

(Washington DC) The Congressional Hispanic Caucus (CHC) voted to oppose the nomination of Judge Samuel A. Alito Jr. to the U.S. Supreme Court. After extensive examination of his record on the bench and his memoranda from the Reagan administration, the CHC found that his judicial philosophy placed him outside the legal mainstream. The primary areas of concern for the CHC were Judge Alito's rulings on employment discrimination, voting rights, and access to the courts. Moreover, Judge Alito's testimony and answers during the nomination hearings did not allay these concerns.

While the CHC was disappointed that President Bush did not use this opportunity to elevate one of the many qualified Latinos to the Supreme Court, the Caucus voted to oppose Judge Alito because of his record. Several opinions indicate a tendency to ignore settled law and interpret laws so unreasonably so as to negate the spirit of the law. Also troubling was Judge Alito's repeated insistence on unrealistic standards for wronged parties to meet before a court would hear their case. Moreover, the examination procedure yielded questions regarding his commitment to an independent judiciary within the federal system.

"The Members of the CHC are very disappointed Judge Alito did not present himself during the Senate hearings as a Supreme Court nominee who would walk into the court room with an open mind on issues important not only to the Hispanic community but all Americans," said CHC Chair Grace Napolitano. "Today this country finds itself at a critical juncture where narrow-mindedness is not an option in any court, much less the country's highest court. With the information our public now has on Judge Alito's background, there is no choice but to oppose his nomination."

"Judge Alito's fitness for the Supreme Court hinges on the same criteria we used for each prior nominee," said Congressman Charlie Gonzalez, Chairman of the CHC Hispanic Judiciary Initiative. "And, after weighing the evidence, we have found Judge Alito's judicial philosophy outside the mainstream of judicial thought. It has long been a fundamental American right to have one's day in court and Judge Alito's rulings indicate he would favor unreasonable standards for victims of discrimination. This could potentially make our country less just and less fair. The federal judiciary played a fundamental role in finally extending equal rights to all Americans and rolling back important protections could fundamentally alter what we consider essential liberties."

"After a week of testimony from Judge Alito and witnesses, we have not learned much that we did not already know. The CHC continues to have grave concerns about Judge Alito's

judicial philosophy that is reflected through his previous history, decisions and writings. His appointment could have detrimental repercussions on not only the rights of women and minorities, but for ALL Americans for many decades to come," said Congresswoman Linda T. Sánchez, vice-chair of the Civil Rights Task Force.

The Congressional Hispanic Caucus evaluates nominees for judicial vacancies after thoroughly examining their record and background. This process assesses the nominee's commitment to equal justice and the right of access to the courts, support for Congress' constitutional authority to pass civil rights legislation, efforts in support of protecting employment, immigrant and voting rights, as well as educational and political access for all Americans.

Given the historic role of the federal judiciary in protecting the civil rights and liberties of Americans, the CHC places particular importance on determining how committed each nominee is to the core Constitutional protections. Past Supreme Court rulings on the rights of immigrant workers, voting rights, affirmative action policies at colleges and universities, and bilingual education have had long-lasting and far-reaching effects on the lives of Latino families. Many of these rulings have been decided by one vote.