



PEERreview

A Publication of Public Employees for Environmental Responsibility

Fighting Back in the Courts

A connecting theme of President Trump's second term in office is that his administration believes it can act with impunity when it comes to the law and the Constitution. And it has been fairly successful at doing that, so far.

Because the current Congress has abandoned any effort to stop the President's consolidation of power, lawsuits have emerged as an important tool for advocacy groups to stop or slow illegal government actions and to put obstacles in the administration's path as it moves this country toward an authoritarian state.

PEER's lawsuits are playing an important role in our fight against the administration's unprecedented attacks on the civil service, its efforts to gut independent government oversight mechanisms, and its attempts to shield itself from public scrutiny.

Below are three ongoing lawsuits that highlight the growing importance of our legal work.

PEER v. Trump et al.

PEER is suing the President and the Office of Personnel Management to protect the merit-based civil service system. We are contesting President Trump's recent rule that paves the way to convert tens of thousands of merit-based civil servants to "at will" employees, enabling political appointees to fire

and replace them with loyalists. The complaint was filed on January 28, 2025, and amended this February to bring new groups into the lawsuit and incorporate the Trump administration's new "Schedule Policy/Career" rule that superseded a previous Executive Order.

PEER and other groups are represented by Citizens for Responsibility and Ethics in Washington and Democracy Forward.

PEER et al. v. Office of Management and Budget et al.

PEER, along with the Government Accountability Project and the Project On Government Oversight, is suing the Office of Management and Budget (OMB) to defend independent oversight of the executive branch.

We are asking the court to prevent OMB from illegally defunding the Council of the Inspectors General on Integrity and Efficiency, which is responsible for coordinating and supporting the work of more than 70 Offices of Inspectors General.

This is part of the Trump administration's effort to weaken mechanisms for investigating government wrongdoing and protecting whistleblowers who reveal waste, fraud, and abuse from retaliation.

The complaint was filed in the U.S. District Court for the District of



PHOTO: DENISPRODUCTION.COM

Dissent and Free Speech Under Attack

PEER is protecting the free speech rights of government employees at this critical time in our nation's history. This work is critical to defending our democracy, as well as the environment, public lands, and public health. **See page 6 for more details.**

Maryland Southern Division on December 17, 2025. PEER is represented by Citizens for Responsibility and Ethics in Washington and Democracy Forward in this action.

PEER v. Department of the Interior - Office of the Secretary

PEER is suing to release records outlining reorganization plans for the Department of the Interior (DOI) and the impacts those plans will have on public lands agencies and taxpayers. DOI is reorganizing in ways that are not transparent and appear to violate Congressional appropriations and laws.

To learn more about this reorganization, PEER submitted a Freedom of Information Act (FOIA) request seeking an itemized summary of staff and

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PEERreview is the quarterly newsletter of Public Employees for Environmental Responsibility

FROM THE EXECUTIVE DIRECTOR**Choosing Strength Rather Than Silence**

Dear Friends:

I am pleased to share with you that PEER has completed a new strategic plan for 2026-2029. The plan underscores the important nature of PEER's work at a critical time in our nation's history.

The three-year plan was approved by the Board of Directors at its December meeting. It articulates PEER's vision, mission, and core values that drive our work, and it outlines our goals, strategies, and initiatives.

In this plan, PEER's work is divided into three initiatives: Environment, Public Lands, and Public Health; Whistleblower and Employee Protection; and Governance and the Rule of Law.

What is unique about this plan is its recognition that the fate of our work protecting public employees and the environment is directly linked to our ability to combat the current rise in authoritarianism and promote democratic values in our country.

After this past year, we know the future for our work will be very different than in the past. That is because for generations Americans have accepted a basic premise: government, while imperfect, should be accountable to the public it serves. That accountability had been designed, for all its flaws, to help ensure government decisions are made lawfully, science is part of the decision-making process, and officials are not abusing the power given to them by the American people.

That premise is now being tested in ways we have not seen in decades, if ever. That is why our strategic plan recognizes that restoring accountability is among the most urgent environmental and public health challenges of our time.

In the coming years, our challenge will be to choose strength, rather than silence, and to continually push for ways to protect both public employees and the environment, as well as the institutions designed to keep our government honest.

