

Carol A. (Annie) Petsonk



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Personal: U.S. Citizen, Resident of Washington, DC, USA

Annie Petsonk is Principal Deputy Assistant Secretary for Aviation and International Affairs at the U.S. Department of Transportation. An internationally recognized expert on aviation and climate policy, Annie is also a member of the adjunct faculty of the George Washington University Law School. She previously served in the Office of the U.S. Trade Representative (USTR); the U.S. Department of Justice; the United Nations Environment Programme (Nairobi); the Environmental Defense Fund (EDF), a non-governmental, non-partisan, non-profit advocacy organization that links science, economics and law to create innovative, equitable, cost-effective solutions to environmental problems; and the private bar.

During her previous federal government service, Annie participated in the interagency development of international climate and environmental policy, and worked with colleagues in the Departments of Justice, State, and Defense and the U.S. Trade Representative litigating cases of strategic significance to the Executive Branch. At EDF she focused on developing policy at the aviation-climate nexus, working to design and implement legal frameworks that tap human ingenuity and the power of economic incentives to encourage companies, countries, and communities to protect the environment. She served as an expert observer member of the Committee on Aviation Environmental Protection (CAEP) of the International Civil Aviation Organization (ICAO), helping develop standards for implementing the landmark Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). She has helped pioneer the idea of “carbon clubs” to advance climate action, and identified how such clubs can maximize synergies and minimize conflicts between environmental protection and the multilateral trade system, assist local communities, foresters and farmers via environmental compensation systems, and build on behavioral economics to achieve effective climate policy. She has testified in the U.S. Senate and the U.S. House of Representatives, and authored and co-authored more than seventy articles, book chapters, presentations, blogs, and submissions to the UN Framework Convention on Climate Change, and is frequently quoted in the press.

Annie is committed to engaging students and helping further colleagues’ professional development. She is a frequent speaker at universities and other institutions across the United States and around the world, has mentored dozens of students and junior staff, has designed and led programs for mid-career professionals, and works with junior and senior staff in civil society and in a wide range of companies to generate creative ideas for reducing corporate carbon footprints cost-effectively.

She is a graduate of Harvard Law School and of The Colorado College, which also awarded her an honorary degree. She is married to John Watts. They have one son, Nicholas.

Annie Petsonk: Education

- 2003 Honoris Causa, The Colorado College.
- 1984 J.D. *cum laude*, Harvard Law School. Member, Administrative Board. Vice-Chair, Board of Student Advisers. Teaching Assistant, Federal Litigation and Legal Writing.
- 1979 B.A., Biology, *magna cum laude*, The Colorado College. Phi Beta Kappa.

Annie Petsonk: Employment

U.S. Department of Transportation, Washington, DC, January 2021 – present. Principal Deputy Assistant Secretary and Acting Assistant Secretary for Aviation and International Affairs. The [Office of Aviation and International Affairs](#) carries a broad portfolio of responsibilities covering domestic and international aviation, international trade, and a range of other international cooperation and facilitation issues. The Office of Aviation and International Affairs includes two principal jurisdictions: domestic and international aviation. The Office contributes directly to accomplishing DOT's strategic goal of economic growth and trade, and advances America's economic growth and competitiveness domestically and internationally through efficient and flexible transportation. The Office develops and coordinates Departmental policies in a wide spectrum of domestic and international aviation issues. The Office has three primary goals: liberalizing international air services by seeking market liberalization; ensuring the benefits of a deregulated, competitive domestic airline industry; and developing policies to improve air service and/or access to the commercial aviation system for small and rural communities. The Office of Aviation and International Affairs, a branch of the Office of the Secretary, was formally chartered in 1993, when the Department of Transportation separated aviation and international trade from other transportation policy issues.

International Counsel, the Environmental Defense Fund, Washington, DC, 1995 – January 2021. Strategic and thought leadership of EDF multi-disciplinary teams (scientists, economists, lawyers) designing, implementing, and evaluating legal instruments that tap economic and market forces to cap and cut greenhouse gas emissions, including the Paris Agreement; the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) adopted by the UN's International Civil Aviation Organization (ICAO); the Kyoto Protocol on Climate Change; the European Union Emissions Trading System; programs to Reduce Emissions from Deforestation and Degradation (REDD+); climate bills and regulations in the United States and abroad. Expert observer member of ICAO's Committee on Aviation Environmental Protection (2013-present) (CAEP formulates environmental standards for international aviation). Initiated and implemented a wide range of partnerships with industry, agriculture, civil society, and academia. Advise on trade and environment issues, including advice to EDF members of U.S. Trade Policy committees. Strategic and thought leadership for development of the Panama Declaration and subsequent negotiation of a legally enforceable agreement for dolphin-safe tuna fishing in the Eastern Tropical Pacific Ocean. Mentor junior staff. *Management*: Aviation team lead, 2013-2021. Established EDF's Aviation team; hired and managed team members; developed, executed, and supervised consultant contracts. Multilateral climate lead (1995-2007). Organized, managed, and led EDF team's advocacy in the UN Framework Convention on Climate Change (UNFCCC). *Budget & Fundraising*: Develop annual budgets; with team, develop successful grant proposals totaling millions of dollars, including grants from U.S. Department of Energy.

