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Information Center • Food & Water Watch • Friends of the Earth • Grand Canyon Trust
Green for All • GreenLatinos • Hip Hop Caucus • Indivisible • Information Network for
Responsible Mining • Institute for Agriculture and Trade Policy • International Fund for
Animal Welfare • International Marine Mammal Project, Earth Island Institute • Klamath
Forest Alliance • League of Conservation Voters • Natural Resources Defense Council
NextGen America • Oceana • Pesticide Action Network • Power Shift Network
Public Citizen • San Juan Citizens Alliance • Save Animals Facing Extinction • Save EPA
Sierra Club • Turtle Island Restoration Network • Union of Concerned Scientists
Waterkeeper Alliance • Western Environmental Law Center • Western Watersheds Project
WildEarth Guardians • Wilderness Workshop • Wildlands Network**

November 7, 2017

The Honorable John Barrasso
Chairman
Senate Committee on Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Tom Carper
Ranking Member
Senate Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Re: Opposition to the Nomination of Kathleen Hartnett White as Chair of the Council on Environmental Quality

Dear Chairman Barrasso, Ranking Member Carper,

On behalf of our organizations and millions of members, we strongly urge you to reject the nomination of Kathleen Hartnett White to be the Chair of the Council on Environmental Quality (CEQ). Ms. White has been a consistent science-denier regarding the overwhelming scientific consensus on human-fueled climate change, making her unfit to lead an office charged with coordinating how the federal government analyzes and discloses climate change impacts in environmental reviews required by the National Environmental Policy Act (NEPA). That same climate change denial would also make her a dangerous person to lead conversations about adapting our national infrastructure to stronger and more frequent climate impacts like the recent superstorms we saw in the Gulf and Atlantic this year. Additionally, Ms. White has been a demagogic opponent of the Endangered Species Act, opposing protections for critically imperiled animals and plants in Texas. Ms. White has built her career aligning herself with the

fossil fuel industry and favoring big corporations and special interests over the health of the public and the environment. If confirmed, she would be placed at the fulcrum of federal interagency policy discussions on energy and environmental matters, making her one of the most powerful and dangerous environmental officials in the Trump administration.

In her current position at the Texas Public Policy Foundation—a conservative think tank that has received huge donations from fossil fuel interests that include Koch Industries, ExxonMobil and Chevron, and whose board of directors includes oil industry executives¹—Ms. White has promoted tactics for undermining the Endangered Species Act (ESA), claiming its protections for endangered wildlife imperil economic prosperity. In a 2015 policy paper, she argued that the ESA and the U.S. Fish and Wildlife Service have been “ineffective at helping endangered species to recover,” and that the Service has been more effective “in blocking needed infrastructure and industry.”² However, these fossil fuel industry talking points have been debunked time and again. The ESA has been more than 99 percent effective at saving species under its protection from extinction and has put hundreds more on the road to recovery.³ It also rarely ever blocks development projects. A 2015 paper analyzed over 88,000 ESA consultations since 2008 and found that no projects were stopped because of endangered species.⁴ Ms. White has also previously stated that the ESA is “making natural disasters worse,”⁵ and has argued against a Texas bill that would have given expert wildlife biologists authority for the state’s response to candidates for ESA listing. She called this the “wrong approach,” and said that the “current framework is working.” However, the framework she refers to vests authority to the Interagency Task Force on Economic Development and Endangered Species, where the Comptroller of Public Accounts—an agency that manages state fiscal and tax matters and lacks a single staff biologist or other scientist—is charged with leading the Task Force.

As Chair of CEQ, Ms. White would be given broad statutory responsibilities to not only oversee implementation of NEPA and its substantive policies, but also provide critical recommendations to the President on proposed legislation and environmental policies. Notably, among the responsibilities of CEQ outlined in NEPA, the Chair is charged with ensuring the Federal Government “recognize the worldwide character of environmental problems and... lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind’s world environment.”⁶ Not only has Ms. White failed to recognize the global threat of climate change on vulnerable communities, she has actively opposed international cooperation compacts like the

¹ See Forrest Wilder, *Revealed: The Corporations and Billionaires that Fund the Texas Public Policy Foundation*, The Texas Observer (2012) available at: <https://www.texasobserver.org/revealed-the-corporations-and-billionaires-that-fund-the-texas-public-policy-foundation/>

² Kathleen Hartnett White, *The Endangered Species Act and Texas: A Look Ahead*, Texas Public Policy Foundation (2015).

³ See News Release, *U.S. Fish and Wildlife Service, NOAA Propose Actions to Build on Successes of Endangered Species Act* (May 2015), available at: <https://www.fws.gov/news/ShowNews.cfm?ID=7CA2994B-D4A6-1658-411D5635AAB69560>

⁴ See generally Jacob W. Malcom & Ya-Wei Li, *Data Contradict Common Perceptions About A Controversial Provision of the US Endangered Species Act*, 112 PNAS 15844 (2015).