We hope you will take a moment to read our new strategic plan and contact us if you have any questions.

Sincerely,

Tim Whitehouse

P.S. Read our new strategic plan here: <http://peer.org/strategic-plan>

About Us

PEER protects public employees who protect our environment. We are a service organization for local, state, federal, and tribal public employees, including scientists, law enforcement officers, land managers, and all others dedicated to upholding environmental laws and values. Through PEER, public servants can choose to work as "anonymous activists," so that public agencies must confront the message, rather than the messenger.

Government Lawyer, Investigator Joins PEER

An expert in federal whistleblower and labor laws has joined PEER as Senior Counsel, where he will help lead PEER's legal and investigatory work. Aaron Lloyd comes to PEER with more than two decades of experience as a federal government and private sector lawyer, including as:

- A senior lawyer at the Council of the Inspectors General on Integrity and Efficiency (CIGIE), where he served as Acting General Counsel, Deputy General Counsel, and Special Assistant General Counsel. CIGIE's mission is to aid in the establishment of a professional, well-trained, and highly skilled workforce in the Offices of Inspectors General and to address integrity and effectiveness issues that transcend individual government agencies.
- An attorney with the Office of Special Counsel, where he investigated alleged violations of whistleblower law, hiring violations, nepotism, discrimination, and other violations of the Whistleblower Protection Act (WPA).

He regularly trained federal supervisors and employees on rights and remedies available under the WPA.

- An attorney in private practice where his work included representing trade unions and litigating and counselling clients on unfair labor practices, First Amendment issues, and anti-trust litigation on behalf of clients.

"Aaron comes to PEER at an important moment in our country's history," said Tim Whitehouse, PEER's Executive Director. "His ability to navigate the intricacies of high-stakes government investigations and worker protection laws makes him an exceptional addition to our team."

"Aaron's extensive work with whistleblowers and to ensure honest and effective oversight of inspectors general will empower PEER to better address the flagrant abuses of power by this administration and protect First Amendment and other rights of public employees," said Joanna Day, PEER's General Counsel.

"I am excited to join PEER during a



Aaron Lloyd joins PEER.

challenging time for whistleblowers in the federal government," commented Aaron Lloyd. "The federal government always works best when federal employees feel free to speak the truth. I look forward to continuing to be of service in this new role."

Environmental Governance and Accountability in the Age of AI

PEER's work is growing to include responding to the use of artificial intelligence (AI) in environmental and public lands agencies as employees come to us with concerns and questions about this set of technologies.

A Worrying Convergence

AI is being introduced quickly into some of the most consequential decision-making spaces in government—faster than the oversight systems meant to govern it.

At the same time, traditional safeguards—such as inspectors general, whistleblower protections, and transparency requirements—are under strain or broken.

That convergence should concern all of us. Here are a few reasons why.

AI complicates accountability in very practical ways. For example, many systems used by government are developed by private contractors, using proprietary models that agency staff may not fully understand or be allowed to examine.

When those systems influence regulatory, enforcement, or resource-management decisions, it becomes harder to answer basic questions: Who made the decision? On what basis? And who is accountable if harm results?

Treating AI outputs as objective or neutral only intensifies pressure on a workforce that already faces increasing political and institutional constraints and gives outside commercial interests more

power and leverage over government decision-making.

Thinking About Oversight

In the coming year, we will be pushing for greater transparency about where and how AI is being used, and for clear procurement rules, access to records, and meaningful human review—not symbolic "human-in-the-loop" oversight where employees lack authority, information, or protection to raise concerns.

Scientists and career professionals are not obstacles to innovation. They are essential to making sure new tools serve the public interest rather than undermine it.



DEPARTMENT OF THE INTERIOR

Gross Mismanagement at Interior Department

During Doug Burgum's short tenure as Secretary of the Department of the Interior, his office staffing has exploded while other Interior workforces have been decimated. Burgum has acquired some 5,000 staff by transferring most administrative, information technology, and communications staff from constituent bureaus to work directly for the Office of the Secretary.

As a result, one in seven Interior employees now work in that office, nearly tripling its size and making it Interior's third largest component. By contrast, Interior overall has lost around 9,700 people. The National Park Service has lost about one quarter of its workforce.

