



March 17, 2022

United States Senate
Washington, DC 20510

Re: Confirm Judge Ketanji Brown Jackson to the United States Supreme Court

Dear Senator,

The League of Conservation Voters (LCV) believes that a healthy, functioning democracy where all people can participate freely and equitably is necessary to address climate change, protect our communities, and deliver environmental justice. Each year, LCV publishes the *National Environmental Scorecard*, detailing the voting records of members of Congress on environmental legislation. The *Scorecard* is distributed to LCV members, concerned voters nationwide, and the media.

We urge you to vote YES on the nomination of Judge Ketanji Brown Jackson to the United States Supreme Court. Her exceptional career of public service and long record in major Senate-confirmed positions demonstrates that she is a jurist of tremendous skill, integrity, and understanding. She deserves to be confirmed without delay.

Judge Jackson is the first Supreme Court nominee in over thirty years to have earned Senate confirmation on three prior occasions. Just nine months ago, she was confirmed on a bipartisan basis to the United States Court of Appeals for the District of Columbia Circuit. The Senate confirmed her to the United States District Court for the District of Columbia on a voice vote in 2013 and confirmed her to the United States Sentencing Commission on a voice vote in 2010. She is a graduate of Harvard College and Harvard Law School, as well as a former clerk to Judge Patti Saris of the United States District Court for the District of Massachusetts, Judge Bruce Selya of the United States Court of Appeals for the First Circuit, and Justice Stephen Breyer of the United States Supreme Court.

At this precarious moment for our environment and our democracy, it is critical that the next Supreme Court Justice be a person with a demonstrated record of exemplary public service. Our courts must apply the law faithfully and impartially to the facts presented in each case. Doing so frequently requires standing up to powerful interests who exercise enormous influence over our politics, our economy, and even our judiciary. The principle that no one is above the law stands at the heart of our constitutional system, yet environmental laws are only as strong as the judges who enforce and uphold them. In order to protect all of our rights—including the rights to clean air and clean water, to vote and to be equal before the law—we need a Justice who serves all the people, not just deep-pocketed polluters and other special interests. It is clear from Judge Jackson's long record that she embodies that spirit of impartial public service.

As a federal public defender, Judge Jackson represented the most vulnerable people in our society, exemplifying the sacred right to counsel enshrined in our Bill of Rights. In doing so, she followed in a long tradition of honorable American lawyers who have risked their reputations for that right since John Adams stepped forward to represent British soldiers at the Boston Massacre. At a time when the United States holds more people behind bars than any other nation on Earth—including authoritarian regimes like those of Russia and China—our public defenders serve as a unique bulwark of liberty and racial justice. Moreover, as Vice Chair of the United States Sentencing Commission, Judge Jackson continued working for liberty and equality by helping reform racist disparities in drug sentencing.



Judge Jackson's service on the United States District Court for the District of Columbia is of particular note in this nomination. Only one of the nine current justices, Justice Sotomayor, has ever served on a trial court. This experience directly engaging with the facts and the people involved in issues too often reduced to abstractions would add critical perspective to the Supreme Court. During her last confirmation hearing less than a year ago, then-District Judge Jackson explained the emphasis she put on speaking directly to the individuals who came before her court—not just to their lawyers—using their names and treating them with respect, in order to ensure that the people directly impacted by her rulings understood what was going on and why. This approach speaks to a judge who understands the importance of judicial decisions based on principle, and of a system that fulfills its promise of equal justice under law.

That quality is particularly important for the D.C. Circuit on which Judge Jackson currently serves, and paramount for the Supreme Court, as both frequently rule on complex administrative law issues with major public policy implications. Judge Jackson's long record clearly shows her depth of understanding of administrative law and her commitment to articulating her decisions in ways the public can understand. That does not tell us how she will rule on environmental cases, nor should it. It does, however, tell us that she will apply the law faithfully, skillfully, and accessibly, as all judges should, and that if voters or members of Congress take issue with her decisions, they will have the information they need to work for policy change through the political process.

Finally, it is beyond time for the Supreme Court to include a Black woman for the first time in its 233-year history. This is particularly critical to addressing environmental injustices, as communities of color so frequently bear disproportionate burdens of toxic air and water.

All people in the United States deserve a high court that looks like the nation and protects its vital interests with honor, integrity, skill, and perspective. Judge Ketanji Brown Jackson brings all of those and more. She is one of the most qualified candidates ever nominated to the Supreme Court, and the Senate should confirm her on a bipartisan basis, for the fourth time, without delay.

For all these reasons, LCV strongly urges you to vote YES on Judge Ketanji Brown Jackson's nomination to the United States Supreme Court. We will strongly consider including votes on this nomination in our next *Scorecard*. If you would like more information, please reach out to a member of our government relations team.

Sincerely,

Gene Karpinski
President