

THE LEADERSHIP CONFERENCE SCOTUS BRETT KAVANAUGH NOMINATION MESSAGING TOOLKIT

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GENERAL MESSAGING

What's At Stake

This is a battle for the soul of our nation. The stakes of the Supreme Court vacancy are enormously high for the future of civil and human rights. The Court plays a critical role as the backstop when other institutions fail to protect people's civil and human rights.

- The issue most immediately under threat is access to healthcare, especially for women. During his political campaign, Trump bragged that he would only appoint judges who would “automatically” overturn *Roe v. Wade* and undermine the Affordable Care Act, which would have a devastating impact on those with pre-existing conditions, people of color, women, people with disabilities, and millions of others for decades to come. Access to health care is a civil and human rights issue of profound importance.
- Our rights and freedoms on the line. Whether you care about access to healthcare, voting rights, immigrant justice, LGBTQ rights, or criminal justice reform, the fate of them all hang in the balance.
- We still have work to do to ensure everyone's civil and human rights are recognized and protected. But we cannot let President Trump rewrite the Constitution and roll back all the progress we've made. This is not a hypothetical threat; it is real.

The broad civil and human rights coalition is united in its commitment to fight for our rights. We will mobilize to protect the integrity of the Supreme Court from extremists who would turn back the clock.

- Senators must hear our voices and be an independent check on this president.
- There is simply too much at stake – literally the protection of our civil and human rights – to rush through such a consequential confirmation.

Toxic Process

Brett Kavanaugh, like Neil Gorsuch, was plucked from a toxic short list of individuals who met Trump's extreme agenda. Earning a spot on this list of anti-civil and human rights all-stars required satisfying the ultra-conservative Heritage Foundation and Federalist Society. As a nominee on this list, Brett Kavanaugh passed Trump's ideological litmus test as a person who, if confirmed, would take away women's control over their own bodies and sabotage accessible health coverage for millions of people.

- Recent Supreme Court decisions are a devastating reminder of what one Trump justice has already brought us. Collective bargaining rights, women's access to health care, fair elections, and access to voting rights have all been diminished in the past Supreme Court term.

KAVANAUGH TALKING POINTS

Kavanaugh currently serves as a judge on the U.S. Court of Appeals for the D.C. Circuit.

- Since Kavanaugh's name was on Donald Trump's short list of potential nominees approved by the Heritage Foundation and Federalist Society, we know he satisfied Trump's litmus test as a person who, if confirmed, would "automatically" [overturn](#) *Roe v. Wade* and who would work against accessible and affordable health care. We should believe Trump when he says these basic civil and human rights will be undermined and gutted by his pick, including Kavanaugh.
- In the now-famous "Jane Doe" case, Kavanaugh [tried](#) to block an undocumented minor in government custody from exercising her constitutionally protected right to an abortion. Over Kavanaugh's dissent, the D.C. Circuit [allowed](#) the young woman to seek the care she needed.
- In a case challenging the Affordable Care Act, Kavanaugh [wrote](#) a dissenting opinion that would have kept alive a frivolous attack on the health care of millions of Americans.
- Kavanaugh believes the president should be above the law. He has [said](#) the president should have "absolute discretion" to determine whether and when to appoint a special counsel like Robert Mueller. And he [said](#) that special counsels should be "removable in the same manner as other high-level executive branch officials" - in other words, at the president's prerogative. Kavanaugh has also [said](#) that a sitting president should not be able to be criminally indicted, no matter what evidence of wrongdoing is uncovered. He would not serve as a much-needed check on the executive branch.
- Kavanaugh is a narrow-minded ideologue who would favor the wealthy and powerful over protecting the civil and human rights of all people. Throughout his tenure on the bench, he has consistently ruled against workers, consumers, and the environment.

Additional points:

- He [believes](#) the Consumer Financial Protection Bureau, which was created to protect consumers from unscrupulous financial institutions, is unconstitutional.
- He [argued](#) that the FCC's net neutrality rule benefitting millions was unconstitutional.
- Kavanaugh has repeatedly ruled against protections for [clean air](#) and [clean water](#).
- In one case he [tried](#) to reverse an EPA penalty against a company that improperly shipped a corrosive chemical that caused "significant risks to public health."

- He has [fought](#) for cable companies and the auto industry, against consumers.
- Kavanaugh has a poor record on antitrust issues: He [stood](#) with multi-billion dollar insurance companies that were merging to eliminate consumer choice.
- He has consistently ruled against workers [fighting discrimination](#) and [mistreatment](#) on the job.
- He is so extreme that he has the highest number of dissents per year of any judge on the D.C. Circuit.

