

# United States Senate

WASHINGTON, DC 20510

March 5, 2026

The Honorable Lee M. Zeldin  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, D.C. 20004

Dear Administrator Zeldin,

I write today to express my deep concern with conflicts of interest at the Environmental Protection Agency's (EPA) Office of Chemical Safety and Pollution Prevention (OCSPP). As January reporting in the Washington Post highlighted, the Trump administration has systematically filled OCSPP's leadership positions with chemical industry insiders to undermine pesticide and chemical decisions at the agency that will negatively impact public health.<sup>1</sup>

Of particular concern was the agency's announcement to re-register dicamba, an herbicide that had been banned by federal courts twice. Notably, the EPA announced its plans to re-register dicamba less than a month after a former American Soybean Association lobbyist was placed in charge of the Office of Pesticides. As summarized in the reporting, when EPA was asked about this individual's conflict of interest on pesticide regulation, the agency's ethics office stated that "a federal employee's 'previous lobbying efforts' do not constitute any conflict of interest as defined by existing federal ethics laws or regulations."<sup>2</sup> However, EPA and government-wide ethics guidelines contain strong safeguards, "to ensure that an employee takes appropriate steps to avoid an appearance of loss of impartiality in the performance of his official duties."<sup>3</sup> Plainly, when a former lobbyist—who was paid by industry to advocate for EPA approval of a pesticide—becomes the decision-maker on registration of that same pesticide, it appears to present a conflict of interest.

But this is not the only instance of corporate lobbyists infiltrating the EPA and influencing the agency's actions. There is also reason to believe leadership within OCSPP, including Deputy Assistant Administrators with senior decision-making roles, have worked to deliver favorable results to industry that are at odds with previous public health determinations. Two such individuals in OCSPP previously worked as chemical industry lobbyists and advisors, and advocated in favor of rolling back risk assessments for formaldehyde, a chemical used in furniture, wood adhesives and body preservation at funeral homes. Presumably at their instance, OCSPP recently announced that it would reverse long-standing peer-reviewed scientific findings about formaldehyde's cancer-causing risks. This will greatly reduce the level of protection against cancer that previous EPA assessments afforded and the National Academies of Science, Engineering, and Medicine (NASEM) had upheld.<sup>4</sup> The updated risk assessment for formaldehyde reflects changes submitted to the agency at the request of senior leadership's former

---

<sup>1</sup> Amudalat Ajassa, *How EPA Ethics Officials Cleared Former Industry Insiders for Regulatory Roles*. The Washington Post, January 20, 2026. <https://www.washingtonpost.com/climate-environment/2026/01/19/epa-dicamba-formaldehyde-threshold-ethics/>

<sup>2</sup> Ajassa, *How EPA Ethics Officials Cleared Former Industry Insiders for Regulatory Roles*.

<sup>3</sup> 5 CFR § 2635.501

<sup>4</sup> National Academies of Sciences, Engineering, and Medicine. 2023. *Review of EPA's 2022 Draft Formaldehyde Assessment*. Washington, DC: The National Academies Press. <https://www.nationalacademies.org/read/27153/chapter/1>

employer.<sup>5,6</sup> These actions, too, raise troubling questions about industry's capture of EPA's public health decisions.

When the Trump administration established the Make America Healthy Again (MAHA) Commission in February 2025 and subsequently published its first MAHA report in May 2025, I was cautiously optimistic as it detailed the dangers that children face from exposure to a variety of chemicals. However, EPA was conspicuously absent in the subsequent MAHA Strategy that the administration published in September 2025, despite possessing the statutory authority to regulate chemicals mentioned in the report.

The MAHA report highlighted the historic corporate capture of science-based decision making at federal agencies, weakening the federal government's ability to robustly regulate chemicals that are known to cause harm to the American public. Unfortunately, the past year of this administration's decisions within OSCPP have revealed a great hypocrisy between what this administration claims to care about in the MAHA report and what is happening in practice under your leadership and behind closed doors.

