

AFL-CIO

LEGISLATIVE ALERT

October 31, 2017

The Honorable Charles Grassley
Chair
The Honorable Diane Feinstein
Ranking Member
U.S. Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

The AFL-CIO strongly urges you to oppose the nomination of Mark S. Norris to serve on the United States District Court for the Western District of Tennessee. Norris's record as a state senator on the rights of workers, the less advantaged, and the unrepresented is far outside the mainstream, reflecting a biased and close-minded approach to the law. Furthermore, Norris's approach to his legislative duties raises serious concerns that he will use the federal bench to push his highly partisan legislative agenda.

Norris opposes workers having the right to choose how to bargain for better wages and healthier workplaces—supporting legislation to affirm and strengthen Tennessee's status as a "right to work" state. He denied teachers the freedom to choose unions to negotiate the terms and conditions of their employment with boards of education, and voted to take away their choice to have their union dues automatically deducted from their paychecks. Finally, his attempt to remove the term "labor" from the Commerce, Labor and Agriculture Committee was widely viewed as symbolic of his hostility toward organized labor.


Norris targets all workers, not just those who have chosen unions. He promoted legislation to prohibit any Tennessee city or county to pass a living wage ordinance. He also advocated for legislation to make it even more difficult for those injured on the job to receive workers' compensation.

The poor and people of color do not escape his scorn. He introduced legislation that opposed the Affordable Care Act's expansion of Medicaid; he advocated for Tennessee's 2011 harsh voter ID law that has decreased voter turnout. He filed a lawsuit to block the federal government from settling refugees in Tennessee, and has been a proponent of increasing criminal sentences for undocumented immigrants.

Serving on the federal bench requires upholding the U.S. Constitution and following U.S. Supreme Court precedent, yet Norris’s legislative record reveals a lack of respect for these norms. Through both legislation and litigation, he sought to bar the application in Tennessee of the Supreme Court’s decision in *Obergefell v. Hodges*, which held same-sex marriage constitutional—ignoring the advice of the Republican Tennessee Attorney General and the U.S. Department of Justice that some of his legal maneuvers were “constitutionally suspect” and “baseless” in law.

Working Americans deserve an open-minded, unbiased, and fair judge in the Western District of Tennessee. As is clear from his record, Mark Norris is far from that. The AFL-CIO urges you to oppose this nomination.

Sincerely,



William Samuel, Director
Government Affairs Department

WS/CC/lkr

American Federation of Labor and Congress of Industrial Organizations

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