



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Administration
Office 614-466-4320
Fax 614-466-5087

30 E. Broad Street, 17th Floor
Columbus, OH 43215
www.OhioAttorneyGeneral.gov

February 2, 2017

BY EMAIL AND U.S. MAIL

The Honorable Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Chuck Grassley
Chairman
United States Senate Judiciary Committee
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
United States Senate Judiciary Committee
331 Hart Senate Office Building
Washington, DC 20510

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Grassley, and Senator Feinstein,

I write in support of the President's nomination of Judge Neil Gorsuch to serve as an Associate Justice of the United States Supreme Court, and I respectfully urge prompt consideration of his confirmation. In my opinion, he is extraordinarily well suited for the post.

We need Supreme Court Justices who, regardless of their own personal political inclinations, will follow the law as it is given to them by our Constitution and by legislatively enacted policy choices that are consistent with that fundamental charter. Judge Gorsuch impresses me very much as committed to that crucial undertaking. From every indication, he recognizes the important, and defined, role of the judiciary in our system of separated powers. And certainly his professional qualifications are exceptional. I believe that as cases come before the Court, he will enforce and observe constitutional processes and protections vigorously, rigorously, and honestly.

I anticipate that Judge Gorsuch will neither shrink from nor inappropriately expand the responsibilities he will confront should the Senate confirm him. Rather, everything I understand about his record and his character reflects a strong commitment to the rule of law. I do not believe he will hesitate to constrain other governmental officials or agencies should they venture beyond their legal authority, just as I do not believe that he will seek to enforce his own policy preferences from the high court bench. He will be a fair arbiter, working diligently to get things right as specified by the law.

Justice Scalia was a great Justice. Judge Gorsuch promises to be a fitting successor: he is a thoughtful and hard-working jurist; a clear, eloquent, and lively writer; and a judge devoted to following the meaning of authoritative text. His training, his experience, his proven ability, and his appreciation for our constitutional separation of powers (regarding the division of responsibilities between the federal government and the States, as well as the distinctions among federal executive, legislative, and judicial powers) all equip him well indeed for the Supreme Court.

Judge Gorsuch's record of accomplishment speaks for itself. His academic attainments are beyond dispute, and reflect a tremendous work ethic as well as an extremely powerful intellect. His experience in having clerked for two Supreme Court Justices, in private litigation practice, with the Department of Justice, and on the Tenth Circuit also commends him for the job. So does his judicial self-control in looking outward to the text and structure of relevant law rather than inward to personal predilection.

In his remarks memorializing the legacy of Justice Scalia in a speech here in Ohio last year at the Case Western Reserve University School of Law, Judge Gorsuch again demonstrated his wit (I commend the remarks to you), his judicial humility, and his commitment to justice under law. "[T]he great project of Justice Scalia's career," he observed, "was to remind us of the differences between judges and legislators." He quoted the late Justice approvingly as saying that "[i]f you're going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions that you reach. If you like them all the time, you're probably doing something wrong."

My experience as Ohio's Attorney General over these last six years has only deepened my appreciation for the importance of the Court, not least with regard to preserving the role of the States in enhancing the freedoms and privileges on which we rely as Americans. I know the great responsibility with which you are charged in reviewing this nomination. Judge Gorsuch strikes me as a tremendous choice, and I hope that upon timely conclusion of your review the Senate will reach the same determination.

Very respectfully yours,

A handwritten signature in blue ink that reads "Mike DeWine". The signature is written in a cursive, flowing style.

Mike DeWine
Ohio Attorney General