As you make good on your promise to develop a roadmap on how EPA can further the goals of the MAHA report, we encourage your evaluation of conflicts of interest in OCSPP's decision making and that you set a real, actionable strategy to meaningfully reduce American's exposure to toxic chemicals. To help better understand EPA's actions to reduce conflicts of interest within OCSPP and how the administration plans to utilize critical laws and advice from its own advisory committees to reduce exposures to chemicals, please respond to the following requests for information and documents no later than March 31, 2026:

1. What specific steps has EPA taken to prevent undue influence on chemical reviews and regulatory decisions following the appointment of four former chemical-industry lobbyists to leadership roles within OCSPP?
  - a. Please provide the steps EPA has taken or plans to take to prevent undue influence on chemical reviews and regulatory decisions for formaldehyde, vinyl chloride and 1,3-butadiene.
2. Besides each official's ethics agreements, explain how EPA interprets ethics guidelines addressing the appearance of a lack of impartiality in agency decision-making and why EPA has concluded that no impartiality issues were presented in the instances described in the above letter?
  - a. Please provide all documents reflecting EPA's applications of ethics guidelines to these two cases on dicamba and formaldehyde.

---

<sup>5</sup> American Chemistry Council, *Toxicological Review of Formaldehyde Inhalation Toxicity; Draft Toxicological Review of Formaldehyde in Support of Summary Information on the Integrated Risk Information System*, (comment Docket No. EPA-HQ-ORD-2010-0396), Environmental Protection Agency, June 13, 2022, <https://www.regulations.gov/comment/EPA-HQ-OPPT-2018-0438-0099>.

<sup>6</sup> American Chemistry Council, (comment Docket No. EPA-HQ-OPPT-2023-0009), Environmental Protection Agency, 2024, <https://www.regulations.gov/comment/EPA-HQ-OPPT-2023-0613-0220>.

3. Please provide the official calendars of top leadership officials at OCSPP including Douglas Troutman, Nancy Beck, Lynn Ann Dekleva, and Kyle Kunkler.
4. Why did EPA replace dicamba restrictions proposed by pesticide manufacturers with weaker measures advanced by the American Soybean Association, and why did EPA not ensure this decision was free from industry influence after a former Association lobbyist assumed leadership of the pesticide office?
5. Provide a list of any pesticide currently under review that is a per- and polyfluoroalkyl substance (PFAS), including any pesticide with a single fluorinated alkyl carbon.
6. Who ordered the suspension of the Pesticide Program Dialogue Committee, and does EPA plan to reestablish the Committee in a manner that allows meaningful public participation?
7. Please provide a copy of any nondisclosure agreements, confidentiality agreements, or similar documents that EPA staff have signed in relation to the International Agency for Research on Cancer's finding that atrazine is probably carcinogenic to humans.
  - a. Yes or no, does EPA concur with scientific evidence that atrazine is probably carcinogenic to humans?
8. Provide a copy of the "MAHA Petition 1-pager" presented to Administrator Zeldin in February of 2025.
9. Please describe the factors EPA is considering as it finalizes the proposed Toxic Substances Control Act (TSCA) risk evaluation framework rule (40 CFR Part 702) and how the proposal meets or fails to meet the goals described in May 2025's Make America Healthy Again report.
10. Please describe the steps that EPA will take to consider cumulative exposures to chemicals, a priority described in the May 2025 Make America Healthy Again report.
11. Please provide a copy of the U.S. Environmental Protection Agency's response to the Children's Health Protection Advisory Committee's November 4, 2025, letter regarding the impact that plastics have on children's health.<sup>7</sup>
12. Please provide a description of any plans that EPA has to mitigate financial conflicts of interest from scientific advisory committees.

---

<sup>7</sup> Children's Health Advisory Committee, *Plastics and Children's Health Charge Response Letter*, (comment, Docket No. EPA-HQ-OA-2025-0261), Environmental Protection Agency, November 2, 2025, <https://www.regulations.gov/document/EPA-HQ-OA-2025-0261-0029>.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey A. Merkley". The signature is written in a cursive style with a horizontal line underneath the name.

Jeffrey A. Merkley  
Ranking Member  
Senate Environment and Public  
Works Subcommittee on  
Chemical Safety, Waste  
Management, Environmental  
Justice, and Regulatory  
Oversight