

Congress of the United States
House of Representatives
Washington, DC 20515-2003

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January 25, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Pruitt:

I am writing to request additional details regarding the Agency's recent decision to cut funding to the *Bay Journal*. This decision raises concerns that the U.S. Environmental Protection Agency (EPA) is inappropriately politicizing taxpayer-funded grants and undermines the critically important efforts to educate the public about the Chesapeake Bay. I urge you to reconsider your decision and restore the full award.

As the largest estuary in the United States, the Chesapeake Bay is not only an important ecosystem, but also an economic engine for the region worth over \$100 billion annually. From farmers and watermen to sportsmen and tourists, commercial and recreational users alike rely on a healthy and working Chesapeake Bay. Consequently, support for restoring and protecting the Bay can be found at every level of government and across party lines. In 2016, state and federal partners invested \$1.8 billion in environmental restoration efforts throughout the watershed.¹

For these restoration efforts to remain collaborative and locally-driven, residents need sustained and reliable information about the health of this critical natural resource, a role the *Bay Journal* has ably filled since 1991. The *Bay Journal* informs the public about issues and events affecting the Chesapeake Bay and reaches approximately 100,000 readers each month.² EPA has reportedly been providing grants to the *Bay Journal* for twenty-five years³ and, in 2015, gave the *Bay Journal* a six-year grant for \$325,000 annually through 2021.⁴ On August 24, 2017, EPA informed the publication that "[d]ue to a shift in priorities, EPA has decided not to provide funds for your project."⁵

¹ OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, CHESAPEAKE BAY RESTORATION SPENDING CROSSCUT (2016).

² About Us, BAY JOURNAL, <https://www.bayjournal.com/about> (last visited Jan. 12, 2018).

³ Ariel Wittenberg, *Politics killed newspaper grant – ex-Bay Program chief*, E&E NEWS (Jan. 4, 2018), <https://www.eenews.net/stories/1060070101>.

⁴ *Id.*

⁵ Email from Diana Esher to Karl Blankenship (Aug. 23, 2017 12:17 PM), available at https://www.eenews.net/assets/2018/01/03/document_gw_05.pdf.

According to a recent *Greenwire* report, EPA's decision to cut funding to the *Bay Journal* was "totally ideologically driven."⁶ Prior to the Agency cutting funding, EPA's Deputy Associate Administrator for Public Affairs John Konkus reportedly told Agency career officials that "the American people have major concerns with newspapers and the media" and that "this issue has gotten the attention of higher levels of the agency."⁷ Email records indicate Mr. Konkus also reportedly told career staff "on its face, this one is troubling and we will need to have a larger conversation in HQ with the Chief of Staff ..."⁸

EPA recently assured fellow members of the Committee on Energy and Commerce that the Agency's new political grant review process "has not slowed or changed EPA's grant activity in any significant way."⁹ However, cutting funding for the *Bay Journal* suggests that EPA under your leadership has continued to politicize taxpayer-financed grants¹⁰ and continued its attacks on the press.¹¹

I request a response to the following:

1. What was EPA's justification for cutting funding to the *Bay Journal*? Please provide a list of all factors taken into consideration in making this decision.
2. Which EPA political appointee(s) made the determination to cut these funds? Please provide a list of all meetings in 2017 where political appointees discussed funding for the *Bay Journal*, including the name and title of all current EPA political appointees who participated.
3. Prior to cutting funding for the *Bay Journal*, what analysis did EPA conduct to understand the potential impact the action would have on efforts to provide information to the public?
4. Please confirm or deny reports that EPA's Deputy Associate Administrator for Public Affairs John Konkus reportedly told Agency career officials that "the American people have major concerns with newspapers and the media."¹²

⁶ Wittenberg, *supra* note 3.

⁷ *Id.*

⁸ Email from Terri White to Denise Harris (Aug. 16, 2017 11:18 AM), available at https://www.eenews.net/assets/2018/01/03/document_gw_01.pdf.

⁹ Letter from Troy Lyons, Associate Administrator, EPA, to Representative Frank Pallone, Ranking Member, H. Comm. on Energy and Commerce (Nov. 13, 2017), available at <https://democrats-energycommerce.house.gov/sites/democrats.energycommerce.house.gov/files/documents/EPA%20Response%20on%20Grants%2011.13.2017.pdf>.

¹⁰ Juliet Eilperin, *EPA Now Requires Political Aide's Sign-off for Agency Awards, Grant Applications*, WASH. POST (Sept. 4, 2017), https://www.washingtonpost.com/politics/epa-now-requires-political-aides-sign-off-for-agency-awards-grant-applications/2017/09/04/2fd707a0-88fd-11e7-a94f-3139abce39f5_story.html?utm_term=.b34ca46d38f4.

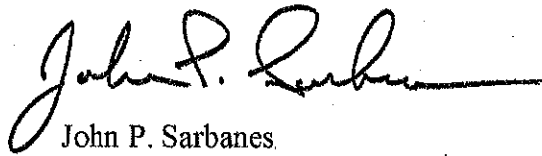
¹¹ Kevin Bogardus, *Press Shop Takes on Reporter Over Hurricane Coverage*, E&E NEWS (Sept. 5, 2017), <https://www.eenews.net/greenwire/stories/1060059733>.

¹² Wittenberg, *supra* note 3.

5. Please otherwise confirm or deny all allegations made in the January 4, 2018 *Greenwire* report "Politics killed newspaper grant – ex-Bay Program chief."¹³

These actions raise significant questions regarding EPA's stewardship, protection, and restoration efforts for the Chesapeake Bay. In light of these concerns, I further urge you to reconsider your decision and restore funding to the *Bay Journal*. Thank you for your response no later than February 8, 2018. If you have questions please do not hesitate to contact Anna Killius on my staff at (202) 225-4016.

Sincerely,



John P. Sarbanes
Member of Congress

¹³ *Id.*