The numbers alone do not capture the growth of Burgum's control. "The Office of the Secretary now exercises more direct management power over Interior lands than any previous Secretary," stated PEER Executive Director Tim Whitehouse, pointing to Burgum's controversial order



PHOTO: SAVE OUR SIGNS

Doug Burgum has led the purging of the uncomfortable parts of American history from our national parks. This exhibit about slavery was removed from a historical park in Philadelphia.

outlawing interpretive displays on all Interior lands that might be perceived as "negative" as an example.

In addition, Secretary Burgum is further impoverishing the very agencies responsible for carrying out Interior's mission. He is creating extraordinary budgetary strains by assessing a recurring 10–11.5% overhead surtax for each transferred

employee to compensate for his office's overhead.

PEER is pressing for a full Congressional review and accounting. Through the courts, public action, and publicity, we aim to provide support for those who are willing to speak truth to power and help turn the tide against these betrayals of public trust.

The Hunger Games and Freedom 250

One year into the Trump administration, Interior Secretary Burgum has emerged as a big supporter of the authoritarian push by President Trump.

One recent example of his embrace of the President's agenda over Interior's mission is the creation of "Freedom 250," a private entity recently created by President Trump to fund his vision for the 250th anniversary of the Declaration of Independence.

This vision includes whitewashing American history by omitting slavery and civil rights, injecting divisive rhetoric into

the celebration, and setting up a "Hunger Games"-style competition on the White House lawn.

Here is the rub. Congress authorized and funded America 250 as the official, bipartisan commission to oversee the commemoration. That framework was designed to ensure transparency, accountability, and a national observance that reflects shared civic values—not partisan agendas of one president or party.

Interior's funding and support of Freedom 250 raises serious concerns.

Creating a second vehicle for planning and fundraising moves decisions out of public view and away from the safeguards Congress deliberately put in place for our country's 250th anniversary.

PEER helped break this story and has sent a formal letter and records requests to Burgum seeking records on the creation, funding, and governance of Freedom 250, including whether Interior staff, funding, or affiliated institutions such as the National Park Service or National Park Foundation are being used to support it.

CLIMATE CHANGE

Offshore Wind Fate at Risk

PEER has launched a fight against the Trump administration's abrupt cessation of leases for major offshore wind electric generation facilities under construction in U.S. waters. Although courts have recently allowed these projects to proceed on a temporary basis, we are challenging both the legal deficiency of the action as well as the ethical baggage carried by a key Trump appointee.

One week before Christmas, Department of the Interior (DOI) Secretary Doug Burgum announced that the administration was "pausing—effective immediately—the leases for all large-scale offshore wind projects under construction in the United States" pending a national security review of the projects. This directive was in the form of five preemptory "orders" to five separate

offshore wind projects issued by the Bureau of Ocean Energy Management (BOEM), an agency within DOI.

In a letter to the Chairs and Ranking Members of the Senate Energy and Natural Resources Committee and the House Committee on Natural Resources, PEER argues that the Congressional Review Act (CRA) stipulates that an agency action of this type must be submitted to Congress before it can take effect. Moreover, PEER argues that Burgum's actions are a "major rule" that, under the CRA, cannot take effect for at least 60 days, during which time Congress can move to block it.

Ironically, Republicans used the CRA to repeal Biden's moratorium on offshore oil and gas drilling. Now, Trump seeks to evade CRA review for his offshore wind

moratorium. A major policy change of this nature deserves a national debate and Congressional involvement.

In addition, PEER is raising conflict of interest concerns about BOEM Acting Director Matthew Giacona for his recent big investments in the United States Natural Gas Fund, which likely benefits from less offshore wind power generation.

"Nothing about the Trump administration's actions on offshore wind appears to be motivated by the national interest, as opposed to personal interests," commented PEER Executive Director Tim Whitehouse. "This is another misguided step in transforming the federal government into a franchise of the fossil fuel industry."

Pushback on EPA's Climate Data Purge

PEER has filed a scientific integrity complaint against Environmental Protection Agency (EPA) Administrator Lee Zeldin for delinking most of the agency's public-facing web pages discussing the causes and effects of climate change. PEER's complaint contends that Zeldin's actions:

- Flagrantly violate requirements that official scientific information be accurate, objective, and complete;
- Omit so much relevant information as to meet the official definition of falsification "such that the research is not accurately represented"; and
- Fail to meet even minimal standards for scientific transparency.

