



WASHINGTON BUREAU · NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
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ACTION ALERT

DATE: August 17, 2018
TO: Concerned Parties
FROM: Hilary O. Shelton, Director, NAACP Washington Bureau

U.S. SENATE HEARINGS ON NAACP-OPPOSED SUPREME COURT NOMINEE JUDGE BRETT KAVANAUGH SCHEDULED TO BEGIN TUESDAY, SEPTEMBER 4, 2018

***URGE YOUR SENATORS NOT TO MOVE JUDGE KAVANAUGH'S NOMINATION
UNTIL AFTER THE MIDTERM ELECTIONS AND THE 116TH SENATE IS SEATED IN
JANUARY 2019 AND HAS TIME TO FULLY REVIEW HIS RECORD***

THE ISSUE:

On July 9, 2018, President Trump announced that he would nominate Judge Brett Kavanaugh to the U.S. Supreme Court to fill the vacancy of retiring Justice Anthony Kennedy. Hearings into his fitness and views are now scheduled to begin in the Senate Judiciary Committee on Tuesday, September 4, 2018.

The NAACP has a number of grave concerns about this nomination and about the unnecessary rush to confirm this nominee. From his record as it exists and what we know about his views, decisions, and priorities, Judge Kavanaugh demonstrates no empathy with the very real concerns and needs of most working middle-class Americans or with the unique concerns of racial and ethnic minority Americans. Nor does he agree with or support the policy priorities of the NAACP. Thus, the NAACP remains steadfastly opposed to his nomination to the U.S. Supreme Court.

Furthermore, much of his record, especially those detailing his opinions during his time serving as staff secretary to President George W. Bush have not been made available to the public nor to the Senators who will vet, evaluate and vote on his nomination. While it is true that we have access to his thinking prior to serving on the D.C. Circuit Court of Appeals, and then over the last 12 years, while serving on that court, appeals court judges are bound by precedents of the Supreme Court. However, Supreme Court Justices are free to overturn those precedents and apply their own views of the Constitution. Positions Mr. Kavanaugh took as a lawyer and staff member in the Bush administration will also shed additional light on how he might rule when unconstrained by a higher authority.

The Supreme Court is too important. This nomination should only be considered by the Senate elected by the American people in November, 2018, after they have had adequate time to fully review all of the relevant records and after the 116th Congress is seated in January 2019.

We should also encourage members of the Senate Judiciary Committee to ask questions – and demand thorough, conclusive answers – on issues which are important to everyday, working American families. Issues including equal protection and opportunity, means of stopping gun violence, racial justice, voting rights and guaranteed access to adequate health care for all Americans, women's rights, LGBT rights, and workers' rights.

See the last page

***for a complete list of current Senate Judiciary Committee Members.
Contact them and DEMAND all relevant records be released for adequate vetting
by US Senators and the American people and that consideration of the nomination
not be rushed to take place prior to the upcoming election***

THE ACTION WE NEED YOU TO TAKE:

Contact both your Senators and **URGE THEM TO REJECT THE NOMINATION BRETT KAVANAUGH TO THE US SUPREME COURT AND WAIT UNTIL WE HAVE ALL THE RELEVANT INFORMATION AND UNTIL THE WILL OF THE AMERICAN PEOPLE IS KNOWN AND A NEW CONGRESS IS SEATED IN JANUARY, 2019.** To contact your Senators you may:

✓ **Make a Phone Call:**

Call your Senators in Washington by dialing the Capitol Switchboard and asking to be transferred to your Senators' offices. The switchboard phone number is **(202) 224-3121** (see message section, below).

✓ **Write a Letter**

To write letters to your Senators, send them to:
The Honorable (name of Senator)
U.S. Senate
Washington, D.C. 20510

**A SAMPLE
LETTER IS
ATTACHED**

✓ **Send a Fax**

If you would like to send a fax, call your Senators' offices (through the Capitol switchboard) and ask for their fax numbers (you can use either the attached sample letter or the message box, below).

✓ **Send an E-Mail**

To send an e-mail to your Senators, go to www.senate.gov; click on "*Find Your Senators*". Look up your Senators by state; go to their web sites for e-mail addresses.

REMEMBER TO CONTACT BOTH YOUR SENATORS!!!!

THE MESSAGE

- Judge Brett Kavanaugh does not empathize with the crucial needs of most working middle-class Americans or with the unique concerns of racial and ethnic minority Americans, the LGBT community, women, or many others who comprise our diverse nation.
- Time and time again, Judge Kavanaugh has ruled against civil rights protections, workers' rights protections, consumer protections, and women's rights.
- His record shows an open hostility to the Affordable Care Act and access to health care for all Americans, as well as sensible measures to protect Americans from the growing crisis of gun violence.
- We do not have access to information about Judge Kavanaugh's opinions or his influence in the administration of President George W. Bush; this is important because in his current position as an appeals court judge, he is now bound by precedents of the Supreme Court. But Supreme Court Justices are free to overturn those precedents and apply their own views of the Constitution. Positions Mr. Kavanaugh took as a lawyer and staff member in the Bush administration could shed light on how he might rule when unconstrained by a higher authority.
- This nomination is too important to rush. The country desperately needs a fair-minded and independent jurist on the Supreme Court, not a divisive and biased ideologue who will further shake the American people's faith in our nation's justice system.
- This nomination should only be vetted by the Senate elected by the American people in November, 2018, when they are fully aware of the stakes and after they have all the information.

THANK YOU FOR YOUR ATTENTION TO THIS IMPORTANT MATTER!!!

