

Trump Environmental Protection Agency Litigation Record: U.S. Senate Environment & Public Works Committee Minority Ranking Member (Tom Carper) Report



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05/24/2018

United States Senate Committee on Environment & Public Works Ranking Minority Member Tom Carper has issued a report titled:

Rule of Law? Not so much. Scott Pruitt's Losing Litigation Record at EPA ("Report")

The focus of the *Report* are lawsuits that have been filed against the United States Environmental Protection Agency ("EPA") during Administrator Scott Pruitt's tenure.

In terms of numbers, the *Report* notes that over 140 lawsuits have been filed against EPA in response to regulation repeal, delay of regulation implementation or denial of public access to agency information. Further, the *Report* states that EPA has been put on notice in regards to nearly 3 dozen lawsuits that may be filed.

The Pruitt EPA's litigation record in regards to these lawsuits is stated to consist mainly of losses. For example, the *Report* states:

- Approximately 66 cases have been filed regarding EPA's alleged failures to comply with government transparency and ethics rules. In 7 of those cases, the plaintiffs voluntarily dismissed their case after working or reaching a settlement with the agency. In another 13 cases, the court ordered EPA to produce records that had been withheld. In only one case of approximately 21 that have resulted in a court order or otherwise reached resolution, did EPA prevail (on procedural, not substantive grounds) – a litigation "success" rate of about 5%.
- Approximately 79 cases have been filed regarding the Pruitt EPA's environmental regulatory actions. Of the 6 cases that have had a court fully review them, EPA lost 4 cases outright. In the other 2 cases, EPA succeeded in delaying arguments on one, and got another dismissed on mootness grounds after withdrawing the challenged rule.

A copy of the *Report* can be downloaded [here](#).