

Congressional Progressive Caucus: Urges withdrawal of Judge Kavanaugh's nomination and vows to exercise house oversight on perjury allegations

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Contact: [Geoff Nolan](#) 202-740-7030

WASHINGTON, DC – Congressional Progressive Caucus Co-Chairs Mark Pocan (WI-02) and Raúl M. Grijalva (AZ-03), along with CPC First Vice Chair Pramila Jayapal (WA-07) led a letter to President Trump calling for the withdrawal of Judge Kavanaugh's nomination to the Supreme Court. The group of 39 Democrats, including eight CPC Members who serve on the House Judiciary Committee, further committed to exercising constitutional oversight to investigate evidence of possible perjury committed by Judge Kavanaugh. Lying under oath to the Senate would be a federal crime.

In light of Dr. Blasey Ford's "extremely serious and credible allegation that Judge Kavanaugh sexually assaulted her," wrote the Representatives, "we join Democratic members of the Senate Judiciary Committee, women's rights advocates, and millions of Americans in urging you to withdraw Judge Kavanaugh's nomination." The signatories cite numerous instances of dishonest Senate testimony made by Judge Kavanaugh under oath "on matters both trivial and significant."

"Given the urgency to ensure that a seat on the highest court of the country is not afforded to a nominee of dubious character with a record of possible perjury," argue the Members of Congress, "we wish to express our commitment to exercising our

constitutional oversight authorities—using subpoena powers if necessary—to obtain the full record of Judge Kavanaugh’s time in the Bush Administration, only roughly 10 percent of which have been available to the Senate Judiciary Committee.”

“If a careful examination of the entire scope of his legal history—thus far withheld from the Senate—demonstrates that Mr. Kavanaugh lied under oath,” conclude the Representatives, “the constitutionally prescribed remedy would be impeachment proceedings.”

Read the full letter [below](#):

October 4, 2018

President Donald Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

In light of Dr. Blasey Ford’s September 27th sworn testimony to the Senate Judiciary Committee regarding the extremely serious and credible allegation that Judge Kavanaugh sexually assaulted her, we join Democratic members of the Senate Judiciary Committee, women’s rights advocates, and millions of Americans in urging you to withdraw Judge Kavanaugh’s nomination. Judge Kavanaugh’s credibility has been fatally undermined by his dodging of calls for a FBI investigation into sexual misconduct, and his aggressive, evasive and overtly partisan reactions during his September 27th Senate hearing.

Judge Kavanaugh has made misleading statements under oath on a variety of highly questionable actions and episodes. For example, he likely misled the Senate about his alleged involvement in Bush-era warrantless surveillance, the administration’s legal rationale for torture and indefinite detention, his knowledge of the sexual misconduct claims levied against disgraced former Judge Alex Kozinski, the use of stolen Senate nomination documents, and the role he played in the nomination of controversial Judge Pickering to the 5th Circuit U.S. Court of Appeals.

Given the urgency to ensure that a seat on the highest court of the country is not

afforded to a nominee of dubious character with a record of possible perjury, we wish to express our commitment to exercising our constitutional oversight authorities—using subpoena powers if necessary—to obtain the full record of Judge Kavanaugh’s time in the Bush Administration, only roughly 10 percent of which have been available to the Senate Judiciary Committee. If a careful examination of the entire scope of his legal history—thus far withheld from the Senate—demonstrates that Mr. Kavanaugh lied under oath, the constitutionally prescribed remedy would be impeachment proceedings.

We remind you that the process to seat Judge Kavanaugh on the Supreme Court—in effect, a promotion—does not follow the norms or evidentiary standards of a criminal trial, such as proof beyond reasonable doubt of an allegation. Numerous credible accusations of serious misconduct and reasonable inquiries by Senators have provoked statements by Judge Kavanaugh that can only be viewed as dishonest, outlandish, or inappropriate on matters both trivial and significant. The credibility and reputation of the country’s highest judicial body is at stake. We urge you to withdraw Judge Kavanaugh’s nomination.

Sincerely,

[Members of Congress]