Opening Statement of Ranking Member Whitehouse
Senate Environment and Public Works Committee Hearing: "Hearing on the Nominations of Katherine Scarlett to be a Member of the Council on Environmental Quality and Jeffrey Hall to be an Assistant Administrator of the Environmental Protection Agency."
July 23, 2025

As President Trump continues his unchecked parade of corruption, today we consider two nominees for positions at the Environmental Protection Agency and at the White House Counsel on Environmental Quality.

I have said it before, and I will say it again: as the EPA lays waste to longstanding science-based regulations, dismantles the agency, and otherwise betrays its commitment to the America people to protect clean air and clean water, *every single nominee* that comes before this Committee for EPA merits a heavy dose of skepticism.

Jeffrey Hall is being nominated for a post where the job in theory is to enforce the law against major polluters. In this administration, the intent is to have no one policing the bounds of law—so industry knows there will be no accountability for failing to keep within air or water permit limits, or even to get a permit in the first place.

That's how you nullify a body of law without having to go through the procedure of rolling back each permit limit or standard. Crippling the enforcement mechanism is the fast-track way to do President Trump's dirty work . . . which is why Project 2025 proposed dismantling EPA's Office of Enforcement and Compliance Assurance, or OECA.

OECA, in theory, works with EPA regional offices, state and tribal governments, and the Department of Justice to hold polluters accountable. OECA helped seek justice for Gulf Coast communities after BP's Deepwater Horizon disaster; secured billions for consumers after VW's "Diesel-Gate" scandal; and won cleanup, groundwater monitoring, and health exams for residents of East Palestine, Ohio, following the 2023 Norfolk Southern train derailment.

When polluters flout federal pollution laws, endanger workers and fenceline communities, contaminate our air and drinking water, or abandon hazardous waste, it is OECA that should work around the clock to make things right. And it is OECA that should help ensure compliance with environmental laws to *prevent* the worst incidents from happening.

In short, whoever is leading OECA should be armed and ready with deep knowledge of our environmental laws, the expertise to enforce them, and a strong commitment to serving the American people. OECA should definitely **not** be led by a partisan hack chosen for his willingness to bend the knee to the biggest polluters.

Jeffrey Hall has neither the seriousness nor experience to lead OECA. His most recent law firm bio before he left for EPA mentioned environmental enforcement matters exactly zero times. It's not clear how much he's really worked in environmental law at all. Two of his seven years at DOJ were in the Office of the Associate Attorney General, where he was the point of contact for the Religious Liberty Task Force during the first Trump Administration. Most of his time at DOJ was spent in the Civil Division or on brief assignments to other divisions, including just 7

months in the division that works with OECA—the Environment and Natural Resources Division, or ENRD. Mr. Hall then co-founded Burke Law Group, a firm looking to make a name defending high-profile, attention-grabbing conservative legal causes.

Mr. Hall's work on "environmental" matters at Burke Law Group focused on tearing down statutory protections meant to guarantee clean air and clean water, seeking to limit EPA's authority under the Clean Air Act, and gutting greenhouse gas regulations that protect against poisonous emissions. And he defended industry clients in federal and state enforcement actions.

Earlier this year, Mr. Hall became Acting Assistant Administrator of OECA and now serves as a Senior Advisor. The actions he has taken already suggest that he intends to make it easier for the worst polluters to pollute.

He already announced that the office would "no longer focus on methane emissions from oil and gas facilities" and that any in-progress enforcement actions would need to go through him before proceeding—a massive handout methane polluters.

In the same memo, Mr. Hall significantly narrowed enforcement of community and water protections from coal ash storage near power plants, making it easier for coal facilities to poison our drinking water.

During Mr. Hall's short tenure, EPA has already walked back at least three significant enforcement actions:

- In June 2025, EPA withdrew its lawsuit against the GEO Group, a major private prison contractor, despite previously citing **over 1,000 violations** of Federal Insecticide, Fungicide, and Rodenticide Act violations at one of its facilities. The case had sought nearly $4 million in penalties for the improper use of a toxic disinfectant, which had in some cases been sprayed directly on detainees. GEO is a major Trump donor, contributing directly and through affiliates at least $1 million to Trump-aligned super PACs. It also formerly retained current Attorney General Pam Bondi as a registered lobbyist.

- In March 2025, a week before trial was scheduled to begin, EPA dismissed a Clean Air Act lawsuit against Denka Performance Elastomer, a neoprene manufacturing facility in Louisiana's "Cancer Alley." Mr. Hall and the Trump Administration dismissed the case because combatting cancer-causing emissions apparently constituted "radical DEI."

- And more recently, EPA attempted to unwind a $150 million settlement for a Passaic River Superfund cleanup—though a federal judge put a stop to EPA's shenanigans. The settlement, which was negotiated for a decade, was entered over the objection of the two largest polluters at the site, including Occidental Petroleum Company, one of a handful of oil and gas companies present at a secret Mar-a-Lago meeting where then-candidate Trump offered the fossil fuel industry favorable administrative and regulatory policies in exchange for campaign cash. The chickens are coming home to roost.

Mr. Hall's actions are particularly troubling in view of EPA's planned cuts to and reorganization of OECA. According to EPA's FY26 budget request, the administration is seeking to cut its budget for criminal enforcement by 49 percent, for civil enforcement by 30 percent, and for compliance monitoring by 35 percent.

Meanwhile, in the Justice Department's FY26 budget request, DOJ leadership proposes cutting 59 attorneys from across ENRD, apparently intending to cripple EPA's ability to hold toxic polluters accountable by stripping the agency of its DOJ lawyers.

The effects of the attacks on OECA are already being felt. EPA and DOJ have brought only 3—**that's right, 3**—judicial enforcement cases in federal court since January 20th—putting it on pace to file just 7 by the end of the fiscal year. By comparison, even the first Trump Administration filed 80 civil judicial enforcement complaints and opened 115 environmental crime cases during the 2017 fiscal year.

Appointing a MAGA zealot to run an office as important as OECA only makes sense if your plan is to torpedo that office from within. I hope Mr. Hall can convince me that I'm wrong, but you can understand why his recent history leaves me skeptical.