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# CALIFORNIA DEMOCRATIC PARTY

SENATOR ART TORRES (RET.), CHAIRMAN

MANL06.04

## **DEFEAT THE CONFIRMATION OF SAMUEL ALITO TO THE U.S. SUPREME COURT**

**WHEREAS:** Judge Samuel Alito is a vociferous promoter of the “unitary executive” theory, which is a radical concept which gives unrestrained power to the President, in violation of the system of “checks and balances” specified in the U.S. Constitution. This being exemplified by the practice – promoted by Judge Alito—of the “signing statement,” by which the President’s “interpretation” of legislation overrides the language and intent of the Congress, as in the recent example of the McCain anti-torture amendment, which was rejected by President Bush in his signing statement; and

**WHEREAS:** Alito’s commitment to these, and other such notions, would greatly increase the President’s power beyond Constitutional constraints; Bush and Cheney have cited these unconstitutional theories to justify torture, spy on Americans, hold prisoners indefinitely as “enemy combatants,” hand out no-bid contracts to cronies, wage war, etc.

**THEREFORE BE IT RESOLVED:** That the California Democratic Party urges Democratic members of the U.S. Senate to demonstrate their patriotic support for the U.S. Constitution by rejecting the confirmation of Alito.

Submitted by Quincy O’Neal, member of the African-American Caucus  
of the California Democratic Party

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Adopted by the Executive Board  
Of the California Democratic Party  
At Its Executive Board Meeting  
Manhattan Beach Marriott Hotel  
January 28, 2006