"Lee Zeldin is an unscrupulous political

operative who, unfortunately, is at the helm of what was once a globally regarded scientific institution," stated PEER Science Policy Director Kyla Bennett, a scientist and attorney formerly with EPA, noting that Zeldin is choosing to ignore the overwhelming weight of scientific evidence for purely political reasons. "This is a classic example of blatant political manipulation of scientific information."

In filing this complaint, we have zero confidence that EPA will enforce its own Scientific Integrity Policy, especially against its own Administrator. However, we believe it is important to document that under Zeldin, EPA is descending upon an unprecedented downward path of corruption and scientific dishonesty.



PHOTO: PTTI

Subtracting from the Sum Total of Human Knowledge. EPA is shuttering most of its web-based information on climate change, closing its research arm, and revoking its scientific basis for regulating greenhouse gas emissions.



WORKERS' RIGHTS

Free Speech and the Rise of Authoritarianism

PEER has a growing docket of cases to protect the free speech rights of government employees in environmental and natural resources agencies.

Over the past several decades, the government has increasingly sought to restrict government employees' free speech rights and to close pathways through which they can express dissent and safely report wrongdoing. This trend has accelerated under the Trump administration, which is engaging in an unprecedented attack on federal workers' free speech rights and aggressively targeting employees perceived as disloyal.

With this growing wave of repression, we are representing clients who have been fired from their jobs for expressing dissenting viewpoints, threatened with criminal prosecution for engaging in private civic affairs, terminated because of their gender identity, or targeted for layoffs because they worked on issues such as environmental justice under the Biden administration.

Standing Up for Dissent

PEER is representing two of the six former U.S. Environmental Protection Agency (EPA) employees who were fired after signing a letter to Administrator Lee

Zeldin and members of Congress protesting the politicization of science at EPA and warning that EPA's actions under this administration were endangering public health and the environment. We are arguing that their terminations violated the First Amendment, were illegal under the Whistleblower Protection Act, were arbitrarily harsh, and that their removals were without good cause.

The fired employees filed their claims before the U.S. Merit Systems Protection Board, a federal agency that resolves appeals from terminated federal government employees. Counsel for the fired employees includes PEER, James & Hoffman, P.C., Minahan Muther Klinger, P.C., and Brown Gaines, LLC.

Helping People Tell Their Stories

To help civil servants tell their stories, we held a webinar on January 29th, *Public Employees, Free Speech, and the Rise of Authoritarianism: Why it Matters for the Environment*.

The webinar included two PEER clients: Sarah Sullivant, Former Tribal Section Manager at EPA, who was fired for signing the EPA letter of dissent, and Carolyn McConnell, Attorney at the National Labor Relations Board, who was threatened with



PHOTO: DENISPRODUCTION.COM

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criminal prosecution and reprimanded for engaging in civic activities unrelated to her work and on her own time.

Also joining us on the webinar were Lena Shapiro, Director of the First Amendment Law Clinic at the University of Illinois College of Law, and Dr. Derric Pennington, an economic policy analyst who was fired from his job at the Minnesota Pollution Control Agency after he expressed opinions on matters of public concern in social media posts.

View the webinar recording at <http://peer.org/free-speech-webinar>.

Opposing BLM Nominee – A Troubling History of Encouraging Violence

PEER is opposing President Trump's nominee to run the Bureau of Land Management (BLM), Steve Pearce. Although opposition to Pearce in the conservation community has focused on his support for selling off public lands, he also has a troubling history of encouraging violence and vigilantism against the government.

For example, while serving as U.S. Representative to New Mexico, Pearce urged counties to take control of federal lands—even praising a county sheriff who threatened to arrest federal employees who interfered in the takeover. Pearce also refused to denounce the 2016 armed takeover of Malheur National Wildlife Refuge by the Bundy

family and other anti-government militias. Instead, he expressed support for the militants' cause, blaming BLM and other federal agencies for harassing ranchers. More recently, Pearce supported the January 6, 2021 insurrection, tweeting, "God bless President Donald J. Trump. He will be our President forever."

