

# **Resolution on ELENA KAGAN Nomination to U.S. Supreme Court**

**To be proposed at the California LULAC  
State Convention, May 23, 2010  
SPONSORED BY DISTRICT 11**

**WHEREAS, during Elena Kagan's service between 2003-2009 at Harvard Law School as Dean, the hiring record of Latinos, African Americans, and Asian Americans for tenure track positions was appalling and her overall faculty hiring statistics was at best, dismal, from the standpoint of ethnic diversity;**

**AND WHEREAS, Elena Kagan as Solicitor General of the United States personally argued in late February 2010 that human rights attorneys who filed legal briefs in United States courts on behalf of alleged foreign terrorist organizations would be giving them "material support" and therefore subject to arrest and prosecution;**

**AND WHEREAS, the prospect that attorneys could be subject to arrest and prosecution for upholding the legal concept of due process of law is so outrageous that it is no excuse for Elena Kagan to contend that she was merely upholding the position of the Administration whether or not she believed in it;**

**THEREFORE BE IT RESOLVED, that CALIFORNIA LULAC find Elena Kagan's record on the aforementioned issues to be extremely disturbing at best;**

**AND BE IT FURTHER RESOLVED THAT California LULAC calls upon National LULAC and California's United States Senator, Dianne Feinstein and Barbara Boxer, to seriously question nominee Elena Kagan's views on these subjects both within Senate confirmation hearings and in any private or public forums that may be arranged to explore whether she is in fact suitable to be a justice of the United States Supreme Court.**