

March 1, 2021

Chairman Thomas R. Carper
U.S. Senate Committee on Environment and Public Works
456 Dirksen Senate Office Building
Washington, D.C. 20510

Ranking Member Shelley Moore Capito
U.S. Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Carper and Ranking Member Capito,

We, the undersigned former officials of the Council on Environmental Quality (CEQ) who served both Republican and Democratic presidents, write in strong support of the nomination of Brenda Mallory to be a Member of CEQ and to serve as its Chair upon designation by the President. As you know, the National Environmental Policy Act (NEPA) established CEQ within the Executive Office of the President to review and appraise the various programs and activities of the Federal Government in light of NEPA's Congressional Declaration of National Environmental Policy and to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation. 42 USC § 4344. Today, CEQ advises the President and develops policies on environmental justice, federal sustainability, public lands, oceans, and wildlife conservation, among other areas. As the agency responsible for implementing NEPA, CEQ also works to ensure timely and robust environmental reviews and permitting for infrastructure projects.

Brenda Mallory is, to quote the requirements for membership on the Council, "exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of [NEPA]; to be conscious of and responsive to the scientific, economic, social, aesthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment." 42 USC § 4342. Brenda started her distinguished career in private practice, where she focused on permitting and litigation strategies for major energy, transportation, and commercial development projects requiring federal environmental approvals. She left private practice, where she was a partner and chaired her firm's natural resources practice group, for public service at the Environmental

Protection Agency (EPA). At EPA, she built an exemplary reputation of public service under both Republican and Democratic administrations and rose to the ranking career position in the Office of General Counsel. She concluded her career in the Federal government by serving as CEQ General Counsel, where she distinguished herself within the Executive Office of the President as a principled, pragmatic leader with an unparalleled depth of legal expertise.

As former CEQ officials under both Republican and Democratic administrations, we know first hand the coordinating role CEQ has served to promote environmental and economic health and strengthen our national security. We understand the importance of broad and diverse experience in the leadership of the agencies tasked with confronting the environmental challenges of our Nation. Brenda Mallory offers that exceptional quality with a depth of appreciation for the laws and policies that are needed to create and maintain conditions under which people and nature can exist in productive harmony, prevent or eliminate damage to the environment and biosphere, stimulate public health and welfare, and enrich our understanding of the ecological systems and natural resources important to the Nation. 42 USC §§ 4321, 4331. We urge you to recommend her confirmation to the Senate with all deliberate speed.

Sincerely yours,

Dinah Bear, CEQ Deputy General Counsel (1981-1983), General Counsel (1983-1993, 1995-2007)

Edward Boling, CEQ Deputy General Counsel (2000-2007), General Counsel (2008-2009), Senior Counsel (2009-2010), Associate Director for NEPA (2016-2020)

Terrance Breyman, CEQ Associate Director for Natural Resources (2007-2010)

Ray Clark, CEQ Associate Director for NEPA Oversight (1991-1998)

Michael Drummond, CEQ Deputy Associate Director for NEPA (2013-2020)

Horst Greczmiel, CEQ Associate Director for NEPA Oversight (1999-2015)

Caroline Isber, CEQ Director of Legislative and Public Affairs (1977-1981)

William Leary, CEQ Associate Director for Natural Resources (1998-2005)

Timothy Male, CEQ Associate Director for Conservation (2014-2017)

Kenneth Weiner, CEQ Counsel (1976-1978), Deputy Executive Director (1978-1980)

Nicholas Yost, CEQ General Counsel (1977-1981)