



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

Dear Senator,

Concerned Women for America Legislative Action Committee (CWALAC) and its more than half a million members around the country respectfully ask that you oppose the nomination of David J. Barron to the United States Court of Appeals for the First Circuit.

As is evident by the wide bi-partisan opposition to this nominee, the problems with Mr. Barron are numerous. Barron's "progressive constitutionalism" approach would allow him to twist the Constitution to mean whatever he believes is the next progressive development of the law.

Given his judicial philosophy, it is no surprise that Barron's view of Federalism is adaptable to his personal preferences. He wrote:

The notion that there might be some federalism-based limits on national power, after all, is not senseless. But there is precious little in the Constitution's text or the history of its adoption that compels the particular conservative allocation of national and local powers favored by the Rehnquist Court.

This unrestrained approach to Constitutional interpretation is dangerous — so much so that Barron is able to distort the Constitution to argue for the killing of American citizens, deemed wartime enemies, using drones without the constitutionally guaranteed right to due process of law. Even the radically liberal American Civil Liberties Union cannot turn a blind eye to such extremism.

For the reasons mentioned above, CWALAC requests you vote "no" on this nomination and will include the vote in our annual scorecard.

Sincerely,

Penny Young Nance
Chief Executive Officer and President
Concerned Women for America Legislative Action Committee