

March 20, 2017

Dear Senator:

On behalf of the millions of members of our national and state-based pro-life and pro-family organizations listed below, we urge your support for the confirmation of Neil Gorsuch, a judge of the U.S. Court of Appeals for the 10<sup>th</sup> Circuit, to the U.S. Supreme Court.

Judge Gorsuch is widely recognized as a jurist possessed of deep intelligence and true fairmindedness. In 2006 the U.S. Senate recognized these qualities, confirming Gorsuch without dissent to his current position on the 10<sup>th</sup> Circuit. After a decade of constitutionally sound and clearly written rulings and opinions, Judge Gorsuch deserves once again the swift approval of the Senate.

Many will attest to Judge Gorsuch's judicial temperament and his respectful treatment of everyone in proceedings before him. He has consistently applied an originalist approach to the Constitution, and a respect for the separation of powers, reminiscent of the late Justice Antonin Scalia. We believe that Judge Gorsuch's thoughtful opinions illuminate how he would decide difficult questions on the Supreme Court. Many of our organizations applauded Judge Gorsuch when he evinced a keen understanding and respect for religious liberty in cases involving Hobby Lobby and the Little Sisters of the Poor, concluding that application of the Affordable Care Act's preventive service mandate, coupled with massive fines on religious objectors to elements of the mandate, substantially burdens religious liberty.<sup>i ii</sup>

Judge Gorsuch dissented in a case where a 10<sup>th</sup> Circuit panel sided with Planned Parenthood, America's largest abortion provider, when it overrode the factual finding of the federal district court and issued a preliminary injunction against the Governor of Utah's decision to defund the abortion business over allegations of its involvement in potential violations of law regarding trading in fetal organs.<sup>iii</sup> Gorsuch faulted the 10<sup>th</sup> Circuit majority for failing to follow the appropriate standard of review and the customary deference to the factual findings of the court below.

Outside of the judicial context, Neil Gorsuch has proven himself to be a defender of the most basic human rights. He argues in his widely praised book, *The Future of Assisted Suicide and Euthanasia*, that "human life is fundamentally and inherently valuable" and that "the intentional taking of human life by private persons is always wrong."<sup>iv</sup> Judge Gorsuch couples such personal convictions with a determination, as he said on the occasion of his nomination, to "administer justice equally to rich and poor alike, following the law as they find it and without respect to their personal political beliefs."

Judge Gorsuch is made for such a time as this, and he has earned your support for elevation to the Supreme Court of the United States. We hope his convictions, writings, and values will lead you to the same conclusion. We urge his swift confirmation.

Sincerely,

Marjorie Dannenfelser  
President  
Susan B. Anthony List

Carol Tobias  
President  
National Right to Life

Tony Perkins  
President  
Family Research Council

Penny Nance  
CEO & President  
Concerned Women for America

Gary Marx  
Senior Advisor  
Judicial Crisis Network

Austin Ruse  
President  
C-Fam

Tom McClusky  
President  
March for Life Action

Lila Rose  
President  
Live Action

Judie Brown  
President  
American Life League

Gary L. Bauer  
President  
American Values

Fr. Frank Pavone  
National Director  
Priests for Life

Janet Morana  
Co-Founder  
Silent No More Awareness Campaign

Frank Cannon  
President  
American Principles Project

Paul Weber  
President & CEO  
Family Policy Alliance

Jim Sedlak  
Founder  
STOPP International

Brian Fisher  
President  
Human Coalition

Dr. Carl Herbster  
President  
AdvanceUSA

Joe Ortwerth  
Executive Director  
Missouri Family Policy Council

Cole Muzio  
President and Executive Director  
Family Policy Alliance of Georgia

Emily Zender  
Executive Director  
Illinois Right to Life

Julaine K. Appling  
President  
Wisconsin Family Action.

Eric Teetsel  
President  
Family Policy Alliance of Kansas

Mark Jorritsma  
President and Executive Director  
Family Policy Alliance of North Dakota

Maria McFadden Maffucci  
Editor  
Human Life Review

Troy Newman  
President  
Operation Rescue

Lauren Muzyka  
Executive Director  
Sidewalk Advocates for Life

Steven Ertelt  
Editor  
LifeNews.com

Curt Smith  
President  
Indiana Family Institute

Kristan Hawkins  
President  
Students for Life

William A. Estrada, Esq.  
Director of Federal Relations  
Home School Legal Defense Association

Eric Scheidler  
Executive Director  
Pro-Life Action League

Jenifer Bowen  
Spokeswoman for Iowa Right to Life and  
President and Founder of Life Right Action

Scott Valencia  
Chief Operating Officer  
Iowa Right to Life.

Marc Tuttle  
President  
Right to Life of Indianapolis

Matt Lockett  
Executive Director  
Bound4LIFE International

Denise Leipold  
Executive Director  
Right to Life of Northeast Ohio

Tami L. Fitzgerald  
Executive Director  
NC Values Coalition

Jeanette Burdell  
Executive Director  
St. Joseph County Right to Life

Melissa Ortiz  
Founder & and Principal  
Able Americans

Monica Migliorino Miller, Ph. D.  
President  
Citizens for a Pro-Life Society

Bradley Mattes  
President  
Life Issues Institute

Nicole Theis  
President  
Delaware Family Policy Council

John Helmberger  
Chief Executive Officer  
Minnesota Family Council

Rev. Jason J. McGuire  
Executive Director  
New Yorkers for Constitutional Freedoms

David Fowler  
President  
Family Action of Tennessee

Eva Andrade  
President  
Hawaii Family Forum

James R. "Duke" Aiona, Jr.  
President  
Hawaii Family Advocates

John Stemberger  
President & General Counsel  
Florida Family Policy Council

Aaron Baer  
President  
Citizens for Community Values

Carroll Conley  
Executive Director  
Christian Civic League of Maine

Dale A. Bartscher  
Executive Director  
Family Heritage Alliance Action

Oran P. Smith, PhD  
President  
Palmetto Family Alliance  
Columbia, SC

Star Parker  
President  
Center for Urban Renewal and Education

Jerry Cox  
President  
Arkansas Family Council

Derek McCoy  
Executive Vice President  
Center for Urban Renewal and Education.

Debbie Chaves  
Executive Director  
Colorado Family Action

Len Deo  
Founder & President  
New Jersey Family Policy Council

Mike Fichter  
President and CEO  
Indiana Right to Life

Victoria Cobb  
President  
The Family Foundation of Virginia

Allen Whitt  
President  
Family Policy Council & Family Policy  
Institute of West Virginia

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<sup>i</sup> *Hobby Lobby Stores, Inc. v. Sebelius*, 723 F.3d 1114 (10th Cir. 2013) (en banc) (conurrence)

<sup>ii</sup> *Little Sisters of the Poor v. Burwell*, 799 F.3d 1315 (10th Cir. 2015)

<sup>iii</sup> *Planned Parenthood Ass'n of Utah v. Herbert*, — F.3d —, 2016 WL 6310780 (2016)

<sup>iv</sup> *The Future Of Assisted Suicide And Euthanasia*, Princeton University Press 2006