WHISTLEBLOWERS

PEER Heads to Court to Protect Federal Watchdogs

In December, PEER and a coalition of good government groups filed a lawsuit in federal court to block the Trump-Vance administration from unlawfully defunding the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

CIGIE is a congressionally created and funded body that supports the work of more than 70 Offices of Inspectors General responsible for identifying waste, fraud, misconduct, and corruption within the federal government, as well as strengthening whistleblower protections.

Attempt to Defund CIGIE is Illegal

The lawsuit argues that the Office of Management and Budget (OMB), led by Russell Vought, is violating statutory funding requirements for congressionally established entities. It asks the court to order OMB to release the funding guaranteed by law and to halt efforts that would limit the ability of inspectors general to carry out their responsibilities.

OMB first refused to fund CIGIE from October 1 through November 17, 2025, despite the availability of funds, and then issued only a partial and restricted allocation through January 30, 2026, while providing no funding for the remainder of fiscal year 2026.

Inspectors General are Under Attack

As the administration makes devastating cuts to the civil service under the guise of “efficiency,” its attack on CIGIE directly compromises a system with a proven record of producing cost savings and accountability.

According to publicly reported Office of Inspector General findings, inspectors general have identified approximately \$309 billion in potential savings over the past four years. To give that number context, federal spending on the Affordable Care Act and Marketplace coverage—a recent political flashpoint—totaled \$125 billion in fiscal year 2024.

OMB’s attempt to defund CIGIE is part of a broader attack on independent oversight. Days after taking office, President Trump summarily removed 18 inspectors general without notifying Congress or giving a reason as required by law.

These dismissals removed the principal watchdogs from most major federal agencies, including the Departments of Defense, Interior, Agriculture, Labor, Health & Human Services, Veterans Affairs, and the Environmental Protection Agency.



PHOTOS: CARTOONSTOCK

Oversight Impaired. CIGIE provides critical accountability and support for inspectors general and the public.

The Importance of Strengthening Oversight

As the administration seeks to eliminate oversight of its actions, the role of independent watchdogs, such as inspectors general, becomes more critical—not less—in preventing political corruption and retaliation against whistleblowers.

Created by legislation signed by President Carter 47 years ago and expanded under President Reagan, the institution of the Inspector General has earned bipartisan support and deference from presidents—until now.

In commenting on the lawsuit, Joanna Citron Day, General Counsel at PEER, noted, “CIGIE and inspectors general help expose and address capricious, corrupt, and revenge-based agendas within the federal government and save taxpayers money. The Trump-Vance administration’s attempt to defund CIGIE is part of a broader effort to weaken the ability of inspectors general to carry out their responsibilities in a non-partisan manner.”

Plaintiffs in the case include PEER, the Government Accountability Project, and the Project On Government Oversight. The coalition is represented by Democracy Forward and Citizens for Responsibility and Ethics in Washington.

Read the Complaint at <http://peer.org/omb-complaint> or by scanning the QR code (right).





ENVIRONMENTAL PROTECTION AGENCY

EPA is Moving Backwards on Forever Chemicals

The presence of per- and polyfluoroalkyl substances (PFAS) in the environment has emerged as one of the most important public health challenges in this country. Despite this emerging crisis, Environmental Protection Agency (EPA) Administrator Lee Zeldin has been chipping away at the slight progress made during the Biden administration to protect the public from toxic PFAS exposures.

PEER Works to Stop a Dangerous Practice

One area of concern for PEER is that EPA is perpetuating a fiction that one of the most dangerous PFAS, called PFOA, is no longer manufactured in the United States. In fact, PFOA is widely manufactured in the United States as part of a fluorination process for plastic containers.

The fluorination process makes plastic more durable, but it also imparts unsafe levels of PFOA and other PFAS to the containers, which then leach into their contents. Approximately 200 million plastic containers are fluorinated each year.

PEER has been in federal court for several years trying to get EPA to outlaw these fluorinated containers and is challenging industry efforts to hide the health and safety data it submitted to EPA on the manufacture of PFAS during this fluorination process.

Late last year, PEER also filed a Data Quality Act Complaint with EPA, demanding that the Agency correct its website, which claims, “The manufacture and import of PFOA has also been phased out in the United States as part of the PFOA Stewardship program.”