⁵ The Endangered Species Act and Texas, *supra* note 2, at 2.

⁶ See 42 USC § 4332(F).

Paris Climate Accord and aggressively pursued an industry funded agenda which will accelerate, rather than prevent, a decline in quality of the environment.

Ms. White has also challenged the scientific conclusions of international experts on the Intergovernmental Panel on Climate Change (IPCC)—a volunteer group of scientists whose findings are considered the gold standard of climate science—and criticized the Supreme Court’s 2007 ruling that carbon dioxide and other greenhouse gases are pollutants that can be regulated under the Clean Air Act. In a June 2016 op-ed titled “Restrain the imperial EPA,”⁷ she advocated for legislation that would deny the U.S. Environmental Protection Agency (EPA) the authority to regulate carbon dioxide, methane, and other greenhouse gases. She has also called renewable energy “unreliable and parasitic,”⁸ and global warming “a creed, a faith, a dogma that has little to do with science.”⁹ And she has described efforts to combat global warming as little more than an attack on the fossil fuel industry.

Ms. White has also frequently argued that carbon dioxide is not an environmental hazard, stating last year that “carbon dioxide is an odorless, invisible, harmless and completely natural gas lacking any characteristic of a pollutant.”¹⁰ As an outspoken critic of the science that underpins the U.S. Environmental Protection Agency’s climate rules, she ardently fought against the agency’s 2009 endangerment finding that greenhouse gases are harmful to human health and welfare. This finding triggered important EPA rules that would limit emissions from sectors like power plants, oil wells, landfills and automobiles. Ms. White has also unapologetically argued there is a moral case for expanding the development of fossil fuels regardless of carbon dioxide emissions, and has even gone as far as claiming that fossil fuels are to thank for abolishing slavery. In a 2014 blog post, she wrote about the connection between “the abolition of slavery and humanity’s first widespread use of energy from fossil fuels,” and that “fossil fuels dissolved the economic justification for slavery.”¹¹

As this Congress prepares to invest billions of taxpayer dollars to repair our Nation’s crumbling infrastructure, CEQ will play a critical role in ensuring that our roads, water systems, and energy infrastructure are not only resilient to climate change but also safeguard those communities that continue to disproportionately suffer the adverse human health and environmental impacts of climate change. Through oversight of NEPA, the CEQ Chair has the unique responsibility to ensure that federal agencies are fulfilling their legal duty to analyze and disclose the impacts of federal projects on climate change as well the impacts of climate change on federal projects. Ms. White’s persistent disavowal of climate science, her determination to ignore the overwhelming public support for action on climate change, and active opposition to policies that will protect the health and welfare of vulnerable communities makes her demonstrably unfit to oversee the NEPA review process. At its core, NEPA is about listening to the public voice and using the best available science to analyze the impacts of federal decisions. Ms. White’s history of

⁷ Kathleen Hartnett White, *Restrain the imperial EPA*, The Hill (June 2016) available at:

<http://thehill.com/blogs/pundits-blog/energy-environment/283931-restrain-the-imperial-epa>

⁸ Kathleen Hartnett White, *Fossil Fuels: The Moral Case*, Texas Public Policy Foundation (2014) available at:

<https://www.texaspolicy.com/library/doclib/2014-06-RR03-FossilFuelsTheMoralCase-KathleenWhite-ACEE.pdf>

⁹ See Kathleen Hartnett White, Stephen Moore, *Fueling Freedom* (2016).

¹⁰ Restrain the imperial EPA, *supra* note 6.

¹¹ Kathleen Hartnett White, *Energy and Freedom*, Blog post, Texas Public Policy Foundation (2014) available at: <https://www.texaspolicy.com/blog/detail/energy-and-freedom>

prioritizing industry profit over the overwhelming public consensus and scientific evidence on the need to act on climate change demonstrate she is unfit to oversee our national environmental policy outlined in NEPA.

Ms. White should not be placed in such a pivotal position in an agency whose mission she clearly does not believe in. If confirmed, she would bring a clear bias in favor of industry and is likely to undermine the implementation of our nation's core environmental laws. An extreme denier of mainstream climate science, a hero of those who oppose urgent action on global warming, and a person who believes that "there is no environmental crisis," and that "there's almost no major environmental problems,"¹² Ms. White is unfit to hold the highest environmental post in the government to advise the president on the most pressing environmental issues our nation faces.

We strongly urge you to oppose Ms. White's nomination as Chair of the CEQ.

Sincerely,

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International Marine Mammal Project, Earth Island Institute

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¹² Americans for Prosperity Forum (November 2011), *video available at*: <https://vimeo.com/31646143>.

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