

# AFL-CIO

## LEGISLATIVE ALERT

January 16, 2020

Chairman Charles Grassley  
Ranking Member Dianne Feinstein  
U.S. Senate Committee on the Judiciary  
Washington DC 20510-6050

Dear Chairman Grassley and Ranking Member Feinstein:

On behalf of the AFL-CIO, I urge you to oppose the nomination of Alabama Middle District Court Judge Andrew Brasher to serve on the United States Court of Appeals for the Eleventh Circuit. We have both substantive and procedural bases for our opposition.

As an attorney, Judge Brasher demonstrated a remarkable hostility toward civil rights. He worked first as Deputy Solicitor General and then as chief Solicitor General for the notoriously ideological office of the Alabama Solicitor General, where he led or actively supported efforts to undermine the protections of the Voting Rights Act of 1965 (VRA), defend unconstitutional racial gerrymandering of legislative districts, fight against LBGTQ equality, and restrict health care access for women. He also joined an amicus brief advocating that it should be more difficult for people to join together in class action suits against corporations, and a lawsuit seeking to invalidate the Dodd-Frank Act.

The Senate Judiciary Committee should not even have considered Mr. Brasher's nomination to the Eleventh Circuit as Senator Jones has withheld his support. Such opposition would have been enough to halt this nomination during most of the past century, but Mr. Brasher is the eighteenth circuit court nominee from this administration to advance despite objections from at least one of their home-state senators. Judge Brasher was confirmed by a narrow party-line vote to sit on the Middle District Court of Alabama only seven months ago, and nothing in his scant judicial record suggests that he warrants a promotion.

Our courts need judges who are forthright and respect the rule of law. Mr. Brasher does not meet this test and we urge you to oppose his nomination to the Eleventh Circuit.

Sincerely,



William Samuel, Director  
Government Affairs Department