

COURTS: Feinstein says she would reject Myers' nomination

Sen. Dianne Feinstein (D-Calif.) said yesterday that she would vote against President Bush's nomination of William G. Myers III for a seat on the 9th U.S. Circuit Court of Appeals.

She and other Democrats on the Senate Judiciary Committee have joined environmentalists in opposing Myers, citing his record as Interior solicitor and an attorney representing grazing and mining interests, as well as his history as a lobbyist for the National Cattlemen's Beef Association, the Association of National Grasslands and the American Sheep Industry Association. Democrats have said they want to know whether Myers shared the beliefs of his former clients and whether he could be impartial if confirmed to the 9th Circuit, which often takes up cases relating to environmental regulations and resources ([Greenwire](#), Feb. 6).

Feinstein is expected to issue a full statement on her decision at the committee's next hearing on Myers' nomination, probably later this month, said Feinstein aide Howard Gantman.

The announcement makes Myers' nomination likely to solicit a party line vote in the committee of 10 Republicans and 9 Democrats, according to groups opposing the nomination. "Up until now, the record has been that if all the Democrats on the Judiciary Committee vote no on a nominee, there has been a filibuster, if necessary," said Glenn Sugameli, senior legislative counsel for Earthjustice, one of the environmental groups opposing Myers' nomination (Henry Weinstein, [Los Angeles Times](#), March 24).

A [San Francisco Chronicle](#) editorial: "The promotion of public health, safety and welfare would be well served by keeping Myers off the federal bench. Senate Republicans have been arguing that the appointment of Myers is necessary to balance an appellate court that, with 17 of its 26 active judges appointed by Democratic presidents, is known for its liberal rulings. But surely Bush can find a nominee with less ideological baggage and more impressive legal credentials" (March 24). -- HJ