Trial Attorney, Policy, Legislation and Special Litigation Section, Environment and Natural Resources Division, United States Department of Justice, Washington, DC, 1990-95. Under Assistant Attorney General [Richard Stewart](#), initiated and provided strategic and thought leadership for the Division's international environmental work. Advised attorneys in five litigating Sections on international aspects of their cases; coordinated international environmental work across Sections and with other Divisions of DOJ. Represented the Division in Interagency processes developing market-oriented climate policy and trade and environment. Legislation: Reviewed and coordinated DOJ comments on all legislative proposals addressing international

environmental legal issues. Litigation: extraterritorial application of U.S. environmental law; trade and environment. Instructor, U.S. Department of Justice Legal Education Institute, 1991-1994.

Director, Trade and Environment Affairs, Office of the United States Trade Representative, Executive Office of the President, Washington, DC, 1992. **Security Clearance: Secret.** Trade and environment policy. The "tuna-dolphin" dispute. Environmental aspects of the North American Free Trade Agreement (NAFTA) and the Uruguay Round of Multilateral Trade Negotiations. Represented USTR in interagency policy development and at the Earth Summit, Rio de Janeiro, 1992.

Programme Officer, Environmental Law Unit, United Nations Environment Programme, Nairobi, Kenya (1986-89). Negotiation and implementation of the Montreal Protocol on the Ozone Layer, Basel Convention on Hazardous Waste, the London Guidelines on Prior Informed Consent to Trade in Banned Chemicals, and other hard law and soft law instruments. Initial policy design on a global climate treaty.

Associate, Holme, Roberts & Owen, Denver, CO, 1985-86. Hazardous waste litigation, including the Rocky Mountain Arsenal litigation (at that time, the largest Superfund case in the United States).

Annie Petsonk: Additional employment

Law Clerk to the Hon. Benjamin V. Kaplan, Massachusetts Appeals Court, Boston, 1984-85.

Law Clerk, Goodwin, Procter & Hoar, Boston, 1984. Securities litigation.

Law Clerk, Wolf, Block, Schorr & Solis-Cohen, Philadelphia, 1983.

Law Clerk, Natural Resources Defense Council, New York, 1983.

Law Clerk, Office of the City Attorney, Colorado Springs, 1982.

Planner, Penrose Hospitals, Colorado Springs, CO, 1979-1981. Successful representation of the Hospitals in certificate of need applications for multi-million dollar capital projects.

Waitress, various restaurants in Colorado (1976-1979).

Annie Petsonk: Academic Experience

Professorial Lecturer in Law, George Washington University Law School, Washington, DC, 1995-present. International Trade & Sustainable Development Law. Climate Change Law (Spring 2021).

Visiting Scholar, George Washington University Law School, Washington, DC, 2010-2011.

Adjunct Professor, University of Maryland Law School, 1993-96.

Adjunct Professor, American University, 1992. Co-designed, co-taught, and co-led semester program on sustainable development, including 3-week academic and community service program in East Africa.

Invited Lecturer, The Colorado College, New York University Law School, University of Pennsylvania Law School, Duke Law School, Harvard Business School, Howard University Law School, Princeton University, Stanford Graduate School of Business, University of Colorado, District of Columbia Public Schools.

Environmental Markets University, Moscow, Russia, Delhi, India, and Bentonville, Arkansas, 2001-2003. Designed and led inter-disciplinary programs for mid-career professionals.

Member, the Administrative Board, Harvard Law School, Cambridge, MA, 1982-1984. By vote of the faculty, the Administrative Board, comprised of three faculty, three students, and three administrators, is responsible for student disciplinary matters and exceptions to faculty and administrative rules.

Annie Petsonk: Professional Associations and Qualifications

Bar admissions: Massachusetts, Colorado, U.S. Court of Appeals for the D.C. Circuit.

Member, Editorial Board, Carbon and Climate Law Review (CCLR) (until 2021).

American Bar Association (ABA). Invited lecturer in continuing legal education programs.

The Colorado College, Presidential Advisory Council for Sustainability, 2008-2009.

U.S. Environmental Training Institute (USETI), 1992-1995. Guest lecturer in programs for environmental practitioners from all over the world.

Languages: Conversational French, Spanish, and Kiswahili.

Interests: Skiing, kayaking, running, biking, birding, singing, cooking with family & friends.

Annie Petsonk: Invited Congressional Testimony

United States Senate, Committee on Commerce, Science, and Transportation, June 6, 2012: “Hearing on the European Union Emissions Trading System (EU ETS) and S. 1956,” a bill to give the Secretary of Transportation authority to prohibit U.S. air carriers from participating in the EU ETS, and to ensure that U.S. carriers are held harmless from any costs.

