

August 25, 2025

United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Durbin:

On behalf of the 250,000 advocates of National Council of Jewish Women (NCJW), I am writing to strongly oppose the confirmation of Joshua Dunlap to the First Circuit Court of Appeals. Mr. Dunlap's record is troubling and indicates to NCJW that he does not possess the most basic qualifications for a lifetime seat on the federal courts — fairness and independence.

As the leading reproductive rights organization in the Jewish community, NCJW notes with great concern Mr. Dunlap's support for anti-abortion legislation, including an extreme bill in Maine that would have created a wrongful death cause of action for the death of an "unborn viable fetus." He joined testimony that claimed the bill was about "providing access to justice" for family members. He also supported a bill aimed at restricting abortion for minors and incapacitated persons.

His extreme views are not limited to the issue of abortion; in 2012, he wrote a letter to the editor opposing marriage equality in Maine. In addition, Mr. Dunlap has aggressively argued for a sweeping interpretation of religious freedom that would roll back basic anti-discrimination protections. In a law review article, he argued that the free exercise clause should be interpreted to allow religious employers exemption from Title VII. In a Cato Supreme Court Review essay, Mr. Dunlap wrote that governments should "respect religious faith and protect religious freedom through legislative accommodations and by, at times, singling out religion."

In Jewish tradition, judges are commanded to uphold justice without bias or partiality — to protect the vulnerable and pursue equity without fear or favor. Mr. Dunlap's record reflects a pattern of extreme legal views that run counter to these values and to the foundational principles of fairness and independence that must guide our federal judiciary. NCJW believes he is unfit for a lifetime seat on the bench, and we urge you to vote against confirming Joshua Dunlap to the First Circuit Court of Appeals.

Sincerely,



Jody Rabhan
Chief Strategy Officer
National Council of Jewish Women