

United States Senate

WASHINGTON, DC 20510

September 6, 2018

Donald F. McGahn, II
Counsel to the President
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. McGahn:

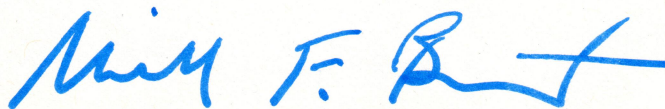
We write to support and reiterate the request made by our colleagues on the Senate Judiciary Committee to make Judge Kavanaugh's complete White House record available to the Senate, including Members and their staffs, and the public. Access to a Supreme Court nominee's full record is necessary for the Senate to fulfill its constitutional duty to advise and consent. More important, it is essential for the American people to have confidence in our confirmation process.

The lack of complete information associated with this nomination is unprecedented and threatens to undermine the public's confidence in a fair and impartial judiciary. To date, members of the Judiciary Committee have seen only 7% of Judge Kavanaugh's White House record. In comparison, the Senate had access to 99% of Justice Kagan's White House record prior to her confirmation. Last week, a Bush White House attorney directed over 100,000 pages from Judge Kavanaugh's work in the White House Counsel's Office to be withheld based on "constitutional privilege." And just hours before this week's hearing, the White House released 42,000 additional pages of documents to the Judiciary Committee. Meanwhile, 186,000 pages of documents that were made available to the Senate are being withheld from public view.

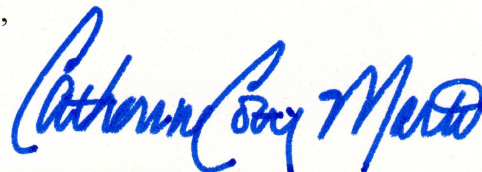
The rush and secrecy has left us to wonder what the White House is withholding from the American people. It should make the documents available for review.

We owe it to the American people to evaluate Supreme Court nominees in an open, transparent, and fair process. Unfortunately, the process so far has been anything but. We urge you to make Judge Kavanaugh's full record available immediately before we proceed with his confirmation.

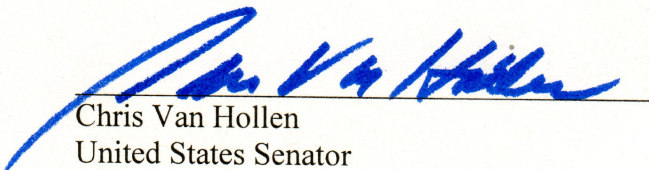
Sincerely,



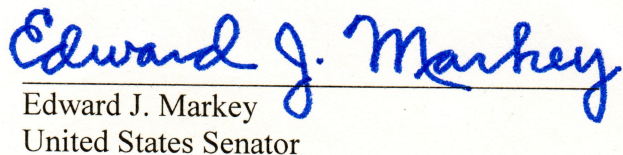
Michael F. Bennet
United States Senator



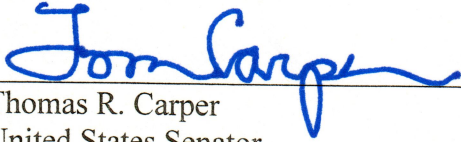
Catherine Cortez Masto
United States Senator