- <https://www.commerce.senate.gov/2012/6/the-european-union-s-emissions-trading-system>
- <https://www.commerce.senate.gov/services/files/50CD0734-7038-45CB-9CB0-DF5F835E8CD9>
- http://commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord_id=3cfc8134-0ee8-4296-b0de-93d28b9f086c&Statement_id=1771a6f6-4d8e-456a-8dea-9371349242b0&ContentType_id=14f995b9-dfa5-407a-9d35-56cc7152a7ed&Group_id=b06c39af-e033-4cba-9221-de668ca1978a&MonthDisplay=6&YearDisplay=2012,
- http://commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord_id=3cfc8134-0ee8-4296-b0de-93d28b9f086c&ContentType_id=14f995b9-dfa5-407a-9d35-56cc7152a7ed&Group_id=b06c39af-e033-4cba-9221-de668ca1978a&MonthDisplay=6&YearDisplay=2012;
- Responses to Questions for Record, <http://www.edf.org/sites/default/files/petsonk-transcript-07232012.pdf>.
- Summary available at: <https://www.edf.org/sites/default/files/EDF-Petsonk-Senate-Testimony-EU-ETS-Aviation-060612.pdf>

United States House of Representatives, Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, March 27, 2007: “Climate Change – International Issues, Engaging Developing Countries.”

- <https://www.govinfo.gov/content/pkg/CHRG-110hhrg37453/html/CHRG-110hhrg37453.htm>
- <http://energycommerce.house.gov/images/stories/Documents/Hearings/PDF/110-eaq-hrg.032707.Petsonk-testimony.pdf>

Annie Petsonk: Publications, Invited Presentations, Blogs and Podcasts

Invited Panelist, [The Future of the Regulatory State: In Celebration of Richard Stewart’s 50th Year of Teaching](#), New York University Law School, January 12, 2021.

“How Professor Stewart’s Work Has Infused Equity, Effectiveness and Transparency into Environmental Law: A Practitioner’s View,” forthcoming, 29 NYU Envtl. L. J. 3 (2021).

“UN Aviation Body Approves Environmental Provisions for Airline Climate Program,” (blog, 2020), <https://www.edf.org/media/un-aviation-body-approves-environmental-provisions-airline-climate-program>

“Trump EPA: Idling on Aviation Pollution,” EDF statement from Annie Petsonk, International Counsel <https://www.edf.org/media/trump-epa-idling-aviation-pollution> (2020).

“CORSIA: No, the ICAO Council can’t legally change CORSIA’s rules” (2020). <http://blogs.edf.org/climate411/2020/06/09/corsia-no-the-icao-council-cant-legally-change-corsias-rules/>

“CORSIA: 5 reasons why the ICAO Council shouldn’t move now to rewrite the rules of its aviation climate program” (2020) <http://blogs.edf.org/climate411/2020/06/09/corsia-5-reasons-why-the-icao-council-shouldnt-move-now-to-rewrite-the-rules-of-its-aviation-climate-program/>

“Analysis: COVID-19, International Aviation, and Climate Change: How Airlines’ Proposed Re-Write of International Civil Aviation Organization Rules would Undermine the Carbon Offsetting and Reduction Scheme for International Aviation” (2020)
[https://www.edf.org/sites/default/files/documents/Impact of COVID on International Aviation Analysis.pdf](https://www.edf.org/sites/default/files/documents/Impact%20of%20COVID%20on%20International%20Aviation%20Analysis.pdf)

“CORSIA: Industry-sought rule change threatens aviation climate program” (2020)
<http://blogs.edf.org/climate411/2020/05/21/corsia-industry-sought-rule-change-threatens-aviation-climate-program/>

“As ICAO prepares to make carbon offset eligibility decisions, the Madrid COP provides some guidance,” GreenAirOnline December 19, 2019. <https://www.greenaironline.com/news.php?viewStory=2656>

“Airlines, Offsets, and ICAO’s Moment of Decision,” in *2019 Greenhouse Gas Market Report* (IETA, 2019), [https://www.ieta.org/resources/Resources/GHG Report/2019/IETA%20-%20GHG%20Report%202019 WEB.pdf](https://www.ieta.org/resources/Resources/GHG%20Report%202019/IETA%20-%20GHG%20Report%202019%20WEB.pdf)

with D. Hardisty, A. Beal, R. Lubowski, and R. Romero-Canyas, “A Carbon Price By Another Name May Seem Sweeter: Consumers Prefer Upstream Offsets to Downstream Taxes,” *Journal of Environmental Psychology* 66 (2019) 101342,
<https://www.sciencedirect.com/science/article/pii/S0272494419300647?via%3Dihub>. **Recognized** by the *Financial Times* as one of the top 100 business research papers in 2019, ranked on social impact.

with C. Ivanovich, I. Ocko, and P. Piris-Cabezas, “Climate benefits of proposed carbon dioxide mitigation strategies for international shipping and aviation,” *Atmos. Chem. Phys. Discuss.* (11 December 2019),
<https://www.atmos-chem-phys.net/19/14949/2019/acp-19-14949-2019.pdf>

with N. Keohane and A. Hanafi, “Some for All? Carbon Clubs in the context of the Paris Agreement and the WTO” https://envirocenter.yale.edu/sites/default/files/files/CoolHeads_Petsonk.pdf, in D. Esty & S. Biniarz, eds., *Cool Heads in a Warming World Part Two: Proactive Trade Initiatives to Address Climate Change* (Yale University 2019).

