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United States Senate

August 21, 2018

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Building
Washington, D.C. 20510

Dear Chairman Grassley:

I write to respectfully request that you increase transparency in the vetting of the United States Supreme Court nominee, Judge Brett Kavanaugh. I have offered the Administration a number of dates and times to meet in person with Judge Kavanaugh and I look forward to this important meeting as soon as possible.

I take very seriously my constitutional responsibility to provide advice and consent on all Supreme Court nominations. I pledged to Montanans that I would thoroughly review Judge Kavanaugh's record by studying his perspective on the laws of our nation, our Constitution, our civil liberties, and the values that are important to Montanans. Part of this process includes a thorough review of all documents from his time working in the White House Counsel's office from 2001 to 2003 and later as Staff Secretary from 2003 to 2006.

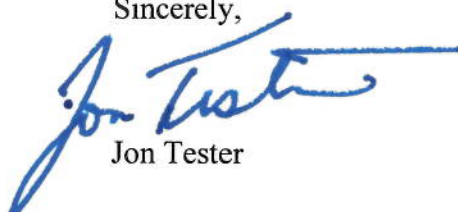
Judge Kavanaugh's time as Staff Secretary will be particularly important because, in his own words, those three years were "the most interesting and informative" to him. During this time, the Bush Administration weighed in on many issues relevant to a lifetime appointment to the U.S. Supreme Court ranging from women's access to health care, the right to privacy and public education. Any memos, opinions, comments, or related advice on these issues are directly relevant to Judge Kavanaugh's ability to serve as a fair and neutral justice on our nation's highest court. These documents must be publicly available for review.

As you know, Judge Kavanaugh's record involves millions of pages. To date, you have only requested approximately 900,000 of those pages, a small fraction of what's available from his time at the White House. Of those 900,000 pages, you have publicly released only 115,000. These pages should be a matter of public record, and they must not be concealed from the very people who would be impacted by Judge Kavanaugh's decisions, should he be confirmed.

I urge you to release Judge Kavanaugh's full White House record to allow adequate time for the public and all Senators to thoroughly review his record prior to your Committee's consideration of Judge Kavanaugh.

I look forward to working with you on this critical issue.

Sincerely,



Jon Tester

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