

ALLIANCE FOR JUSTICE ♦ AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) ♦ AMERICANS FOR DEMOCRATIC ACTION  
     ♦ AMERICAN LANDS ALLIANCE  
     ♦ CENTER FOR INTERNATIONAL ENVIRONMENTAL LAW (CIEL)  
         ♦ CLEAN WATER ACTION ♦ DEFENDERS OF WILDLIFE  
         ♦ DISABILITY RIGHTS EDUCATION & DEFENSE FUND (DREDF)  
 ♦ EARTHJUSTICE ♦ EARTHRIGHTS INTERNATIONAL ♦ EQUAL JUSTICE SOCIETY  
     ♦ FEMINIST MAJORITY ♦ FRIENDS OF ANIMALS ♦ FRIENDS OF THE EARTH  
     ♦ JUDGE DAVID L. BAZELON CENTER FOR MENTAL HEALTH LAW  
 ♦ LAWYERS COMMITTEE FOR CIVIL RIGHTS UNDER LAW ♦ LEGAL MOMENTUM  
     ♦ LIVING EARTH ♦ LOVE MAKES A FAMILY, INC.  
     ♦ MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND (MALDEF)  
     ♦ NATIONAL ABORTION FEDERATION ♦ NATIONAL AUDUBON SOCIETY  
     ♦ NATIONAL CENTER FOR LESBIAN RIGHTS ♦ NATIONAL COUNCIL OF JEWISH WOMEN  
     ♦ NATIONAL GAY AND LESBIAN TASK FORCE ♦ NATIONAL HEALTH LAW PROGRAM  
     ♦ NATIONAL ORGANIZATION FOR WOMEN (NOW)  
     ♦ NATIONAL SENIOR CITIZENS LAW CENTER  
     ♦ NATIONAL TRIBAL ENVIRONMENTAL COUNCIL  
 ♦ NATURAL RESOURCES DEFENSE COUNCIL (NRDC) ♦ THE OCEAN CONSERVANCY  
     ♦ PEOPLE FOR THE AMERICAN WAY ♦ PROGRESSIVE JEWISH ALLIANCE  
     ♦ SAFE FOOD AND FERTILIZER ♦ SIERRA CLUB ♦ WESTERN LANDS PROJECT  
     ♦ THE WILDERNESS SOCIETY ♦ WILDLANDS CPR  
     ♦ WOODHULL FREEDOM FOUNDATION ♦ WORKMEN'S CIRCLE/ARBETER RING  
     ♦ WORLD STEWARDSHIP INSTITUTE  
     ♦ XERCES SOCIETY FOR INVERTEBRATE CONSERVATION



ALASKA COALITION ♦ ALASKA CONSERVATION SOLUTIONS  
     ♦ ALASKA RAINFOREST CAMPAIGN ♦ AMERICAN WILDLANDS  
     ♦ AUDUBON SOCIETY OF PORTLAND  
     ♦ THE BANDON, OREGON BILL OF RIGHTS DEFENSE COMMITTEE ♦ BARK  
     ♦ BIODIVERSITY CONSERVATION ALLIANCE ♦ CALIFORNIA NATIONAL ORGANIZATION FOR WOMEN  
     ♦ CALIFORNIA NATIVE PLANT SOCIETY  
     ♦ CALIFORNIA WILDERNESS COALITION ♦ CALIFORNIA WOMENS LAYWERS  
 ♦ CENTER FOR BIOLOGICAL DIVERSITY ♦ CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE  
     ♦ CENTER FOR ENVIRONMENTAL LAW AND POLICY  
     ♦ CENTER FOR NATIVE ECOSYSTEMS ♦ CENTER ON RACE, POLICY, & THE ENVIRONMENT  
     ♦ CITIZENS FOR THE CHUCKWALLA VALLEY  
     ♦ COLUMBIA RIVERKEEPER ♦ COMMITTEE FOR JUDICIAL INDEPENDENCE  
     ♦ CONSERVATION NORTHWEST ♦ EARTH DAY NETWORK  
     ♦ ENDANGERED HABITATS LEAGUE ♦ ENVIRONMENTAL LAW FOUNDATION  
     ♦ THE ENVIRONMENTAL PROTECTION INFORMATION CENTER (EPIC)  
     ♦ FOREST GUARDIANS ♦ FORESTS FORVEVER  
     ♦ FRIENDS OF THE COLUMBIA GORGE ♦ FRIENDS OF THE PANAMINTS  
     ♦ GIFFORD PINCHOT TASK FORCE ♦ GREAT OLD BROADS FOR WILDERNESS

