

Idaho State Journal

Pocatello, ID

Friday, June 24, 2005

Letter to the Editor

Your Views: Court nominee

Your June 21 editorial claims that "If (Ninth Circuit Court of Appeals nominee William Myers) fails to win confirmation, it appears it's more the consequence of partisan politics than his qualities as a judge."

Myers' nomination has been blocked not because of partisan politics but because of his unfair actions as the Interior Department's solicitor (top lawyer).

In that position he unjustifiably continued to favor the industries he formerly lobbied for at the expense of his responsibilities to enforce the laws that protect taxpayers, tribal rights and the environment.

Myers' positions as solicitor were rejected by the Bush Interior Department and by federal and state courts.

This is why he is the only judicial nominee ever opposed by the nonpartisan National Wildlife Federation and National Congress of American Indians, which represents over 250 tribal governments and by Republicans For Environmental Protection.

A federal judge found that Myers violated three rules on how to interpret statutes when he repudiated the previous Interior solicitor's legal opinion to clear the way for a project that would devastate sacred tribal lands.

Myers also ignored Interior's trust responsibility to tribes by meeting with the company involved but failing to consult with the affected tribe, which had requested a meeting.

The Interior Department reversed another Myers' position after discovering that he had supported giving away valuable public land to a company without even checking with the local Interior office, which strongly opposed the giveaway because land records showed the company lacked any lawful claim to the land.

Glenn Sugameli
Senior Legislative Counsel,
Earthjustice,
Washington, D.C.