



# AMERICANS FOR LIMITED GOVERNMENT

---

10332 MAIN STREET, BOX 326 · FAIRFAX, VA 22030 · PHONE: 703.383.0880 · FAX: 703.383.5288 · WWW.GETLIBERTY.ORG

Oct. 16, 2020

United States Senate  
Washington, DC 20510

To the Members of the U.S. Senate:

It is anticipated that Senator Ted Cruz (R-Texas) will introduce the Keep Nine Amendment to the U.S. Constitution within days. Americans for Limited Government strongly urges you to contact Senator Cruz' office and become an original co-sponsor of the amendment.

We have seen the threat to politicize the Judicial Branch through a court packing scheme threatened by the Democrat Senate leadership playing to the AOC middle of their party. They know that packing the Supreme Court is nothing more than a callous politicizing of the independent judiciary and quite frankly many in the Senate simply don't care. Power is more important than quaint ideas like constitutional checks and balances and it is important that you take a stand against this threat by sponsoring the Keep Nine Amendment.

This amendment is simple. It fixes the number of Supreme Court justices to nine. The number cannot be added to or subtracted from without another constitutional amendment.

At a time when the left is attacking the idea of filling a Supreme Court vacancy as "court packing," the public needs to be assured that you will fight any attempt to do just that. What's more, this is a great opportunity to educate your constituents on why changing the number of justices on the Supreme Court to fit political whims is the end of constitutional protections for minority rights and the rule of law.

The best precedent for Keep Nine was the choice by Congress to limit presidential terms to two through the 22nd Amendment which passed Congress in 1947 and was ratified by the states in 1951. As you know, there was a 152-year precedent of the President of the United States only serving two-terms in office set by George Washington, when he decided that eight years was enough in order to avoid the President becoming like a king.

Now we have a 151-year precedent of the Supreme Court having nine members in order to create stability and another check on the powers of the federal government.

Just as the post-FDR Congress decided to send the 22nd Amendment to the states for ratification, it is important for you to lead the way in beginning the long, deliberative process of whether to establish a set limit on the number of Supreme Court justices, and we cannot overemphasize how important your leadership on this issue is.

The danger to constitutional checks and balances cannot be overstated. If the Supreme Court becomes subject to presidential packing, the best way to get a legal stamp of approval will no longer be to push constitutionally limited and restrained regulations and policies, but instead to ensure that judges favorable to those policies hear those cases.

Please contact Senator Cruz' office today so you don't miss the opportunity to be an original sponsor of this important amendment. Making a stand now is important for the future independence of our nation's federal courts.

Sincerely,

A handwritten signature in black ink that reads "Richard Manning". The signature is written in a cursive, slightly slanted style.

Richard Manning  
President  
Americans for Limited Government