Podcast: Bionic Planet: Climate Change and Regeneration - 051 | Forests in the Paris Agreement, Part 3: a Conversation with Annie Petsonk of EDF. 48 minutes · Sep 16, 2019. Author: @anthropozine /steve.zwick, <https://www.stitcher.com/podcast/steve-zwick/bionic-planet>

Contributor, *Guidelines for Avoiding Double Counting for the Carbon Offsetting and Reduction Scheme for International Aviation* (June 2019), <https://www.adc-wg.org/>

“Clouds on the horizon: The legal status of the Kyoto Protocol’s Clean Development Mechanism,” May 2018,
<http://blogs.edf.org/climatetalks/2018/05/01/clouds-on-the-horizon-the-legal-status-of-the-kyoto-protocols-clean-development-mechanism/>

with G. Leslie and A. Hanafi, “Global Emissions Within and Outside the Scope of Nationally Determined Contributions: A Preliminary Analysis of “Double Counting” Risks for Internationally Transferred Mitigation Outcomes (Environmental Defense Fund 2018),
[https://www.edf.org/sites/default/files/documents/EDF NDC%20Emissions%20Coverage%20Analysis 0.pdf](https://www.edf.org/sites/default/files/documents/EDF%20NDC%20Emissions%20Coverage%20Analysis%200.pdf)

with D. Hardisty, A. Beal, R. Lubowski, and R. Romero-Canyas, “A Carbon Price By Another Name May Seem Sweeter: Consumers Prefer Upstream Offsets to Equivalent Downstream Taxes,” in A. Gneezy, V. Griskevicius, and P. Williams, eds., *NA - Advances in Consumer Research* Vol. 45, Duluth, MN : Association

for Consumer Research, Pages: 654-654 (2017),
<http://www.acrwebsite.org/volumes/1025013/volumes/v45/NA-45>

with C. Vinsonhaler, "Count It Once: Climate Mitigation under the Paris Agreement and CORSIA," in R. Stavins & R. Stowe, eds., *Market Mechanisms and the Paris Agreement*, Harvard Project on Climate Agreements, Harvard Project on Climate Agreements (2017).
<https://www.belfercenter.org/publication/market-mechanisms-and-paris-agreement>

Podcast: "Trump's Ego Is Murdering Earth," Interview by Joanna Rothkopf and Ellie Shechet
6/02/17 12:00PM <https://theslot.jezebel.com/trumps-ego-is-murdering-earth-1795759477>

with P. Vaishnav, R. Grillo Avila, M. G. Morgan, and P. Fischbeck, "Analysis of a Proposed Mechanism for Carbon Neutral Growth in International Aviation," *Transportation Research Part D: Transport and Environment*, 45, 126-138 (2016). <https://trid.trb.org/view/1407528>

with N. Keohane and A. Hanafi, "Building a Coalition of Carbon Markets to Spur Faster, Deeper Cuts in Climate Pollution," in R. Stavins & R. Stowe, eds., *The Paris Agreement and Beyond: International Climate Change Policy Post-2020*, Harvard Project on Climate Agreements (2016).
http://www.belfercenter.org/sites/default/files/legacy/files/2016-10_paris-agreement-beyond_v4.pdf

with P. Piris-Cabezas, "Bridging the Allocation Gap in the ICAO MBM: A New Proposal," *2 Carbon & Climate Law Review (CCLR 2016)*, 127-133. <https://www.jstor.org/stable/44135217?seq=1> and
<https://cclr.lexxion.eu/article/CCLR/2016/2/10>

"To understand airplanes' climate pollution, a picture is worth a thousand words," (2016)
<http://blogs.edf.org/climatetalks/2016/02/12/to-understand-airplanes-climate-pollution-a-picture-is-worth-a-thousand-words/>

with N. Keohane and A. Hanafi, "Toward a Club of Carbon Markets," *Climatic Change* 144, 81–95 (2015, journal issue 2017). <https://doi.org/10.1007/s10584-015-1506-z> . Available with open access at
<http://link.springer.com/article/10.1007/s10584-015-1506-z>

with N. Keohane, "Creating a club of carbon markets: Implications of the trade system," *International Centre for Trade and Sustainable Development and the World Economic Forum E15 Initiative (ICTSD/WEF)* (2015), http://www.ictsd.org/sites/default/files/research/E15_Climate_Petsonk%20and%20Keohane_FINAL.pdf

with D. Francis, A. Hanafi, and N. Keohane, "Toward a General Agreement on Environmental Markets" (invited presentation), *New York University Law School Workshop on Building Block Strategies for Global Climate Action*, December 2013. Workshop agenda at: <https://guarinicenter.org/wp-content/uploads/2013/12/Climate-Workshop-Agenda-12-Dec-13.pdf>

with P. Campos, "Implementing an ICAO Global Market-Based Measure to Limit Carbon Pollution," *The Air & Space Lawyer*, Vol 26, No. 3 (2013). Reprinted with permission at:
https://www.edf.org/sites/default/files/implementing_icao_market-based_measure_limit_carbon_pollution_asl_petsonkcampos_winter2013.pdf

