental groups, who would bring legal action against a federal agency to enforce a regulation by a specific deadline. The agency frequently would miss the deadline and the environmental groups and the agency would then work out an agreement behind closed doors. A draft consent decree or settlement agreement would be lodged with the court. The court finalizes the decree or agreement. In many cases, the environmental group was awarded funds from the federal agency to pay their legal fees.

Pruitt stated in the petition "sue and settle" violated the 5th Amendment of the Constitution, the Endangered Species Act, and the Administrative Procedures Act. The process is also described in a 49-page study conducted by the U.S. Chamber of Commerce in 2013 that outlined settled agreements involving the Clean Air Act, Clean Water Act, and the Endangered Species Act. Pruitt's actions focused on the close relationship between federal regulators and environmental groups, which circumvented the rights of other citizens to participate in the process. Before the aggressive behavior and overreach of the Obama regulatory machine, states seldom brought legal action against the federal government.

However, President Obama decided he would use the power of the executive order and regulatory process to achieve the changes he desired, because working through the legislative process took too much time and effort. The only remedy the states had was legal action.

Pruitt told the committee he did not believe climate change is a hoax, but the amount of human involvement is subject to debate. Pruitt's opponents have alleged that he is a climate denier because he has participated in many lawsuits against federal agencies, and some involved the EPA. However, Pruitt believes in the rule of law and states' rights. Pruitt said he believes that states and federal agencies should partner together to protect the environment. He said the EPA has a "very important role."