Under a Data Quality Complaint, EPA is supposed to determine whether corrective action should be taken based on the complaint. While it’s unlikely Trump’s EPA will correct this error, PEER’s complaint alerts policymakers and the public to the misinformation promulgated by the Agency.

Getting the Markets to Move

PEER’s actions against PFAS in plastic containers are having a positive effect on the recycling of plastics.

PFAS in plastics can contaminate the entire waste stream, as well as the new products made from recycled fluorinated plastics. Because of this, late last year, the Association of Plastic Recyclers stopped certifying fluorinated plastic containers as recyclable. Purchasers of agricultural and industrial containers typically rely upon that certification.



PHOTO: SBG

Farmers are Hurting

Spotlight on America interviewed PEER staff counsel Laura Dumais on the latest updates in the PEER lawsuit against EPA for failing to protect farmers from PFAS in biosolids. **The interview can be viewed at <https://bit.ly/biosolids-article>.**

An All of the Above Approach

Getting PFAS out of plastics should be a no-brainer. There are alternative ways to make plastics durable without using the fluorination process.

Legal actions, consumer preferences, advocacy, and state and local level actions can all help us move away from this unwanted PFAS addiction until the federal government takes action.

“States and even municipalities are trying to fill the regulatory void left by EPA’s capture by the chemical industry, but this leaves an uneven patchwork of regulations across the country,” said Kyla Bennett, PEER’s Director of Science Policy. “EPA must return to its mission of protecting human health and the environment rather than trying to make industry richer.”

PEER legal actions to stop the production of PFAS in plastics are ongoing and will likely be decided in the coming year.

IN CASE YOU MISSED IT

Pollution Enforcement Collapses at EPA

The Trump Administration is giving polluters a “get out of jail free” card for contaminating our nation’s land, air, and water. Data collected by PEER indicates that enforcement of our nation’s environmental pollution laws decreased nearly 80% since the start of President Trump’s second term in comparison to previous inaugural years.

The Department of Justice (DOJ) brings civil cases against violators of pollution laws on behalf of the Environmental Protection Agency (EPA). Cases brought by DOJ often result in settlements that secure environmental cleanups, monitoring, and penalties—all of which contribute to deterring illegal pollution from happening again. In Trump’s second inaugural year, DOJ settled only 15 of the cases referred by EPA, far below the 70+ cases settled during the inaugural year of both Trump’s first term and Biden’s term.

Notably, DOJ has virtually ceased enforcement of the Clean Air Act, the primary statute for regulating emissions of hazardous air pollutants from factories, power plants, and other sources. This halt in enforcement coincides with EPA Administrator Lee Zeldin proposing plans to forgo calculating harm to human health when proposing regulations for some of the most prevalent and dangerous air pollutants.

The lack of environmental enforcement under Trump’s EPA and DOJ sends a clear message that dirty companies won’t be held accountable for their actions. Without civil prosecution and settlements, the burden of their pollution gets shifted onto the American people, costing them their health, tax dollars, and ability to enjoy recreational spaces.

You can read the report at <http://peer.org/enforcement-report>.

Number of DOJ Environmental Consent Decrees Lodged in Court by Inaugural Year

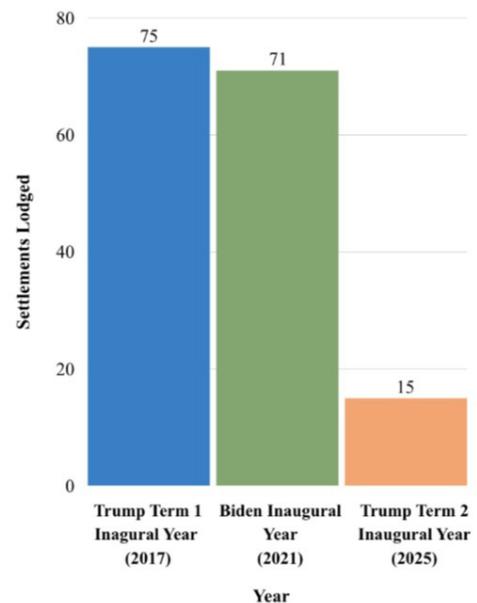


PHOTO: PEER

Skirting Congress: Contempt for Advice & Consent

In November, PEER found that Jeffrey Clark, then the “Acting Administrator” of the Office of Information and Regulatory Affairs, or OIRA, (the administration’s top regulatory official) within the White House Office of Management and Budget (OMB), was serving in violation of the Federal Vacancies Reform Act (FVRA).

