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PRESIDENT

**Rachel Rossi**

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July 30, 2025

Senator Charles Grassley  
Chair, Senate Judiciary Committee

Senator Richard Durbin  
Ranking Member, Senate Judiciary Committee

Dear Chairman Grassley and Ranking Member Durbin,

On behalf of the Alliance for Justice (AFJ), a national association representing nearly 140 public interest and civil rights organizations, I strongly urge you and your colleagues on the Senate Judiciary Committee to reject the nomination of Joshua Dunlap to the U.S. Court of Appeals for the First Circuit.

Dunlap's record, both in and out of the courtroom, reflects a determined effort to weaken civil rights protections, elevate corporate and religious power over individual liberties, and roll back hard-fought gains in reproductive, LGBTQ+, and democratic rights. His legal philosophy poses a grave threat to constitutional equality and the communities who rely on the courts to defend their rights.

Throughout his career, Dunlap has aligned himself with efforts to shield powerful interests from accountability. He has represented major financial institutions in lawsuits over predatory overdraft practices, defended pharmaceutical companies accused of deceptive opioid marketing, and challenged consumer protections, such as Maine's "right to repair" law, which seeks to level the playing field between manufacturers and consumers. At every turn, Dunlap has positioned himself on the side of entrenched power — against working people, patients, and the public.

Just as troubling is Dunlap's persistent misuse of "religious liberty" as a legal weapon to erode civil rights. He has argued that religious employers should be categorically exempt from Title VII's protections against discrimination based on race, sex, or national origin, a radical position that would hollow out one of the nation's most important civil rights statutes. In public testimony and legal commentary, Dunlap has endorsed expansive religious exemptions that would allow individuals and institutions to circumvent otherwise neutral laws — even when doing so undermines LGBTQ+ equality, reproductive access, or basic professional standards. He has even opposed reforms to legal ethics rules that would prohibit discriminatory conduct by attorneys, claiming that preventing such bias might infringe on free exercise rights. This willingness to cloak discrimination in the language of liberty or faith reveals a deep indifference to the real-world consequences of prejudice and undermines constitutionally protected rights.

Dunlap's hostility toward LGBTQ+ rights is especially apparent throughout his career. In a published letter opposing marriage equality in Maine, he dismissed the constitutional arguments of equality advocates and portrayed LGBTQ+ protections as a threat to religious freedom. This framing, which he repeated throughout his public work, treats queer identity not as something worthy of protection under the law, but as something the law should restrain to safeguard conservative values. His record suggests that, if confirmed, he would bring this same bias to bear in cases affecting marriage, workplace protections, and the dignity of LGBTQ+ individuals.

He has also advanced legal positions that would restrict access to abortion and reproductive health care, particularly for minors and other vulnerable populations. By supporting bills that create fetal personhood, a far-right anti-abortion claim advanced by extremists, and bills that impose procedural hurdles on abortion access, Dunlap has lent his voice to a broader effort to criminalize pregnancy outcomes and undermine reproductive autonomy. These efforts are especially dangerous in the wake of *Dobbs*, as lower courts increasingly become the last line of defense against radical restrictions on reproductive rights.

Equally concerning is Dunlap's track record on democracy itself. He has challenged campaign finance transparency measures, opposed a voter-backed effort to establish ranked choice voting, and represented conservative organizations seeking to reduce public accountability in elections. These actions are part of a larger pattern in which Dunlap has sought to insulate political power from public scrutiny, limit meaningful participation in the democratic process, disregard the will of the public, and dismantle reforms designed to make elections fairer and representative.

Taken together, Joshua Dunlap's career presents a clear and consistent pattern: he advances legal arguments that undermine civil rights, insulate corporate and religious institutions from regulation, and curtail democratic participation. His judicial philosophy prioritizes power over people, process over equity, and exclusion over inclusion. This is not the vision of justice our courts are meant to serve.

The First Circuit Court of Appeals plays a critical role in interpreting and protecting the Constitution for millions of Americans. Confirming a nominee with such an extreme and damaging record would threaten not only the rights of those appearing before the court, but also the integrity of the judiciary itself. For these reasons, Alliance for Justice urges the Senate Judiciary Committee to reject Joshua Dunlap's nomination.

Sincerely,

A handwritten signature in cursive script that reads "Rachel Rossi".

Rachel Rossi  
President, Alliance for Justice