

**Statement of Janice M. Schneider  
Nominee for the Position of  
Assistant Secretary for Land and Minerals Management  
U.S. Department of the Interior  
Before the  
U.S. Senate Committee on Energy and Natural Resources**

**December 17, 2013**

Thank you Mr. Chairman, Ranking Senator Murkowski, and members of the committee. It is an honor to be considered for the position of Assistant Secretary for Land and Minerals Management at the U.S. Department of the Interior, and an honor to appear before you today.

First, I want to thank Secretary Jewell and President Obama for giving me the opportunity, with your consent, to serve the American people in this position.

Second, I would like to acknowledge my family and friends in the audience, including my mother; my partner Cynthia Johnson; my sister; and my dad and the rest of my extended family watching from Colorado and Texas for all of their love and support. I would not be here today without you.

Third, I want to thank David J. Hayes. David has been an enormous influence. I always try to conduct myself with the same levels of integrity, candor and hard work as he does. I would also like to thank my many other friends, including my colleagues and partners at Latham & Watkins LLP and my clients, for the opportunities we have shared together.

Distinguished Members of the Committee, allow me to summarize my background for you and its relevance to this position:

Although I spent my childhood in New York City, my career has had a consistent focus on natural resource use, development, and conservation issues across the country.

In over 30 years, I have worked successfully with states, tribes, industry, conservation groups and other stakeholders on a wide variety of projects. Balance, attention to stakeholder needs, strong science, open and transparent communication, the ability to listen, and a willingness to collaborate, are the elements to being successful and minimizing litigation.

I have always been drawn to the sciences and the natural environment. My undergraduate education as a double science major, and work for six years as a marine biologist in south Florida, formed the foundation for a strongly analytical and science based approach to my work.

I began my professional career as a research biologist in south Florida investigating population and abundance of commercially and recreationally important fish species – such as stone crab, swordfish, sardines in the Gulf of Mexico, and shrimp – to support sustainable use strategies. At the University of Miami’s experimental fish hatchery, I worked to develop techniques to support viable fish stocking of snook, a popular game fish, which was then in decline. I also worked on oceanographic cruises in the Straits of Florida, mapping the location of ocean density layers, and for the National Park Service down at Everglades National Park.

As a professional, I transitioned to managing teams assessing the environmental impacts of proposed projects – such as new or widened roads, highways and causeways – at the Florida Department of Transportation, and worked extensively on coastal development issues as a private environmental consultant. Working on these projects (such as large marinas and other coastal development) raised a host of environmental review and mitigation issues, including wetlands, endangered species, and cultural resources.

I was increasingly faced with laws and regulations that I wanted to understand better. It piqued my interest in the law. So, after over six years of working as a biologist, I loaded everything I had into my hatchback and moved to Portland, Oregon for law school, to expand my horizons and my experience. The rest of my career has been spent focusing on western resource issues.

During law school, I worked for two years for the Oregon Department of Justice on a very broad range of natural resource issues. These included: mining in eastern Oregon; tribal treaty, recreational, and commercial fishing rights, licensing and regulation; western water law; public access, hunting and law enforcement; timber, and sensitive species issues; other Endangered Species Act and National Environmental Policy Act issues; and evaluating new oil spill legislation. Working for Oregon, I learned the importance of state perspectives on issues, and that they may differ from federal and tribal perspectives.

As a young attorney, I practically grew up in the hallways of Interior. Upon graduation, I was selected by Tom Sansonetti, during President George H. W. Bush's Administration for the Interior Solicitor's Honors Program. In my six and a half years there – including a detail to the

Deputy Secretary's Office - I worked with all of the Department's agencies, including the Bureau of Land Management, the Office of Surface Mining, the former Minerals Management Service, the Bureau of Indian Affairs, the Fish and Wildlife Service, the Bureau of Reclamation, the National Park Service, and the U.S. Geological Survey.

As a litigator with the Justice Department – where I specialized in Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act and Marine Mammal Protection Act litigation – I worked closely with other agencies outside Interior, such as NOAA Fisheries, the U.S. Army Corps of Engineers and the Forest Service. I understand each agency's diverse missions and broad ranging responsibilities.

After eight and a half years in public service, I went into private practice. I am now an equity partner with Latham & Watkins LLP; the Local Chair of the Environmental Department here in Washington, DC; and a co-chair of the Energy and Infrastructure, Siting and Defense practice.

For the last 12 years, I have focused on energy issues, and worked closely with industry, including those who generate and transmit energy, those who provide important resources for this Nation's growth and security, and those who finance these projects.

I strongly believe that energy independence is vital to this Nation's security and a priority for the Administration. I understand that, if confirmed, the agencies I would oversee play a critical role not only in getting us there, but also creating jobs and providing economic security across the country, while adapting and responding to climate change. Nonetheless, resource development

must – and can — be conducted in a balanced, environmentally sound, and sustainable way. All Federal decisions must be science-based and must take diverse views into consideration.

I strongly support the President’s “All of the Above” energy strategy, and the need to increase our renewable and conventional resources, both onshore and offshore. Among other things, I personally have worked on coal projects across the country; oil and gas projects, including in the Bakken; wind, solar and geothermal projects in West Virginia, Hawai’i, Washington, California and Nevada, respectively; LNG development in Louisiana; hardrock and leaseable mineral development in Oregon, Idaho and Minnesota, respectively; refinery issues in Alaska; and extensive high voltage transmission and pipeline work on public and private lands.

For example, I recently led the legal strategy for development and successful defense of a \$2 billion transmission line, one of the first specifically built to deliver renewable energy, and also successfully handled the environmental review for a new mineral rights development. These projects are not easy; they are multi-faceted and raise complex issues. One project I am working on right now involves seven different federal agencies, along with needed state and tribal approvals. These projects also have significant stakeholder components. I understand the business need for efficiency and predictability for both project developers and financial institutions. I also understand those needs must be balanced with environmental protection and community engagement. These are not mutually exclusive goals. I am proudest when we are able to work issues out with a range of stakeholders and avoid litigation.

I have also worked on many conservation and mitigation efforts during my career. This includes: helping to create two national parks (the Great Sand Dunes National Park in Colorado, and Paterson National Historical Park in New Jersey); helping to restore river flows in the Trinity, the Flathead and the Missouri; working to improve the Everglades and California Bay Delta ecosystems; land acquisition for conservation; and, I have first-hand experience implementing a broad range of protective and mitigation measures to address impacts from development projects. I also have over twenty years of experience with American Indian issues and understand the federal government's responsibility to honor tribal views, and protect trust and treaty resources.

If confirmed, I will bring this experience and a balanced approach to the office.

Finally, I appreciate that the public lands are also critically important recreational areas. I love being outside. I will never forget my first backpacking trip on Mount Hood in Oregon and the raw beauty of the Pacific Northwest, hiking Aravaipa Canyon on BLM lands in Arizona, rafting the Arkansas River in Colorado, duck hunting on a magical morning in the Everglades, or the pleasure of surf-fishing on a lot of beaches on the east coast. While I like to ski in the winter, and to sea kayak when it is not quite so cold, I also understand and respect that people like to recreate in different ways, which should – and can – be accommodated.

Many have asked me why I would consider leaving an interesting and successful law practice. The answer is simple. I believe in public service, and I believe that I can contribute to the dialogue on energy policy and conservation in a balanced, transparent and positive way. If

confirmed, I look forward to working with each of you on this Committee, Congress and stakeholders, in that regard.

Thank you, Mr. Chairman, and thank you, distinguished Members of the Committee. I am happy to take any questions you may have.