



FTC Chair Edith Ramirez

President Obama [has appointed Edith Ramirez to chair the Federal Trade Commission](#); since she already serves on the FTC, this thankfully does not require Senate confirmation. It's a terrific appointment. I have known Edith for about 15 years now; we served together on the board of the [Los Angeles Center for Law and Justice](#), one of the best legal services organizations in the country. I have always been impressed with her intelligence and judgment in a wide variety of matters. (And for what it's worth, I haven't been in touch with her since 2010, when President Obama appointed her to the Commission).

Now, you may well ask: what does this have to do with the environment? The FTC is the nation's oldest existing federal regulatory agency — it was a key piece of Woodrow Wilson's New Freedom — but that hardly puts it into the green space. But in an era such as the present, where green labeling is a very big business, it is crucial. The FTC has jurisdiction over consumer regulation and particularly issues of false and misleading advertising. That means that issues concerning greenwashing come before the FTC in the first instance. Indeed, the FTC [just issued](#) new greenwashing guidelines in the form of "[Green Guides](#)".

Greenwashing claims are not only crucial in terms of harnessing the power of the market for a sustainable future; they also present difficult issues concerning commercial speech issues. It's pretty obvious that the Roberts Court sought from the very beginning to prevent regulation of campaign finance; I am concerned that now that that issue has been dispensed with, the Chief Justice will seek to false and misleading advertising under the guise of the First Amendment. That means that regulations and enforcement will have to be handled with

integrity and expertise, and I can't think of a better person than Edith to do it. This is in no small part due to her background as a business counselor and litigator: Edith actually understands and is concerned about the way that businesses work and what their needs are.

And just to get the right discussions started. Hmmm...Edith knows President Obama from her days on the Harvard Law Review: she was an editor when he was the President of the Law Review. And she is in her mid-40's. And a Latina. And whip smart. And now chairing an *adjudicatory* body. She could be on a high court for a very long time. Not a bad idea, that.