SAMPLE ACTION ALERT

TITLE: Tell your senators, “Our Rights are at Stake. #StopKavanaugh and #SaveSCOTUS.”

Our Rights Are at Stake. #SaveSCOTUS and Call Your Senators This Week.

Call (202) 224-3121 and tell your Senators that confirming Brett Kavanaugh means threatening the protection of basic civil and human rights.

President Trump has nominated Brett Kavanaugh to the Supreme Court to replace Justice Anthony Kennedy.

Recent Supreme Court decisions are a devastating reminder of what one Trump justice, Neil Gorsuch, has already brought us. Collective bargaining rights, women’s access to health care, LGBTQ rights, fair elections, and access to voting rights have all been diminished in the past Supreme Court term.

Now, our civil and human rights hang in the balance with Brett Kavanaugh as the Supreme Court nominee. So much is at stake.

The issue most immediately under threat is access to healthcare, especially for women. During his political campaign, Trump bragged that he would only appoint judges who would overturn *Roe v. Wade*. He also wants judges who would rule against the Affordable Care Act. Supreme Court nominee Brett Kavanaugh fulfills Trump’s litmus test. They’ve already made it clear: they cannot rule as an independent or fair-minded judge to protect civil and human rights for all.

Trump may be subject to term limits, but his nominee isn’t. This Supreme Court pick will have lasting effects on the rights of not only our generation, but our kids’, and our grandkids’ generations. We cannot let President Trump rewrite the Constitution and roll back a century of progress on civil and human rights.

Will you call your senators to demand that they #StopKavanaugh and stop Trump from taking over the Supreme Court? Too much is at stake to do less.

Senators have united against extreme Supreme Court nominees in the past, including for the very seat that President Trump wants to fill. All senators need to put country over party and use all the tools available to them to stop President Trump’s plan to take over the Supreme Court for the next 40 years.

Let’s show our senators the people are watching. Show them that we know what’s at stake. #SaveSCOTUS

Call (202) 224-3121 and tell your Senators that confirming Brett Kavanaugh means threatening the protection of basic civil and human rights.

SOCIAL MEDIA COPY

***Social media images for each of these nominees can be found [HERE](#)*

#SaveSCOTUS

The stakes of this Supreme Court vacancy are enormously high for the future of civil and human rights in this country. Together, we must do all we can to #SaveSCOTUS.

Our rights and freedoms are on the line. Whether you care about access to health care, voting rights, immigrant justice, LGBTQ rights, or criminal justice reform, the fate of them all hang in the balance. To protect our rights, we absolutely must #SaveSCOTUS.

During his campaign, Trump bragged that he would only appoint judges who would overturn Roe v. Wade. He also wants judges who would rule against the Affordable Care Act. Trump couldn't be more clear of his intentions for this Supreme Court vacancy. We need to #SaveSCOTUS.

We can't let President Trump rewrite the Constitution and roll back a century of progress on civil and human rights. This is not a hypothetical threat: it's real. We MUST #SaveSCOTUS!

Senators MUST use every tool at their disposal to stop Trump from taking over the Supreme Court. Too much is at stake. #SaveSCOTUS

#STOPKAVANAUGH

Brett Kavanaugh believes the president is above the law and has said a sitting president shouldn't be able to be criminally indicted, no matter what evidence of wrongdoing is uncovered. He would NOT serve as a much-needed check on the executive branch. #SaveSCOTUS #StopKavanaugh

The track record of #SCOTUS nominee Brett Kavanaugh proves he is only interested in serving the wealthy and powerful at the expense of the rights of working people, consumers, and women seeking access to health care. We must #StopKavanaugh and #SaveSCOTUS.

If confirmed, #SCOTUS nominee Brett Kavanaugh will seek to undermine the Affordable Care Act, putting millions of lives at risk. We have to save our care and #SaveSCOTUS by stopping Kavanaugh's confirmation. #StopKavanaugh

Trump chose Brett Kavanaugh from his corrupt shortlist – the very list he plucked Neil Gorsuch from – which was stacked with ideologues with proven records of bias. Kavanaugh doesn't belong on the U.S. Supreme Court. #SaveSCOTUS #StopKavanaugh

#SCOTUS is the last line of defense for our civil and human rights, and it serves as a crucial check on the other branches of government. Justice Kennedy's successor MUST be a fair-minded and independent jurist – and that's not Brett Kavanaugh. #SaveSCOTUS #StopKavanaugh

On the U.S. Supreme Court, the American people need and deserve a fair-minded constitutionalist who values equality and justice for ALL. That's not Brett Kavanaugh. Together, we must #SaveSCOTUS and #StopKavanaugh to protect our rights and freedoms.