FVRA establishes requirements for temporarily filling vacant positions in Executive Branch agencies. The act identifies who may temporarily serve in positions requiring the advice and consent of Congress, for how long, and what happens when no one is

serving under the act and the position is vacant.

In his role as Acting Administrator, Clark had authorized deregulatory actions, such as weakening Endangered Species Act regulations. However, after PEER wrote to his boss at OMB, Russell Vought, and our letter was covered in the press, Mr. Clark’s position was changed to Associate Administrator, and he is no longer the “acting” head of OIRA.

Notably, the DC Bar Association recommended that Clark be disbarred for his 2020 election denial actions; a final decision is pending before the DC

Circuit Court of Appeals. The Bar found he had engaged in dishonest, reckless conduct. This past November, Trump formally pardoned Clark and about 70 other officials for those actions.

Fundamentally, FVRA violations circumvent the U.S. Senate’s advice and consent prerogative under the Constitution.

“Because of his past legal abuses, it is unlikely that Jeffrey Clark could ever obtain Senate confirmation as OIRA’s Administrator,” stated PEER Senior Counsel Peter Jenkins. “Advise and consent is meant to keep characters like Clark out of the halls of power.”



PEER PERSPECTIVES

Cleaning the Air



Jamaica Economic Growth Minister Matthew Samuda

Speaking at the recent United Nations climate change conference in Brazil, Matthew Samuda joined representatives from other small islands calling for accelerated efforts to curb climate-warming emissions. Heavily affected by severe weather events and sea-level rise caused by climate change, these nations have contributed the least to rising atmospheric greenhouse gas concentrations. Describing the devastating impacts of Hurricane Melissa, Samuda called on the global community, especially major emitters, to honor their climate commitments. “This is survival. It’s about our people and their right to a safe and prosperous future,” he remarked.



U.S. Representatives Don Beyer and Ryan Zinke

In a rare bit of bipartisan cooperation on natural resource policy, Democratic Rep. Don Beyer of Virginia and Republican Rep. Ryan Zinke of Montana are cosponsoring legislation to reauthorize and fund the Department of Transportation’s Wildlife Crossing Program through 2031. Zinke remarked, “This bill locks in the progress we started, [and] keeps the funding flowing to the states and tribes that need it most.” Beyer added, “We know there are proven solutions – such as culverts, bridges, and tunnels that allow animals to migrate safely – to reduce these incidents and save lives.” Glad we can at least agree that roadkill is bad.



Deputy Solicitor of the Interior Karen Budd-Falen

It appears the deputy solicitor at the Department of the Interior and her husband are \$3.5 million richer from the sale of water rights to a company developing the Thacker Pass Lithium Mine – a sale only made possible by Interior’s approval of a mining permit for the project. Interior refused to provide any records of Budd-Falen recusing herself from decisions that ultimately netted the duo the windfall, or of her providing an ethics waiver indicating that her husband would profit from the mine’s approval. When questioned about a lunch Budd-Falen had with the mining company’s representatives in Interior’s cafeteria, her husband assured reporters the meeting was purely “social.”



Louisiana Attorney General Elizabeth Murrill

Murrill is urging the U.S. Justice Department to drop all litigation against insurers for oil spill cleanup costs. She claims the lawsuits pose a threat to the “epicenter” of the oil and gas industry by making the required insurance prohibitively expensive. Her prime example is the federal suit collecting \$128 million in removal costs for the continued cleanup of a collapsed offshore oil platform owned by Taylor Energy, which collapsed and sank during 2004’s Hurricane Ivan and has been releasing oil ever since. This year, Congress declined to reauthorize the oil spill surtax that funds the Oil Spill Liability Trust Fund, established after the Exxon-Valdez spill. As a result, these federal lawsuits will be needed more than ever to recoup the steep costs for massive oil spill cleanups.