"Toward a cap on the carbon emissions of international civil aviation: One Step Forward in 2013," in *Looking to the Future of Carbon Markets: Greenhouse Gas Markets Report (10th Edition)*, p. 62 (International Emissions Trading Association November 2013).
https://www.ieta.org/resources/Resources/GHG_Report/2013ghgreport_final.pdf

"Aviation and Climate Change: Emerging Legal Issues" (invited presentation), *Climate Change and the Law Community of Practice*, World Bank Global Forum for Law, Justice & Development (November 2013).

with G. Turner, Bloomberg New Energy Finance, “Market-Based Measures: Achieving Carbon Neutral Growth from 2020” (modeling and analysis of potential costs to aviation industry of implementing CNG2020 through 2050), in Destination Green: 2013 Environment Report (International Civil Aviation Organization (ICAO) 2013), at 150-151. <http://cfapp.icao.int/Environmental-Report-2013/files/assets/basic-html/page162.html>

with A. Hanafi and B. Weigle, “Rooms with a View: Legal Architecture of a Future Framework for Global Climate Action,” Submission of Environmental Defense Fund (www.edf.org) on para. 13 (a) – (d) of the Doha ADP Conclusions as adopted, Planning of Work, relating to Implementation of all the elements of decision 1/CP.17, (a) Matters related to paragraphs 2 to 6 (2013), <http://unfccc.int/resource/docs/2013/smsn/ngo/302.pdf>

with G. Turner, Bloomberg New Energy Finance, “Carbon Neutral Growth for Aviation: At What Price?” (EDF-BNEF July 2013), available at: http://www.edf.org/sites/default/files/BNEF_EDF_Carbon_Neutral_Growth_For_Aviation_At_What_Price.pdf. Profiled in “Net cost to the aviation sector of achieving carbon-neutral growth from 2020 will be trivial, finds report” (GreenAirOnline August 2013), <http://www.greenaironline.com/news.php?viewStory=1726>

“A Global MBM for Aviation and Climate Change: The Time is Now!” (invited presentation), International Civil Aviation Organization Environment Symposium (May 2013).

with A. Hanafi, R. Lubowski, and J. Cozijnsen, “A Home for All: Architecture of a Future Framework for Global Mitigation Action,” Submission of Environmental Defense Fund (www.edf.org) on para. 4 of the ADP Draft Conclusions proposed by the Co-Chairs, taken at Bonn in June 2013, relating to Implementation of all the elements of decision 1/CP.17 (2013) <http://unfccc.int/resource/docs/2013/smsn/ngo/371.pdf>

Op-Ed: “On the Flightpath to Success,” Carbon Finance (Spring 2013), pages 22-23.

with L. Merrill Brown and A. Hanafi, “The EU Emissions Trading System: Results and Lessons Learned (Environmental Defense Fund 2012), http://www.edf.org/sites/default/files/EU_ETS_Lessons_Learned_Report_EDF.pdf

“Robust Standards for Enhancing Effectiveness and Reducing Risk,” invited presentation at the UN Framework Convention on Climate Change AWG-LCA Workshop on A Framework for Various Approaches, Bonn, Germany, 19 May 2012

with A. Hanafi and B. Weigle, “Submission of The Environmental Defense Fund to the UN Framework Convention on Climate Change on paras. 79-86 of the Durban Decision on various approaches, including opportunities to use markets” (2012) <http://unfccc.int/resource/docs/2012/smsn/ngo/231.pdf>

with A. Hanafi and B. Weigle, “Submission of Environmental Defense Fund (www.edf.org) on paras. 44-47 of the Doha Decision 1/CP.18, on various approaches, including opportunities for using markets” (2012), <http://unfccc.int/resource/docs/2013/smsn/ngo/326.pdf>

with J. Cozijnsen, “Harvesting climate finance value from surplus Kyoto allowances,” in Carbon Market Europe (Thomson Reuters Point Carbon January 20, 2012).

with T. Johnson, J. Cooper, M. Zeinali, B. Hemmings, (D. Curtis and J. Dings, eds.), “A New Flightplan: Getting Climate Measures for Aviation off the Ground,” (Transport & Environment et al., February 2012), https://www.edf.org/sites/default/files/A_New_Flightplan_report_Feb2012.pdf

Column: "Reclaiming Aviation's Pioneering Spirit," Reuters (August 17, 2012).

<https://www.reuters.com/article/us-reclaiming-aviations/column-reclaiming-aviations-pioneering-spirit-idUSBRE87G0UW20120817>

"Legal Obligations and Institutions of Developing Countries: Rethinking Approaches to Forest Governance," in *International Financial Institutions and Global Legal Governance* Vol. 3, H. Cissé, D. Bradlow and B. Kingsbury, eds. (The World Bank 2012), http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2011/11/04/000356161_20111104043503/Rend/red/PDF/653710PUB0EPI2061563B09780821388631.pdf

