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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Talking Points	Talking Points... [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/15/2025 JLS]	3	N.D.	

COLLECTION TITLE:

Counsel's Office, White House

SERIES:

Kavanaugh, Brett - Subject Files

FOLDER TITLE:

Judges - Allen, Claude [Folder 1]

FRC ID:

9122

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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SUPERSEDED

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Talking Points for the President on Claude Allen and Roger Gregory

- **Claude Allen would be *your* choice.**

Claude Allen would be your choice; Roger Gregory was the choice of President Clinton.

By refusing to acquiesce in any deal for the nomination of Roger Gregory, you would be forcefully asserting your control over the judicial selection process, which would send an important message at the outset of your Administration to both Congress and the public about Presidential control over the process.

- **The Recess Appointment and re-nomination of Roger Gregory is part of a pattern of late-term abuses by President Clinton of his discretionary powers that should not be countenanced.**

You should not reward or accept the unorthodox and essentially shameless manner in which President Clinton has attempted to force Roger Gregory onto the Court outside the normal appointment process – and thereby bind both you and the Senate.

Neither President Reagan nor President Bush engaged in such gamesmanship at the end of their Terms even though numerous excellent appointments were left pending.

- **Claude Allen has vastly superior qualifications and experience.**

Claude Allen has broad experience in the executive branch of state government. He has served as Virginia's Secretary of Health and Human Services, as Counsel to the Attorney General, and as Deputy Attorney General for the Civil Litigation Division. Roger Gregory has no government experience at all, which would be unusual for a court of appeals judge.

In these capacities, Claude Allen has gained superb management experience, leading a 75-lawyer office for the Attorney General of Virginia and now leading 13 agencies with 15,000 employees as Secretary of Health and Human Services. He thus would be a likely selection by the Chief Justice to various judicial committees that perform extraordinarily valuable work. He would, in short, be a judicial leader. Roger Gregory has no such managerial experience and likely would be an also-ran for these purposes in the eyes of his fellow judges.

Claude Allen was a law clerk to Judge Sentelle, and thus has first-hand experience in the judicial branch.

In addition, Claude Allen has been a leader on significant health care issues as Secretary of Health and Human Services for Virginia. He has been on the front lines of perhaps the most pressing domestic policy issue. By contrast, for the last 20 years, Roger Gregory has practiced primarily insurance defense law at a 9-lawyer firm.

Claude Allen also has congressional experience as Deputy Staff Director and Press Secretary for the Minority on the Committee on Foreign Relations from 1985 to 1987.

- **Claude Allen has been confirmed by the Senate.**

Claude Allen was nominated by President Clinton and confirmed by the Senate to serve a term of 6 years on the African Development Foundation. The African Development Foundation assists grassroots development in Africa by supporting more than 350 self-help projects at the local level in 14 African countries.

- **Claude Allen is your kind of Judge.**

In terms of judicial philosophy, Claude Allen will make you proud for the next 25 years; Roger Gregory likely will be a constant disappointment. If judicial philosophy matters at all in the nomination process – and we believe it should -- then there is a clear choice here. One judge is consistent with your philosophy; one judge is not.

Claude Allen's mentor is Governor Gilmore; Roger Gregory's mentor is former Governor Wilder. That speaks volumes about what kind of judge each would be.

- **Claude Allen would become part of the Supreme Court "bench."**

Claude Allen would immediately become part of the Supreme Court "bench" for you or a future Republican President. By contrast, Roger Gregory has middling qualifications in comparison to other circuit judges. Moreover, he is likely to be far too liberal a judge ever to be a serious Supreme Court candidate for a Republican President.

Claude Allen is the perfect age (39 or 40) to appoint to the court of appeals for purposes of grooming him to the Supreme Court.

- **Claude Allen is a true compassionate conservative.**

Claude Allen has done superb public service work. Not only has he worked in Congress and state government for many years, but he has served on a bipartisan commission on aid to Africa. In addition, in North Carolina, he served in the Guardian Ad Litem program, representing abused, neglected, and dependent children in the legal process. He serves on the Board of Directors for Caramore, a nationally recognized mental health facility in Chapel Hill.

Claude Allen served as Governor Allen's point person on church arsons. In addition, he has worked closely with the Martin Luther King Foundation on various issues for Governor Gilmore.

- **Claude Allen sends the right kind of message to independent and Republican African-Americans.**

In terms of convincing African-American citizens to listen to and accept Republicans -- and ultimately to become Republicans themselves -- it is critically important that African-American Republicans be trumpeted and promoted, and that they not be considered interchangeable with African-American Democrats. It is not easy to be an African-American Republican; failing to appoint an African-American Republican who, in addition, is far more qualified than an African-American Democrat would send a horrible signal to African-American Republicans who brave the criticism they often receive.

It is wise and important for you to promote African-Americans because of their experience and philosophy, not because of their race. A nomination of Claude Allen would represent the former approach and thus would be a nomination for you to be proud of. A nomination of Roger Gregory in this instance would represent the latter approach because there is virtually no chance that he would be re-nominated were he not African-American.

- **Miscellany**

Claude Allen has a strong educational background (UNC and Duke Law School) that is equivalent or superior to that of Roger Gregory.

Secretary Allen is married with three children.