- ◆ KLAMATH FOREST ALLIANCE ◆ KLAMATH-SISKIYOU WILDLANDS CENTER
- ◆ KENTUCKY RESOURCES COUNCIL, INC. ◆ THE LANDS COUNCIL
- ◆ NARAL PRO-CHOICE ARIZONA ◆ NARAL PRO-CHOICE CALIFORNIA
- ◆ NATIONAL COUNCIL OF JEWISH WOMEN CALIFORNIA
- ◆ NORTHWEST ENVIRONMENTAL ADVOCATES ◆ NORTHWEST ENVIRONMENTAL DEFENSE CENTER ◆ OKANOGAN HIGHLANDS ALLIANCE
- ◆ OLYMPIC FOREST COALITION ◆ OREGON CENTER FOR ENVIRONMENTAL HEALTH ◆ OREGON COUNCIL TROUT UNLIMITED
- ◆ OREGON NATURAL DESERT ASSOCIATION
- ◆ OREGON NATURAL RESOURCES COUNCIL ◆ OREGON TOXICS ALLIANCE
- ◆ PACIFIC ENVIRONMENTAL ADVOCACY CENTER
- ◆ PLANNING AND CONSERVATION LEAGUE ◆ PUBLIC ADVOCATES, INC.
- ◆ RELIGIOUS CAMPAIGN FOR FOREST CONSERVATION ◆ SAVE THE VALLEY
- ◆ SISKIYOU PROJECT ◆ SITKA CONSERVATION SOCIETY ◆ SODA MOUNTAIN WILDERNESS COUNCIL ◆ SOUTHEAST ALASKA CONSERVATION COUNCIL
- ◆ TRUSTEES FOR ALASKA ◆ UMPQUA WATERSHEDS, INC. ◆ VALLEY WATCH, INC.
- ◆ WATERWATCH OF OREGON ◆ WESTERN ENVIRONMENTAL LAW CENTER
- ◆ WILDERNESS STUDY GROUP AT THE UNIVERSITY OF COLORADO
- ◆ WORKMEN'S CIRCLE/ARBETER RING SOUTHERN CALIFORNIA DISTRICT

August 3, 2006

**Re: Oppose Proposals to Split the Ninth Circuit**

Dear Senator:

We urge you to oppose S. 1845, the "The Circuit Court of Appeals Restructuring and Modernization Act of 2005," and other proposals to split the U. S. Ninth Circuit Court of Appeals into separate appellate courts.

Anti-environmental and other special interests have long desired to increase their ability to "judge-shop" by dividing the Ninth Circuit Court of Appeals into a number of smaller courts of appeals. By "dividing and conquering" the Ninth Circuit, polluters and other special interests hope to change the pool of judges who will decide their cases. The result would be less consistency in the law affecting Western and Pacific issues. For example, it would fracture the management of natural resources in the Pacific Ocean and numerous special places in the western states, and leave them vulnerable to greater exploitation and mismanagement.

Pete Wilson, as a Republican U.S. Senator from California (who later served two-terms as Governor), condemned previous efforts to split the Ninth Circuit, calling them attempts at "environmental gerrymandering" by those who had been angered by rulings upholding and enforcing environmental laws. Opposition to the current efforts to split the Ninth Circuit includes: Mary Schroeder, the current Chief Judge; Senior Judge Clifford Wallace, a former Chief Judge who was nominated by a Republican President; the next Chief Judge, Alex

Kozinski, a conservative judge who was appointed to the Ninth Circuit in 1985 by President Ronald Reagan, and who maintains his chambers in California; and the vast majority of other Ninth Circuit judges, including at least three appeals court judges nominated by President Bush.

Other opponents of splitting the Ninth Circuit include California Governor Arnold Schwarzenegger, Arizona Governor Janet Napolitano, former-Washington Governor Gary Locke, the American Bar Association, the Federal Bar Association, the Alaska Bar Association, State Bar of Arizona, the State Bar of Montana, Washington State Bar, and the Hawaii State Bar Association, as well as numerous local bar associations, prominent jurists, law professors, and legal advocates, and civil rights, women's rights, disability rights, labor, health, religious, conservation and other national, state and local groups.

Splitting the Ninth Circuit would not only be bad for environmental protection and a range of other rights and safeguards, it would be fiscally irresponsible as well. The current proposal would only exacerbate the federal judiciary's virtually unprecedented fiscal crisis, which has led to suspension of new court construction and layoffs of court employees.

Please oppose ill-considered efforts to divide the Ninth Circuit. For comprehensive links to opposition see: <http://www.judgingtheenvironment.org/issues/page.jsp?itemID=27579314>

Sincerely,

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