



**March 29, 2024**

**Contacts:**

Julia Olson, Chief Legal Counsel, 415.786.4825, [julia@ourchildrenstrust.org](mailto:julia@ourchildrenstrust.org)

Andrea Rodgers, Senior Litigation Attorney, 206.696.2851, [andrea@ourchildrenstrust.org](mailto:andrea@ourchildrenstrust.org)

Philip Gregory, Of Counsel, 650.278.2957, [pgregory@gregorylawgroup.com](mailto:pgregory@gregorylawgroup.com)

Helen Britto, Communications Manager, 925.588.1171, [helen@ourchildrenstrust.org](mailto:helen@ourchildrenstrust.org)

**Members of Congress led by Senator Merkley and Congresswoman Schakowsky decry DOJ's efforts to silence youth plaintiffs in national climate case and urge trial**

**Eugene, Ore.** — Senator Jeff Merkley (D-OR), Chair of the Senate Interior, Environment, and Related Agencies Appropriations Subcommittee and member of the Environment and Public Works Committee, Congresswoman Jan Schakowsky (IL-09), a Chief Deputy Whip and Ranking Member of an Energy and Commerce Subcommittee, yesterday led a “friend of the court” [brief](#) on behalf of 28 members of Congress in the constitutional climate case [Juliana v. United States](#) contending that legal measures taken by the Department of Justice are intended to prevent the 21 youth plaintiffs their day in court.

The members of Congress, including Senators Booker, Markey, Sanders, Van Hollen, and Whitehouse and Representatives Blumenauer, Bush, Cohen, Grijalva, Huffman, Khanna, Ocasio-Cortez, and Scanlon, asked the U.S. Court of Appeals for the Ninth Circuit to allow the case to proceed, saying the DOJ efforts to “silence Youth Plaintiffs’ efforts to vindicate their Constitutional rights” should cease.

The members noted that the DOJ has made an unprecedented *seven* requests for a writ of mandamus, an exceptional approach used in none of the other 40,000 cases where the United States is a defendant. If the latest request is granted, it would shut down *Juliana* before evidence is even heard.

The youth originally filed their case in 2015. They claim that U.S. actions that cause climate change violate their constitutional rights to life, liberty, and property. Since then, the DOJ has made 22 attempts across three presidential administrations to have *Juliana* thrown out. Meanwhile, the U.S. has become the top producer of crude oil in the world, more than any country in history.

“These Youth Plaintiffs are among the youngest generation and the most vulnerable citizens of our country, and since they cannot vote, depend upon each branch of government to act in their best interests when exercising authority,” the members of Congress wrote.

They called on the judicial branch to impartially assess the Plaintiffs’ claims. “As decades of evidence in the record show, the political branches predominantly choose short-term economic gains rather than face the difficult task of solving the issue of climate change head-on. As a result, the problem has exponentially worsened.”

“When you have the whole Department of Justice coming down on you, you wonder who’s going to stand up for you,” said the youngest *Juliana* plaintiff Levi D. “The members of Congress who signed the brief understand the urgency of the crisis youth, like me and my little sister, and all of us face. We’re grateful they’re using their voices so that we can use ours, in court.”

“The members of Congress made an important statement to protect young people’s access to justice and their constitutional rights,” said Mat dos Santos, Co-Executive Director and General Counsel of Our Children’s Trust, which represents the youth plaintiffs. “They are now rightly calling on the judicial branch to do its part by refusing DOJ’s delay tactics and letting these young people be heard at trial.”

**Congressional cosigners:**

**Senators:** Merkley, Booker, Markey, Sanders, Van Hollen, Whitehouse, and Wyden

**Representatives:** Schakowsky, Barragan, Blumenauer, Bowman, Brownley, Bush, Carson, Cohen, Espaillat, Grijalva, Huffman, Khanna, B. Lee, S. Lee, McCollum, Norton, Ocasio-Cortez, Ramirez, Scanlon, Tlaib, Velázquez, Watson Coleman, and Wilson

For background on the case, visit <https://www.ourchildrenstrust.org/juliana-v-us>.

# # #

*Our Children’s Trust was founded in 2010 on the idea that courts are vital to democracy and empowered to protect our children and the planet. Without a stable climate system, every natural resource we rely upon to exercise our basic human rights—life, liberty, home, happiness—is under threat. Our work will be achieved when there is universal recognition of children’s climate rights by courts around the world and children’s fundamental rights to life on this planet are protected. [www.ourchildrenstrust.org](http://www.ourchildrenstrust.org)*