"For Brighter Skies, Europe Should Stay On Course," in *Carbon Market Europe* (Thomson Reuters Point Carbon October 2011). Reprinted with permission at <http://blogs.edf.org/climatetalks/2011/10/11/for-brighter-skies-europe-should-stay-on-course-with-its-aviation-directive/>

with N. Keohane and G. Wagner, "Sectoral crediting: getting governance right from the beginning," in *Global Corruption Report: Climate Change*, Transparency International (Earthscan, UK, 2011), http://www.transparency.ee/cm/files/global_corruption_report_climate_change_english.pdf

with T. Ricketts, B. Soares-Filho, G. da Fonseca, D. Nepstad, A. Pfaff, A. Anderson, D. Boucher, A. Cattaneo, M. Conte, K. Creighton, L. Linden, C. Maretti, P. Moutinho, R. Ullman, and R. Victurine, "Indigenous Lands, Protected Areas, and Slowing Climate Change", *PLoS Biology* V. 8, Issue 3 (March 2010). <https://journals.plos.org/plosbiology/article?id=10.1371/journal.pbio.1000331> and <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2838743/>

"Governance of Forests," panel presentation at the World Bank 2010 Law, Justice and Development Week: International Financial Institutions in a Post-Crisis World – Legal Challenges and Opportunities (Washington, DC, November 2010).

"Designing Successful Incentive-Based Environmental Policies: Lessons Learned from the U.S. Sulfur Dioxide Program", invited presentation, Brazil Cap-and-Trade Workshop, FBDS (Rio de Janeiro, August 2010).

"The Road Forward from Copenhagen: Climate Change Policy in the 21st Century," invited presentation, American Society of International Law Annual Meeting (Washington, DC, 2010).

"'Docking Stations': Designing a More Open Legal and Policy Architecture For a Post-2012 Framework to Combat Climate Change," 19 *Duke Journal of International and Comparative Law* 433 (2009), <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1280&context=djci>

with D. Dudek et al., "Engaging Developing Countries by Incentivizing Early Action," in *Climate Finance: Regulatory and Funding Strategies for Climate Change and Global Development*, R. Stewart, B. Kingsbury, B. Rudyk, eds. (New York University Press 2009). http://books.google.com/books?id=407wNWHpq3cC&printsec=frontcover&dq=kingsbury+stewart+rudyk+climate+change&source=bl&ots=6YWCG_nWD6&sig=frAoRAXDjpcOUD86EUwa8XAxPMo&hl=en&ei=aS17S5fVY2XtgfvwN3ECg&sa=X&oi=book_result&ct=result&resnum=5&ved=0CBEQ6AEwBA#v=onepage&q=&f=false

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Senate Commerce Committee Nominee Questionnaire, 117th Congress

Instructions for the nominees: The Senate Committee on Commerce, Science, and Transportation asks you to provide typed answers to each of the following questions. It is requested that the nominee type the question in full before each response. Do not leave any questions blank. Type "None" or "Not Applicable" if a question does not apply to the nominee. Return printed answers to Committee. Begin each section (i.e., "A", "B", etc.) on a new sheet of paper.

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used):

Carol Annette ("Annie") Petsonk

2. Position to which nominated:

Assistant Secretary for Aviation and International Affairs, U.S. Department of Transportation

3. Date of Nomination:

April 28, 2021

4. Address (List current place of residence and office addresses):

Office: 1200 New Jersey Avenue, SE, Washington, DC 20590

[REDACTED]

5. Date and Place of Birth:

March 5, 1957, Altoona, PA

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: John W. Watts, Senior Counselor, Office of Senator Dianne Feinstein

[REDACTED]

7. List all college and graduate degrees. Provide year and school attended.

Juris Doctor, Harvard Law School, 1984.

Bachelor of Arts in Biology, The Colorado College, 1979.

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Managerial Experience:

- **U.S. Department of Transportation: Principal Deputy Assistant Secretary for Aviation and International Affairs, Washington, DC, January 2021-Present.**

- **Environmental Defense Fund: International Counsel, Washington, DC, March 1995-January 2021.**

Non-Managerial Experience:

- **George Washington University Law School: Professorial Lecturer in Law, Washington, DC, 1995-Present.**
- **George Washington University Law School: Visiting Scholar, Washington, DC, 2010-2011.**
- **United States Department of Justice, Environment and Natural Resources Division: Trial Attorney, Policy, Legislation and Special Litigation Section, Washington, DC, 1990-1995.**
- **University of Maryland Law School: Adjunct Professor, Baltimore, MD, 1993-1996.**
- **Office of the United States Trade Representative, Executive Office of the President: Director, Trade and Environment Affairs, Washington, DC, 1992.**
- **American University: Adjunct Professor, Washington, DC, 1992.**
- **United Nations Environment Programme: Programme Officer, Environmental Law Unit, Nairobi, Kenya, 1986-1989.**
- **Holme, Roberts & Owen: Associate, Denver, CO, 1985-1986.**
- **Massachusetts Appeals Court: Law Clerk to the Hon. Benjamin V. Kaplan, Boston, MA, 1984-1985.**
- **Goodwin, Procter & Hoar: Law Clerk, Boston, MA, 1984.**
- **Wolf, Block, Schorr & Solis-Cohen: Law Clerk, Philadelphia, PA, 1983.**
- **Natural Resources Defense Council: Law Clerk, New York, NY, 1983.**
- **Office of the City Attorney of Colorado Springs: Law Clerk, Colorado Springs, CO, 1982.**
- **Holme, Roberts & Owen: Law Clerk, Colorado Springs, CO, 1982.**
- **Penrose Hospitals: Planner, Colorado Springs, CO, 1979-1981.**
- **Poor Richard's Feed and Read: Waitress, Colorado Springs, CO, 1979.**

