



GARY R. JONES, *PRESIDENT*      RAY CURRY, *SECRETARY-TREASURER*  
VICE-PRESIDENTS: TERRY DITTES • CINDY ESTRADA • RORY L. GAMBLE

July 26, 2018

Dear Senator:

On behalf of the more than one million active and retired members of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, I am writing in strong opposition to the nomination of Judge Brett Kavanaugh to the United States Supreme Court. Judge Kavanaugh's rulings consistently favor the wealthy and corporations over working families. His viewpoints on presidential power are a threat to our Constitution's democratic checks and balances system. If confirmed to the Supreme Court, he could vote to undermine voting rights and allow the wealthy and corporations to have even a bigger say in our elections. He has given every indication he would vote to erode workers' rights and undermine access to health care for millions of Americans.

Judge Kavanaugh has a clear record of routinely ruling against workers. He dissented from a majority opinion upholding a safety citation against SeaWorld following the death of a trainer who was working with a killer whale that had previously killed people. Mr. Kavanaugh also wrote an opinion that would allow the Department of Defense to eliminate collective bargaining rights; in another case, he overruled the NLRB's decision and allowed a corporation to prevent workers from displaying pro-union signs in their cars. Considering the Supreme Court's recent decisions to restrict worker's rights in the public sector (*Janus v. AFSCME*) and to force workers to settle cases through mandatory arbitration instead of through public courts, confirmation of Judge Kavanaugh could result in cementing a Supreme Court tilted against working people in favor of corporate interests.

Importantly, Judge Kavanaugh's disturbing judicial philosophy demonstrates a desire for overturning long-established Supreme Court precedent which currently provides deference to the legal interpretation of federal agencies, such as the National Labor Relations Board and the Department of Labor. Consequently long-standing, hard fought gains for working people could be put in jeopardy. Furthermore, alarming statements from Judge Kavanaugh that sitting presidents should not be subject to criminal prosecution and investigation also call into question his ability to fulfill the judicial obligation to uphold checks and balances.

President Trump has promised to appoint judges to overturn and eliminate health care protections under the Affordable Care Act (ACA). Judge Kavanaugh's rulings and written opinions suggest that he will fulfill the president's promises to eviscerate the ACA. He has argued against the constitutionality of the individual mandate and further asserted that the president may refuse to enforce any law that he deems unconstitutional. Before the ACA was enacted into law,

insurance companies could charge higher rates simply based on gender or rescind health care coverage due to pre-existing conditions such as diabetes, cancer, or pregnancy. A current Texas lawsuit threatens to find the ACA unconstitutional and therefore upend this lifesaving provision. This case could eventually make its way to the Supreme Court. If he is confirmed, the future of basic health benefits and protections would be in extreme jeopardy.

Retiring Justice Kennedy served on the Supreme Court for 30 years. His tenure overlapped with six presidents and spanned several generations. Undoubtedly, the selection of the next justice who serves a lifetime appointment should be treated with the utmost scrutiny and concern. Critical civil and human rights issues hang in the balance, including access to health care for millions of Americans, labor rights, economic security, and the rights of immigrants. Judge Kavanaugh's record and radical philosophy give every indication he will act against the interests of working people and undermine democratic protections.

I urge you to oppose Judge Kavanaugh's nomination to the Supreme Court and instead work to confirm a justice that will act to strengthen our democracy and improve lives for working families.

Sincerely,

A handwritten signature in black ink that reads "Gary Jones". The signature is fluid and cursive, with the first name "Gary" and last name "Jones" clearly distinguishable.

Gary Jones

President

International Union, UAW

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