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August 27, 2025

Via Email

The Honorable Chuck Grassley Chairman Senate Judiciary Committee Washington, DC Via Email

The Honorable Dick Durbin Ranking Member Senate Judiciary Committee Washington, DC

Re: Nomination of Joshua D. Dunlap to the United States Court of Appeals for the First Circuit

Dear Chairman Grassley and Ranking Member Durbin:

It has been the longstanding practice of the American Bar Association's Standing Committee on the Federal Judiciary to review independently and evaluate all Article III nominees to the federal bench as to competency, integrity, and temperament. On May 29, 2025, the Attorney General issued a letter directing the Office of Legal Policy to discontinue providing the Standing Committee with access to nominees' disciplinary records and directing the nominees themselves not to sit for interviews with the Standing Committee. In addition, the Office of Legal Policy no longer provides the Standing Committee with the Senate Judiciary Questionnaire ("SJQ"), a critical source of information about a nominee, at the time of the nomination. Rather, the SJQ is now made publicly accessible on the eve of the nominee's hearing. As a result, the Standing Committee was deprived of key information ordinarily integral to an evaluation and had a short period of time in which to conduct one.

Because the Standing Committee is charged with providing impartial evaluations of nominees who serve lifetime appointments to the federal bench for the benefit of the Senate, the Administration, and the American public, the Standing Committee nevertheless set out to evaluate Joshua D. Dunlap, nominee to the United States Court of Appeals for the First Circuit.

Senators Grassley & Durbin August 27, 2025 Page 2

A member of the Standing Committee contacted members of the judiciary and the bar to conduct a confidential peer review of the nominee's professional competence, temperament, and integrity. The Standing Committee provides here a rating based on limited information for this nominee. The Standing Committee is of the unanimous opinion that Joshua D. Dunlap is "Well Qualified" to serve on the United States Court of Appeals for the First Circuit.

Very truly yours,

Pamela J. Roberts

Pamele T. Robert

Chair, ABA Standing Committee on the Federal Judiciary

cc: Ryan L. Giles, Chief Counsel for Nominations & the Constitution,
 U.S. Senate Judiciary Committee (via email)
 Vaishalee Yeldandi, Chief Counsel for Nominations,
 U.S. Senate Judiciary Committee (via email)
 Sarah Bauer, U.S. Senate Judiciary Committee (via email)
 Joshua D. Dunlap (via email)
 ABA Standing Committee on the Federal Judiciary (SCFJ) (via email)
 Denise A. Cardman, Staff Counsel, SCFJ (via email)