9. Attach a copy of your resume.

See Attachment A.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

- 2814 Pleasant Valley Properties, LLC – managing partner. (Family LLC owns a small commercial property in Altoona, Pennsylvania)
- I am a trustee of the following family trusts:
 - Benjamin Eisdorfer Trust
 - Benjamin Eisdorfer 2011 Trust
 - Joshua Simon Petsonk Trust
 - Ariel Petsonk Trust
- I was a trustee of the Hope Eva Eisdorfer Trust (this trust terminated in the past decade)

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

- **Colorado Supreme Court Bar (inactive, dues-paying member), 1985-Present**
- **Massachusetts Bar (active, dues-paying member), 1984-Present**
- **Doctors Without Borders, 1989-1990**
- **Environmental Defense Fund (EDF), 1995-2020**
- **Hadassah (Life Member), 1974-present**
- **The Nature Conservancy, 1996-2000 (approx.)**
- **Planned Parenthood, 2019-2021**

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

No.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

None.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

See Attachment B for a list of contributions responsive to this request. All entries in the attachment are the result of electronic searches (e.g., FEC.gov) and reflect the best of my recollection. Should any additional contributions be identified, I will promptly let the Committee know.

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

- **Honoris Causa, The Colorado College, 2003.**
- **Phi Beta Kappa, 1979.**
- **National Merit Scholar, 1974.**

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

See Attachment C. All entries in the attachment reflect the best of my recollection. Should any additional information be identified, I will promptly let the Committee know.

18. List digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an "alias" or "handle" you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

LinkedIn: <https://www.linkedin.com/in/annie-petsonk-29030011> (active account)

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

- **United States Senate, Committee on Commerce, Science, and Transportation, June 6, 2012: "Hearing on the European Union Emissions Trading System (EU ETS) and S. 1956."**

- <https://www.commerce.senate.gov/2012/6/the-european-union-s-emissions-trading-system>
- <https://www.commerce.senate.gov/services/files/50CD0734-7038-45CB-9CB0-DF5F835E8CD9>

- **United States House of Representatives, Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, March 27, 2007: "Climate Change – International Issues, Engaging Developing Countries."**

- <https://www.govinfo.gov/content/pkg/CHRG-110hrg37453/html/CHRG-110hrg37453.htm>
- <http://energycommerce.house.gov/images/stories/Documents/Hearings/PDF/10-eaq-hrg.032707.Petsonk-testimony.pdf>

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

My father was an electrical engineer and a pilot. He instilled in me a love and awe of flight, and a deep desire to make things work. I adored going with him to the small but mighty Altoona/Blair County Airport (symbol: AOO), where we went right out onto the tarmac to board the planes, which all departed from "Gate 1." I have great appreciation for the work of Congress in directing the Department to ensure that communities like Altoona are served through programs such as the Small Community Air Service Development Program (SCASDAP) and the Essential Air Services (EAS) Program. Having grown up in a small town but also lived overseas and worked in international negotiations, it's particularly exciting for me that the work of the Department overseen by the Assistant Secretary of Transportation for Aviation and International Affairs spans the breadth of the Department's international portfolio as well as the economic framework established by Congress to foster a vibrant and efficient U.S. aviation sector serving communities large and small.

My qualifications for this role include thirty-five years of experience working in international affairs, with more than twenty years in international aviation law and policy; two and half decades of teaching in the field of international law; and a half decade in the Executive

Branch in international law-related positions that required close coordination with the Legislative Branch.

Throughout my career I have valued bipartisanship, from working on the Montreal Protocol on the Ozone Layer, championed by President Reagan's Secretary of State, George Schultz, to helping develop a global approach to aviation emissions as called for in legislation spearheaded by Senators John Thune and John Kerry. I joined the Environment and Natural Resources Division of the U.S. Justice Department in 1990 to work under the leadership of Assistant Attorney General Richard B. Stewart, in the Administration of President George H.W. Bush. My experience at DOJ developing the Division's international focus, coordinating with the Antitrust Division, litigating cases of international policy significance, reviewing every piece of proposed legislation touching international environmental considerations, representing the Department in interagency policy development, and – on detail to the U.S. Trade Representative's office (USTR) – representing USTR on the U.S. delegation to the Earth Summit in Rio de Janeiro, gave me insights into and practical experience with the kinds of international negotiations, interagency processes, and relationships with Congress that are so crucial to DOT's Office of Aviation and International Affairs. My work spanning UNEP, DOJ, USTR, and EDF, facilitating treaty negotiations, developing international instruments in aviation and other fields, and coordinating with committees of jurisdiction, including this Committee, have given me a depth of experience upon which to draw in leading and inspiring the work of the extraordinarily talented career staff at DOT.