If you have any questions, call Hilary Shelton at the Washington Bureau at (202) 463-2940.

MEMBERSHIP IS POWER! JOIN THE NAACP TODAY.

To become an NAACP member or to sign up for e-mail legislative and press updates, visit www.naacp.org

Sample Letter

(date)

The Honorable _____
United States Senate
Washington, D.C. 20510

RE: THE NEXT U.S. SUPREME COURT NOMINEE

Dear Senator _____;

As your constituent, I strongly urge you to oppose the nomination of Judge Brett Kavanaugh to be the next Justice on the U.S. Supreme Court, to take the place of retiring Justice Anthony Kennedy. As a Judge on the U.S. Court of Appeals for the D.C. Circuit, Mr. Kavanaugh's record demonstrates that he does not empathize with the very real needs of working middle-class Americans or with the unique concerns of racial and ethnic minority Americans. This nomination is too important to rush. This nomination should only be considered by the Senate elected by the American people in November, when they are fully aware of the stakes.

Furthermore, we do not yet have a complete picture of Judge Kavanaugh. Records from his time as staff secretary to President George W. Bush have yet to be produced, thus we do not have access to information about his opinions or his influence in the administration of President George W. Bush. This is important because in his current position as an appeals court judge, he is bound by precedents of the Supreme Court. But Supreme Court justices are free to overturn those precedents and apply their own views of the Constitution. Positions Mr. Kavanaugh took as a lawyer and staff member in the Bush administration could shed light on how he might rule when unconstrained by a higher authority.

The Supreme Court is meant to be an unbiased guardian of the rights and liberties of all Americans. The country desperately needs a fair-minded and independent jurist on the Court, not a divisive and biased ideologue who will further shake the public's faith in our nation's justice system. The constitutional process for appointing and confirming the next Supreme Court Justice must be thoughtful, careful, thorough, deliberative, and conducted with well-informed bipartisan support. The Senate should not consider a nominee until a new Senate is seated next year, after the results of the midterm election are in place and all information has been made available for review. This will fully allow the American people, those who will be most affected by the confirmation, to have a knowledgeable voice in the U.S. Senate's selection of the nominee.

If Judge Kavanaugh is confirmed to a lifetime appointment on the U.S. Supreme Court, we could see reversals of hard-won gains securing equal opportunity in areas including education, voting, employment and housing, among others. We could see further exclusion of communities of color from full participation in our democracy. Please contact me in the very near future and let me know what you intend to do and if there is anything more I can do to bring fairness to the Court.

Sincerely,

(sign and print your name and
remember to include your address)

***Remember to contact
BOTH your Senators.***

**U.S. SENATE JUDICIARY COMMITTEE,
SECOND SESSION, 115TH CONGRESS**

Name	STATE	MAILING ADDRESS	PHONE NUMBER	FAX NUMBER	WEBSITE
Charles Grassley	IA	United States Senate Washington, DC 20510	202-224-3744	202-228-6020	grassley.senate.gov
Dianne Feinstein	CA	United States Senate Washington, DC 20510	202-224-3841	202-228-3954	feinstein.senate.gov
Orrin Hatch	UT	United States Senate Washington, DC 20510	202-224-5251	202-224-6311	hatch.senate.gov
Patrick Leahy	VT	United States Senate Washington, DC 20510	202-224-4242	202-224-3479	leahy.senate.gov
Lindsey Graham	SC	United States Senate Washington, DC 20510	202-224-5972	202-228-3808	lgraham.senate.gov
Richard Durbin	IL	United States Senate Washington, DC 20510	202-224-2152	202-228-0400	durbin.senate.gov
John Cornyn	TX	United States Senate Washington, DC 20510	202-224-2934	202-228-2856	cornyn.senate.gov
Sheldon Whitehouse	RI	United States Senate Washington, DC 20510	202-224-2921	202-228-6362	whitehouse.senate.gov
Mike Lee	UT	United States Senate Washington, DC 20510	202-224-5444	202-228-1168	lee.senate.gov
Amy Klobuchar	MN	United States Senate Washington, DC 20510	202-224-3244	202-228-2186	klobuchar.senate.gov
Ted Cruz	TX	United States Senate Washington, DC 20510	202-224-5922	202-228-0755	cruz.senate.gov
Chris Coons	DE	United States Senate Washington, DC 20510	202-224-5042	202-228-5042	coons.senate.gov
Ben Sasse	NE	United States Senate Washington, DC 20510	202-224-4224	202-228-9642	sasse.senate.gov
Richard Blumenthal	CT	United States Senate Washington, DC 20510	202-224-2823	202-228-9673	blumenthal.senate.gov
Jeff Flake	AZ	United States Senate Washington, DC 20510	202-224-4521	202-228-0515	flake.senate.gov
Mazie Hirono	HI	United States Senate Washington, DC 20510	202-224-6361	202-224-2126	hirono.senate.gov
Michael Crapo	ID	United States Senate Washington, DC 20510	202-224-6142	202-228-1375	crapo.senate.gov
Cory Booker	NJ	United States Senate Washington, DC 20510	202-224-4843	202-228-8378	booker.senate.gov
Thom Tillis	NC	United States Senate Washington, DC 20510	202-224-6342	202-228-2563	tillis.senate.gov
Kamala Harris	CA	United States Senate Washington, DC 20510	202-224-3553	202-228-0454	harris.senate.gov
John Kennedy	LA	United States Senate Washington, DC 20510	202-224-4623	202-228-5061	kennedy.senate.gov