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April 8, 2021

VIA EMAIL

Reginald Babin, Chief Counsel, Senate Majority Leader Charles E. Schumer
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Andrew Ferguson, Chief Counsel, Senate Minority Leader Mitch McConnell
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Phillip Brest, Chief Nominations Counsel, Senate Judiciary Committee Chairman Richard J. Durbin
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Michael Fragoso, Chief Nominations Counsel, Senate Judiciary Committee Ranking Member Charles E. Grassley
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Please see the enclosed letter submitted for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard J. Lazarus'.

Richard J. Lazarus

April 8, 2021

The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Richard J. Durbin
Chairman Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Charles E. Grassley
Ranking Member Committee on the Judiciary
United States Senate
Washington, DC 20510

Re: Letter in Support of the Nomination of Todd Kim to Serve as Assistant Attorney General
for the Environment and Natural Resources Division of the U.S. Department of Justice

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Durbin and Ranking
Member Grassley:

We write to express our strong support of the nomination of Todd Kim to be Assistant Attorney General for the Environment and Natural Resources Division in the U.S. Department of Justice. We are all professors who teach and write about environmental and natural resources law. Like most academics, we do not always agree. Indeed, we can sometimes sharply disagree in our legal analysis. But what we all share in common is a deep respect for the rule of law and for the essential public service performed by the attorneys of the Justice Department's Environment Division in enforcing and defending the nation's environmental protection and natural resource management laws. Many of us previously worked for the Environment Division, and we are all confident that Todd Kim will be an outstanding Assistant Attorney General to lead the Division.

Todd Kim offers all the necessary ingredients, professional and personal to serve as Assistant Attorney General. Professionally, Kim wonderfully combines enormous achievement, dedication to public service, proven leadership, private sector experience, and a deep expertise in environmental law. Kim graduated *magna cum laude* from both Harvard College and Harvard Law School and then clerked for the United States Court of Appeals for the District of Columbia

Circuit. His first job after his clerkship was as an Honors Program Attorney in the Appellate Section of ENRD — the same Justice Department Division that President Biden has now named Kim to lead.

Kim enjoyed a stellar reputation at the Justice Department as a highly skilled appellate advocate, as underscored by EPA’s decision to award Kim the Agency’s Gold Medal. Working at the Environment Division for more than eight years under both Democratic and Republican Administrations, Kim developed a deep expertise in environmental law. He briefed and presented oral argument in federal courts of appeals on a wide variety of complex environmental and natural resources law cases. He was named the District of Columbia’s first Solicitor General in 2006 and ably served in that office for eleven years until he joined a private law firm in 2018.

Personally, Kim is a wonderfully kind and thoughtful person, who listens well to others before making decisions. Notwithstanding his extraordinary achievements, Kim never displays a hint of arrogance or undue self-confidence. He highly respects the career attorneys at the Justice Department and is the kind of leader who will quickly earn their loyalty and trust.

ENRD deserves one of the nation’s best environmental lawyers at its helm to run the nation’s most important environmental law firm charged with representing the American public. Todd Kim promises to be just such a leader.

We urge the Senate Judiciary Committee and the Senate to confirm Todd Kim to serve as the Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division.

Sincerely,¹

Todd S. Aagaard
Professor of Law
Villanova University Charles Widger School of Law

Robert H. Abrams
Professor of Law
Florida A & M University College of Law

Hope Babcock
Professor of Law and Director Environmental Law and Justice Clinic
Georgetown University Law Center

¹ Professional affiliations are listed for identification purposes. Signatories are signing in their individual capacity and not as representative of any current or former employer or other affiliated organization.

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