



April 23, 2018

The Honorable Chuck Grassley  
Chairman  
Senate Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Diane Feinstein  
Ranking Member  
Senate Committee on the Judiciary  
United States Senate  
Washington, DC 20510

RE: Opposition to Nomination of Andrew S. Oldham to the Fifth Circuit Court of Appeals

Dear Chairman Grassley and Ranking Member Feinstein:

On behalf of Sierra Club's more than 3 million members and supporters, we ask you to oppose the nomination of Andrew S. Oldham to a lifetime seat on the United States Court of Appeals for the Fifth Circuit. Mr. Oldham's disdain for environmental law makes him unfit to serve in the judiciary. Mr. Oldham has questioned the legitimacy of the Environmental Protection Agency and cannot be relied upon to enforce the Clean Air Act, Clean Water Act, or any of the other safeguards Congress enacted to protect our environment.

While attacking President Obama's effort to rein in the climate crisis, Mr. Oldham remarked, "no one ever pauses to wonder about whether the entire edifice of both the Clean Power Plan and the agency that promulgated it is just utterly and fundamentally illegitimate." And his disdain is not limited to the EPA. Mr. Oldham similarly attacked the IRS and Department of Labor as "constitutionally suspect." The nominee's view of the U.S. Constitution is so backwards that it threatens to unwind many of the gains made by the EPA in cleaning up our air and water, not to mention the many other safeguards for workers and consumers adopted in recent decades.

Given his extreme ideological worldview, it is clear that Mr. Oldham does not possess the attributes required for this position, and we ask that you oppose Andrew Oldham to the Fifth Circuit Court of Appeals.

Sincerely,

Patrick Gallagher  
Legal Director