Black Women's Health Imperative; Feminist Majority;
NARAL Pro-Choice America; National Abortion Federation;
National Family Planning & Reproductive Health Assn.; National Partnership for Women & Families; National Women's Law Center;
Planned Parenthood Federation of America, Inc.

Dear Senator,

We are writing about the nomination of Judge Roberts to be Chief Justice of the United States Supreme Court. We represent a broad coalition united by our fundamental belief that the U.S. Constitution guarantees the fundamental rights to equality and privacy, including reproductive privacy and the right to choose. We do not believe that these rights should be endangered by an ideological appointment to the U.S. Supreme Court.

It is clear from what we know of Judge Roberts' stated beliefs and his writings that he does not share a commitment to these fundamental rights. And we look to the hearings for Judge Roberts to demonstrate to the Senate and the American public that in light of this record, if confirmed, he would not overturn these rights.

It is unacceptable for Senators to put a generation of hard won rights that expand freedoms and opportunities at risk by supporting a nominee who refuses to affirm these rights. This is particularly true in light of Judge Roberts' disturbing record. These hearings represent for Judge Roberts an opportunity to clarify his views. For the U.S. Senate they are an opportunity to affirm these fundamental rights.

Our belief that Judge Roberts will not uphold these fundamental rights is based on what we have learned about his views on a range of issues important to women and families across our nation.

We have learned to date that Judge Roberts:

- Referred to the constitutional right to privacy as a "so-called" right;
- Co-authored a brief that called for the complete overturning of *Roe v. Wade;*
- Argued against using a federal civil rights law to protect women whose access to health clinics was being impeded by massive "Operation Rescue" blockades using violence and intimidation;
- Wrote of "perceived gender discrimination" implying that there is no actual gender discrimination;
- Argued for weaker prohibitions against existing constitutional protections for official government sponsored sex discrimination;
- Argued for a narrow interpretation of Title IX and against remedies for Title IX discrimination;
- Belittled and opposed measures to ensure that women's work would be valued and paid fairly.

John Roberts' record shows a contemptuous attitude toward laws and constitutional rights protecting women's equality, and a lack of understanding of the continuing impact of discrimination in our society and how the law affects us in our everyday lives. We urge you, as elected representatives of millions of Americans, to take seriously your

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responsibility to ensure that the next Chief Justice of the Supreme Court will respect and uphold the fundamental rights and liberties that all Americans hold dear.

The Administration's unwillingness to allow the Senate access to critical documents from Judge Roberts' past reinforces the concern that his positions on issues like privacy and women's rights are so out of step with American values and beliefs that they must be concealed. The Senate has a right to know what the Administration knows about this nominee and so do the American people.

Those of us who deeply believe in the Constitutional guarantees of privacy, reproductive freedom, and equal rights for women will be listening carefully to the questions posed and the answers given by this nominee. If John Roberts is not clear and forthcoming in his response to your questions, we will be forced to assume the worst.

The stakes are extraordinarily high for women and families. The direction of our courts, the impact of our laws, and the nature of our society for decades to come will be largely shaped by the way in which the Senate now exercises its responsibility. No nominee, regardless of legal qualifications, is presumptively entitled to a seat on the U.S. Supreme Court. We urge you now to put principle before politics and to act in the best interests of your constituents. We urge you to protect the fundamental values, rights and liberties which define who we are as a nation and enable all Americans to realize this country's promise of equality, opportunity and liberty for all.

Signed,

Black Women's Health Imperative
Lorraine Cole, *President*

Feminist Majority
Ellie Smeal, *President*

NARAL Pro-Choice America
Nancy Keenan, *President*

National Abortion Federation
Vicki Saporta, *President*

National Family Planning & Reproductive Health Assn.
Judith DeSarno, *President*

National Partnership for Women & Families
Debra Ness, *President*

National Women's Law Center
Marcia Greenberger, *Co-President*

Planned Parenthood Federation of America, Inc.
Karen Pearl, *Interim President*