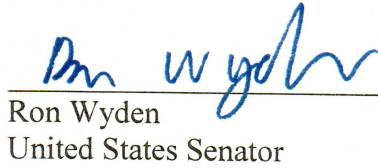
Chris Van Hollen
United States Senator

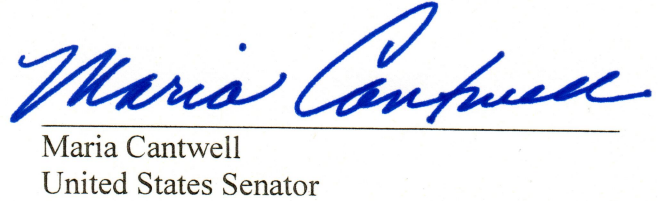


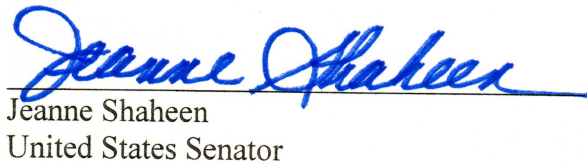
Edward J. Markey
United States Senator

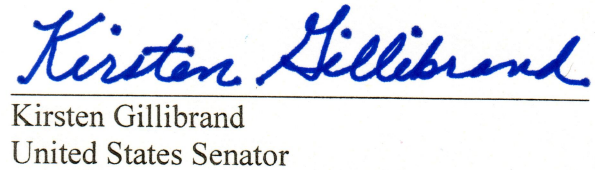

Thomas R. Carper
United States Senator

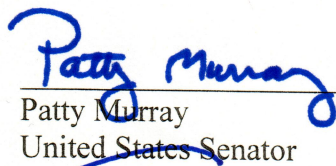

Doug Jones
United States Senator

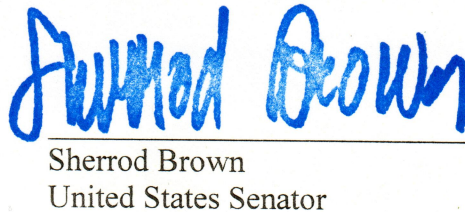

Ron Wyden
United States Senator

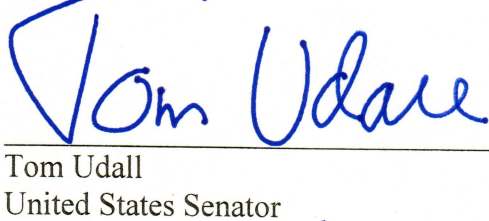

Maria Cantwell
United States Senator

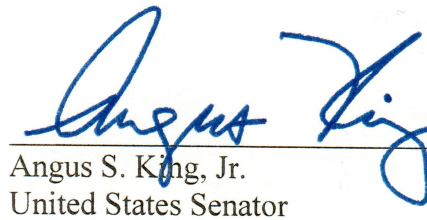

Jeanne Shaheen
United States Senator

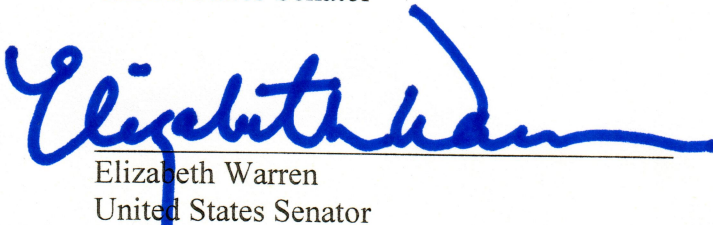

Kirsten Gillibrand
United States Senator

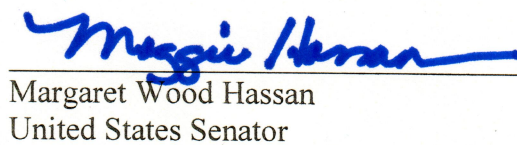

Patty Murray
United States Senator

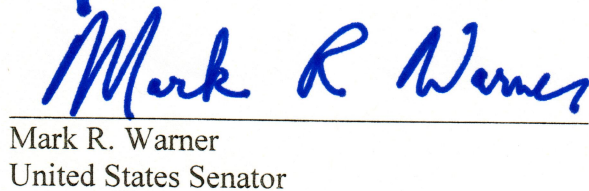

Sherrod Brown
United States Senator

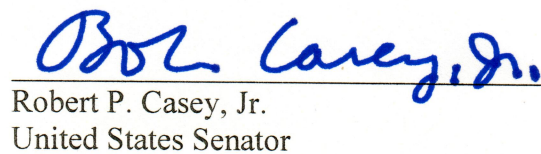

Tom Udall
United States Senator

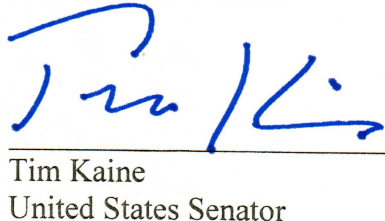

Angus S. King, Jr.
United States Senator


Elizabeth Warren
United States Senator


Margaret Wood Hassan
United States Senator


Mark R. Warner
United States Senator


Robert P. Casey, Jr.
United States Senator


Tim Kaine
United States Senator