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July 19, 2017

The Honorable Lisa Murkowski  
Chairman  
Senate Committee on Energy and Natural Resources  
United States Senate  
Washington, DC 20510

The Honorable Maria Cantwell  
Ranking Member  
Senate Committee on Energy and Natural Resources  
United States Senate  
Washington, DC 20510

**Re: Opposition to the Nomination of Susan Combs as Assistant Secretary of the Interior for Policy, Management and Budget**

Dear Chairman Murkowski, Ranking Member Cantwell,

On behalf of our organizations and millions of members, we strongly urge you to reject the nomination of Susan Combs to be the Assistant Secretary of Interior for Policy, Management and Budget. An active opponent and outspoken critic of the U.S. Fish and Wildlife Service (FWS)

and the Endangered Species Act (ESA), Ms. Combs has built her career favoring big corporations and special interests over the needs and survival of imperiled species. If confirmed, she would oversee the creation of the Interior Department’s budget—a position that could potentially decide the fate of our nation’s endangered species.

In 2011 as Texas State Comptroller, Ms. Combs engineered moving the state’s endangered species program from the Department of Parks and Wildlife to her office, which manages state fiscal and tax matters and lacked a single staff biologist or other scientist. Ms. Combs used this new authority to oppose listing of species as threatened or endangered, which she described as “incoming scud missiles” that impeded the state’s business development.<sup>1</sup>

One such species is the dunes sagebrush lizard, which occurs in a small area of southeastern New Mexico and western Texas, where it is severely threatened by oil and gas development. After sitting on a candidate list for more than a decade, the lizard was finally proposed for endangered species protections in 2010, at which point Ms. Combs teamed up with the oil and gas industry to oppose listing. Working with the powerful Texas Oil and Gas Association, the Comptroller’s office created a conservation plan for the lizard and established the Texas Habitat Conservation Foundation to administer the plan. The conservation plan has had numerous problems. Landowner participation in the plan is voluntary and done through individual conservation agreements. The Comptroller’s office under the direction of Ms. Combs, however, argued that such agreements were confidential and thus neither the public nor the Fish and Wildlife Service are able to evaluate what habitat is being conserved for the species. After the Service withdrew listing of the lizard under pressure from Ms. Combs office, participation in the conservation plan reportedly dropped.<sup>2</sup>

As Comptroller, Ms. Combs used her budget to finance studies on species that some academics criticized as politically skewed.<sup>3</sup> According to a 2015 American-Statesman investigation, she regularly found fault with Fish and Wildlife Service proposals to list species as endangered. The investigation also found that when contracting with scientists for new research on these species, her office included an unusually restrictive clause that would retain its veto power over the publication of the funded research.<sup>4</sup> Her desire to screen or otherwise restrict scientific research goes back decades. As a state representative in the 1990s, Ms. Combs passed a law designed to restrict the state from sharing data with the Fish and Wildlife Service—data that might have been used to designate species as threatened or endangered.

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<sup>1</sup> See Naveena Sadasivam, *Susan Combs, Fierce Critic of Endangered Species Act, Tapped for Agency in Charge of its Implementation*, Texas Observer (July 11, 2017) available at: <https://www.texasobserver.org/trump-taps-texas-susan-combs-fierce-critic-of-endangered-species-act/>

<sup>2</sup> Glenn Hegar, the current comptroller had to replace the Texas Habitat Conservation Foundation, which was charged with protecting the lizard’s habitat, because the Foundation failed to mitigate damages to the lizard’s habitat. This result is not surprising since the foundation’s board included members of the Texas Oil and Gas Association, and others opposed to the lizard’s conservation.

<sup>3</sup> See, Eric Dexheimer, *How Texas Fights Endangered Species Protections, Critter by Critter*, Austin American-Statesman (August 2015) available at: <http://www.mystatesman.com/news/how-texas-fights-endangered-species-protections-critter-critter/s4lEk5VfNgr4InfODrI4FK/>.

<sup>4</sup> *Id.* (“No release of any information pertaining to this Contract...shall be made without express, prior written consent of Comptroller and in accordance with Comptroller’s explicit written instructions.”).

Since leaving the Comptroller's office, Ms. Combs has continued to oppose protections for endangered species. Her unused campaign money helped fund a petition to delist Central Texas' most famous endangered species, the golden-cheeked warbler, whose protected status prohibits development on valuable oil and gas fields in and around Austin.

Ms. Combs' nomination continues the Trump Administration's theme of nominating candidates who have a long history of being hostile to the very agencies they have been appointed to lead. She is the fourth Interior official appointed by the Trump Administration with a history of opposing protections for our country's threatened and endangered species. We are concerned that Ms. Combs will wrongly use her office at the Department of Interior to interfere with scientists from the U.S. Fish and Wildlife Service from doing their jobs of assessing the status of imperiled species based only on the best available science.

Ms. Combs should not be placed in such a pivotal and important position in a department 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 that the Department of Interior is sworn to uphold.

Sincerely,

**All-Creatures.Org**  
**Animal Legal Defense Fund**  
**Animal Welfare Institute**  
**Animas Valley Institute**  
**Ashton Biodiversity Research & Preservation**  
**Beyond Nuclear**  
**Black Warrior Riverkeeper**  
**Bold Visions Conservation**  
**California Native Plant Society**  
**Californians for Western Wilderness**  
**Carolina Biodiesel, LLC**  
**Cascades Raptor Center**  
**Center for Biological Diversity**  
**Center for Food Safety**  
**Citizens for Transportation Reform**  
**Clean Air Watch**  
**Conservation Law Foundation**  
**Cool Planet**  
**CORALations**  
**Endangered Habitats League**  
**Endangered Species Coalition**  
**Fairmont, MN Peace Group**  
**Food & Water Watch**  
**Friends of the Clearwater**  
**Friends of the Earth**  
**Friends of the Eel River**

**Friends of Merrymeeting Bay**  
**Friends of the Santa Clara River**  
**Friends of Springtown Reserve**  
**Friends of the Wild Swan**  
**GARDEN, Inc.**  
**Georgia ForestWatch**  
**Geos Institute**  
**Grand Canyon Trust**  
**Hells Canyon Preservation Council**  
**IECAN**  
**International Fund for Animal Welfare**  
**Iowa Environmental Council**  
**Cottonwood Environmental Law Center**  
**Klamath Forest Alliance**  
**Knob and Valley Audubon Society**  
**Living Rivers**  
**Colorado Riverkeeper**  
**Los Padres ForestWatch**  
**Mass Audubon**  
**National Whistleblower Center**  
**North County Watch**  
**Northeast Oregon Ecosystems**  
**Occidental Arts and Ecology Center**  
**Predator Defense**  
**Public Citizen**  
**Public Lands Project**  
**Ravens Word Writers Center**  
**RESTORE: The North Woods**  
**Sailors for the Sea**  
**San Diego Coastkeeper**  
**San Juan Citizens Alliance**  
**Sequoia ForestKeeper**  
**Sheep Mountain Alliance**  
**Sky Island Alliance**  
**Trevino TodaMedia**  
**Tuscon Climate Action Network**  
**Turtle Island Restoration Network**  
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**Western Watersheds Project**  
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**WildEarth Guardians**  
**Wilderness Workshop**  
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