

# Environmentalists Join in Opposing Alito Nomination

*by Brendan Coyne*

**Dec. 21, 2005** – Several environmental advocacy groups have announced their concerted opposition to Judge Samuel Alito's elevation to the Supreme Court. The five groups charge that Alito, who currently sits on the Third Circuit Court of Appeals, has a long record of favoring property and business rights over the environment and public interest.

Topping their list of concerns is Alito's record in interpreting the commerce clause of the Constitution in a way that favors local measures over federal laws like environmental regulations. The groups are also concerned that the judge's support for the concept of "corporate rights" would undermine enforcement of the Clean Water Act and the Endangered Species Act.

The move to oppose Alito by Greenpeace, the National Environmental Trust (NET), Earthjustice, Friends of the Earth and the Sierra Club marks the first time environmental groups have united to oppose a nominee since President Ronald Reagan put forth Robert Bork as a candidate for the Court, the Environmental News Service said yesterday in an article detailing environmental opposition to the nominee.

Noting that Alito ruled against public-interest groups working to protect the Clean Water Act in a 1996 opinion, the Sierra Club said its "opposition to Judge Alito's confirmation rests on his constitutional philosophy as expressed in opinions that threaten both the ability of Congress to pass laws to protect the environment, and the ability of citizens to enforce those laws." The 750,000-member group vowed to mobilize in opposition to the judge's confirmation.

Earthjustice, too, claimed "careful consideration" in announcing its opposition to Alito, stating: "Judge Alito's record indicates that he would pursue his own extreme legal theories to create new barriers that prevent the enactment and enforcement of national laws that protect families and communities from pollution."