I began in the field of aviation in the mid-1990s, coordinating with the National Aeronautical and Space Administration (NASA) on a series of meetings held in Virginia Beach, cosponsored by the FAA and international partners, to bring together distinguished scientists to identify and characterize the effects of the aerospace sector on the global atmosphere. Those meetings provided input into what became the first sectoral analysis undertaken by the Intergovernmental Panel on Climate Change, the 1999 IPCC Special Report on Aviation and the Global Atmosphere. I co-authored one of the first papers on the development, in ICAO, of a multilateral approach to addressing climate-damaging emissions – an approach that has, to a considerable degree, been incorporated into ICAO's Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), negotiated by State, FAA, and DOT pursuant to authority specified by Congress in 2012.

From 2013 to 2020, I participated as an expert observer in meetings of the International Civil Aviation Organization, including its Committee on Aviation Environmental Protection and its Assembly, on the development of CORSIA and its implementing provisions, a number of which address Sustainable Aviation Fuel (SAF). This gave me experience with the work of ICAO and the role of the United States in ICAO, the aviation economic frameworks established by Congress, and the effect of disruptors like the COVID crisis as – with the help of the Department, this Committee, and the Congress - the aviation sector seeks to recover and help the nation and the world recover from the pandemic.

My experiences living in many different places in the United States and around the world, and working as a career federal civil servant as well as in various other capacities, give me the ability to relate to the Department's diverse career staff to help them build on their terrific expertise and strengths as a team to further the mission of the Department.

My parents were deeply public-service-oriented. My father impressed on us over and over again, "you owe a debt to society." Serving as Assistant Secretary of Transportation for Aviation and International Affairs would be the privilege of a lifetime to try to repay that debt.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

Upholding the Department's integrity is the solemn responsibility this Committee has entrusted to the senior leadership of the Department of Transportation.

It's an honor to build together with the extremely well qualified and highly professional team of dedicated civil servants at the Department to ensure that the Department has the proper controls and so maintains the trust of the American people, the Congress, and this Committee.

If confirmed, my previous experience coordinating international matters across the "largest environmental law firm in the country" – the U.S. Department of Justice's Environment and Natural Resources Division – and directing a multimillion dollar program with full-time staff and consultants in a challenging and fast-paced environment at EDF, will stand me in good stead in managing the Office of Aviation and International Affairs at DOT.

22. What do you believe to be the top three challenges facing the department/agency, and why?

Safety is and must always be the Department's North Star. The Office of Aviation and International Affairs must work closely with the other offices and modes to help advance the application of new technologies while maintaining the highest levels of safety. In evaluating the economic aspects of these new technologies, from electrification to unmanned aircraft systems to automated and connected vehicles, it's a privilege to work with the top-notch professionals in the Office of Aviation and International Affairs. If confirmed I would be grateful to continue and extend our work to further the efficiency and effectiveness of our transportation system.

The Department plays an important set of roles in COVID recovery, from instituting measures to safeguard our nation's transportation systems, including our air transport system, to helping make vaccines widely available for transportation workers and the broader public. Congress has taken extraordinary steps to help the aviation sector recover from the gut-

punch of the pandemic. How customer needs for transportation will change in response is not yet clear. We in the Office of Aviation and International Affairs must work closely with the sector, maintaining clear lines of communication with interested consumer, labor, and industry stakeholders, to help the sector anticipate and adapt to the new normal.

That will also entail helping the sector in its efforts to place climate and equity at the core of its rebuilding. The aviation sector recognizes that these are crucial to its long-term durability. We are seeing companies make new commitments and seek new partnerships with the federal government. If confirmed, I would be honored to use my experience at the intersection of aviation, climate, and international affairs to help lead the sector to a more sustainable recovery.

B. POTENTIAL CONFLICTS OF INTEREST

- Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

My arrangements are fully described in Part 3 of my Public Financial Disclosure Report.

- Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No.

- Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will continue to be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any potential conflicts of interest.

- Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will continue to be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any potential conflicts of interest.

- Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify any potential conflicts of interest. Any potential conflicts of interest will continue to be

resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any potential conflicts of interest.

- Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

In 2012, I testified in Congress opposing, or in the alternative recommending modifications of, S. 1956, in order to ensure that the liability incurred by U.S. airlines if they were prohibited from complying with European law, would not fall on U.S. taxpayers. In response, Senator Benjamin Cardin introduced an amendment to the bill, which was adopted, to ensure that U.S. taxpayers would not face that liability.

In March 2020, I recommended that in enacting legislation to provide payroll support to U.S. airlines suffering the impacts of the pandemic, Congress consider not only placing minimum air service obligations on airlines, but also committing the carriers to limit and reduce their greenhouse gas emissions. This recommendation was not adopted; however, in March 2021, U.S. airlines announced a commitment to net-zero emissions by 2050, provided the U.S. government supports them in meeting that commitment.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:
 - a. Provide the name of agency, association, committee, or group;
 - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
 - c. Describe the citation, disciplinary action, complaint, or personnel action;
 - d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes.

(Nominee is to include this signed affidavit along with answers to the above questions.)

F. AFFIDAVIT

CAROL ANNETTE PETERSON being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Carol Annette Peterson

Signature of Nominee

Subscribed and sworn before me this 7 day of JULY, 2021.

[Signature]

Notary Public

