



## **Not so fine**

THE JAN. 18 editorial, "Bush is leaving office with a legacy of failure at home as well as abroad," praises President Bush's "two fine appointments to the U.S. Supreme Court in Chief Justice John Roberts and Justice Samuel Alito."

Congress, however, is overturning Alito's (joined by Roberts) 5-4 Ledbetter opinion that unjustifiably barred equal pay claims filed after concealed long-term pay discrimination is revealed.

Roberts and Alito fell one vote short of gutting basic pollution laws.

They voted in Rapanos to ignore the Clean Water Act's text and purpose and to expose countless streams and wetlands to unregulated destruction.

In Massachusetts v. EPA, they tried to rewrite the Clean Air Act to exclude vehicle emissions that cause global warming. Alito also joined a Roberts' dissent that re-interpreted the Constitution to immunize EPA's refusal to enforce the Act's global warming provisions.

They would have banned all such suits by states and citizens, while allowing challenges to any global warming rules that might cost polluters money.

Alito wasn't involved in the Exxon Valdez case. Roberts, however, provided the vote to invent a maximum one-to-one ratio of punitive to compensatory damages in order to overturn an excessive jury verdict that was a tiny fraction of ExxonMobil's profits.

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