

The Environment: What's At Stake



The vitality of laws and regulations that protect our environment depend on having Supreme Court Justices who will faithfully apply those rules as intended — to protect the environment. Your vote on Election Day '08 will help determine the future of environmental protections for decades to come.

When Americans vote for a President and Senators this November, they'll be electing the people who will decide who gets a lifetime seat on the Supreme Court if there are any vacancies. It is likely that the President elected this fall will get to nominate one or more Justices — and Senators will vote on whether to confirm them.

Here's why environmental protection depends on the Court:

- » **Clean Water:** In a closely split decision in 2006, the Justices disagreed over the proper scope of the Clean Water Act, effectively cutting back the Act's reach and reducing the number of tributary streams and wetlands areas that fall under its protections from pollution. The four right-wing Justices were only one vote away from eliminating protections for up to 59% of the nation's streams and rivers.
- » **Endangered Species:** In 2007, the Court undermined the Endangered Species Act in a 5-4 decision that allows the EPA to transfer water pollution permitting rights to the states without complying with the Act.
- » **Global Warming** In 2007, the four right-wing Justices fell one vote short of sustaining the Bush EPA's decision to refuse to regulate greenhouse gas emissions from new motor vehicles. Fortunately, Justice Kennedy joined the majority, which held that the EPA has the authority to regulate such emissions and that any refusal to do so must be grounded in the Clean Air Act.

Right now, four Supreme Court Justices — Chief Justice Roberts and Justices Alito, Scalia, and Thomas — share a right-wing ideology that threatens the environmental protections we desperately need. Conservative Justice Kennedy has voted with them often.

That's why it's so important that the next President nominates — and Senators confirm — only Justices who understand that environmental protections are crucial to all our lives.

The addition of any more Justices who aren't committed to our rights, including our rights to clean air and clean water, could undo many of the advances that the environmental movement has made over the last decades.

We can't let that happen. Help us save the Supreme Court on election day.

SaveTheCourt.org

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