EPA Administrator Lee Zeldin

With no time to waste to slash regulations, Zeldin’s Environmental Protection Agency (EPA) found a bold new option to assess the value of human life. When tasked to weigh the costs of human lives lost to airborne particulate matter (PM) 2.5 and ozone pollution exposure vs. the costs industry would bear to prevent said pollution, EPA decided to change course from past practice and not consider them at all—effectively declaring them to have no dollar value. Following this calculation (or lack thereof), EPA handed down a decision to reduce PM 2.5 pollution regulations, saving industry an estimated \$590 million a year for the “free” price of thousands of lost lives.



U.S. Senator Cynthia Lummis

Outgoing Sen. Lummis (R-WY) has introduced a bill barring federal or state emissions controls on motor vehicles. It would also eliminate penalties for those who tamper with exhaust systems. She calls it the “Diesel Truck Liberation Act.” “I want this overreach to end. Democrats weaponized the EPA to wage war on rural America,” Lummis declared. “This legislation is the first step toward justice and sanity.” After all, chronic pulmonary disease is a small price to pay for freedom.

PEER Client Ted Yackulic

When Ted Yackulic started as an attorney at the Environmental Protection Agency (EPA) in 1989, he didn't know that his first assignment—working on a Superfund case—would lead to a career of holding polluters accountable for toxic waste. Yackulic also didn't anticipate that after 36 decorated years at EPA, his career would end abruptly after he signed a letter to EPA Administrator Lee Zeldin dissenting against practices that undermined the Agency's core mission—like the dismantling of scientific research offices.

That mission, “protecting human health and the environment,” is what initially drew Yackulic to the Agency and motivated his decades-long work on complex environmental cleanups in EPA's Region 10 (the Pacific Northwest). Yackulic's contributions to over 36 high-priority Superfund and Clean Water Act matters included negotiating the removal of contaminants like arsenic and lead from waterways near communities and coordinating with tribes to implement and enforce environmental laws on their lands.

The Lower Duwamish Waterway is one of the many sites contaminated with harmful industrial pollutants for which Yackulic helped negotiate recovery of cleanup costs and future remediation work under the Superfund law. He hoped to see the product of these negotiations, a settlement agreement with polluters responsible for the waste, entered and enforced by the court before he was removed from his position.

When Yackulic was terminated, the Agency lost not only his expertise and experience, but also his mentorship of the next generation of environmental attorneys. The American people lost a fierce public health and environmental cleanup advocate.

Yackulic, along with five other terminated EPA employees, challenged their removals, citing infringement of their First Amendment rights and illegal retaliation, among other legal arguments. PEER is co-representing Yackulic with a private firm and representing other EPA employees punished for signing the dissent letter.

A Thanks to Public Employees and Our Supporters

We are so proud of the work that public employees have continued to do during these tumultuous times, where common good, human decency, and the rule of law mean so little to those in power.

All of us have a profound stake in ensuring the success of their work protecting our environment, public health, and public lands.

That shared stake is why, in these difficult times, it has been refreshing to see so many people rise up to defend and support public employees. We are honored to be part of that effort.

In the coming year, we will continue to play our unique role in fighting for a planet that is healthier and more secure because of the work done by civil servants and the agencies they work for.

Thank You for Your Support!

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Fighting Back in the Courts (continued from page 1)

resource reallocations, a roster of positions being reassigned from DOI agencies to the Office of the Secretary, and the individual costs assessed to the agencies for each employee subject to the consolidation. The complaint was filed in the U.S. District Court for the District of Columbia on November 17, 2025 after DOI failed to respond in a timely manner to our FOIA request.

Moving Forward

While lawsuits alone are not enough, they play a meaningful role in the work to defeat the authoritarian push of the current administration by challenging the legality of

individual actions and requiring the government to substantiate its decision-making.

They also form part of a collective campaign among various groups to protect the environment, support government employees, and defend democracy. Combined with education, organization, and political action, lawsuits can help make long-term changes happen.

Looking ahead, we will continue our “all hands on deck” approach to protecting public employees and the environment, and the courts will continue to be an important part of that approach.



PHOTO: TWIXER

Protecting Offshore Wind

PEER is leading an investigation into why offshore wind contracts were canceled by the Trump administration. **See page 5 for more details.**