Statement of Justin Schwab
Nominee for Assistant Administrator, Office of Air and Radiation, U.S. Environmental Protection Agency
Before the U.S. Senate Committee on Environment and Public Works

Good morning, Chairman Capito, Ranking Member Whitehouse, and distinguished Members of this Committee.

It is an honor to sit before you today as nominee for the position of Assistant Administrator for the Office of Air and Radiation in the United States Environmental Protection Agency. I am grateful to President Trump for nominating me to this position, and to Administrator Zeldin for his confidence in me. If confirmed, I pledge to them and to you to faithfully discharge the duties of that office.

I thank my wife Juliet for her love, friendship, and support. Everything I have accomplished or could ever to hope to accomplish is her accomplishment as well. I want to express my love to our three children. All of us in public service are united by our understanding of the sacrifices that our families undergo as we pursue this calling. I thank my parents, Norma and Stewart, for setting me a model of decency, kindness, and hard work. I thank my siblings, my teachers, my mentors, my colleagues, and my friends. You all made me who I am. This moment is for all of us.

Two of the first images I can remember seeing are North Carolina pine trees blurring by a window as I sat in a car seat, and climbing the marble steps of a courthouse where my father was clerking. These two images, of the natural environment that surrounds us and the framework of law and policy that surrounds how we regulate and protect that environment, are bookends framing my career and the office to which I have now been nominated. We can, and must, protect our environment and unleash our prosperity at the same time. This can only be done within the legal framework underpinning environmental regulation.

The Clean Air Act is a very important piece of legislation. We all breathe the air that surrounds us. Every significant human activity at scale has the potential to affect it. The Clean Air Act has led to cleaner air and healthier Americans in the 55 years since its passage.

The Clean Air Act is also a very powerful tool, and it must be used as Congress has authorized. All agency authority ultimately derives from Congressional delegation. People can in good faith disagree about the bounds of authority Congress has given EPA, but no one should mistake a concern that agencies stay within those bounds for a lack of concern about the environment and human health.

My career has concentrated on environmental law for over a decade. In the first Trump Administration, as Deputy General Counsel at EPA, I focused on the Clean Air Act. I learned an immeasurable amount from the dedicated civil servants both in the counsel's office and the air office. I will never forget how much I still have to learn.

In this second Administration, as General Counsel of the Council on Environmental Quality, I found myself once again within this Committee's jurisdiction. In that role, I gained a deeper appreciation for the challenges of infrastructure and permitting and how they relate to environmental review.

I've clerked for a federal judge, and I've worked in federal agencies, but I've never worked in Congress. But some of the colleagues I've learned the most from have done so—including more than a few who worked for this Committee. All of them regard this Committee as something special, and while I can't claim to be among their ranks, in a way I've learned from you through them.

Now I am back at EPA, as a Senior Advisor to the Administrator. Once again, it is great to work with EPA staff. And it is a privilege to serve in President Trump's Administration under Administrator Zeldin's leadership.

I understand we may have different views on the right way to implement laws passed by Congress. I respect the role of Congress and this Committee. I look forward to your questioning as you fulfil your solemn Constitutional role of advice and consent.