

AFL-CIO

LEGISLATIVE ALERT

October 22, 2020

Chairman Lindsey Graham
Ranking Member Dianne Feinstein
Committee on the Judiciary
United States Senate
Washington, D.C. 20510-6050

Dear Chairman Graham and Ranking Member Feinstein:

The AFL-CIO urges you to oppose the nomination of Judge Amy Coney Barrett for Associate Justice for the Supreme Court. The speed with which Judge Barrett's nomination was made and processed is offensive and violates any sense of fairness and non-partisanship which should be the hallmark of filling a lifetime appointment to the Supreme Court. The process should involve a thoughtful, fair and deliberative consideration of the nominee's record which gives stakeholders and the Senate time to fully examine and review the nominee's qualifications for a lifetime appointment to the highest court of the land.

Instead Senator McConnell reversed his position from 2016 when the seat that opened as a result of Justice Scalia's death was left open, refusing to allow consideration of President Obama's nominee, Merrick Garland, for more than nine months until after the election. Here in contrast, Justice Ginsberg was not even buried before President Trump announced his choice of Judge Barrett and the Senate scheduled a confirmation hearing and vote on a rushed and insufficient timeframe, at a time when the American people are already voting in large numbers in a presidential election.

This rush to schedule the confirmation hearing and subsequent votes is in stark contrast to the speed with which the Senate has addressed its other business. In a time of crisis when over 220,000 Americans have died from COVID-19, there continue to be nearly 60,000 new cases every day, and millions are out of work, the HEROES Act which would provide long-overdue relief to a country in crisis has been sitting on Senator McConnell's desk since May 15 with no action. This is a moment when the Senate should be focused on addressing the health, economic, and civil justice challenges that face our nation rather than processing judicial nominees.

This nomination is for a person to try to fill the shoes of Justice Ruth Bader Ginsburg who as Judge Barrett acknowledged during her opening statement at her hearing, no one can replace. Justice Ginsburg spent her 27 years on the Court standing strongly on issues of great importance to working people in employment law, healthcare and voting rights. She spent her career defending the Constitution and the everyday working people who bring that document to life. She was a consistent, unshakable champion of civil and women's rights and the freedom to form a union. The AFL-CIO, the labor movement and all those who aspire for dignity on the job are better off because of Justice Ginsburg's service.

Justice Ginsburg' death is a heartbreaking loss to working people and it is a travesty to see the Senate's response. Justice Ginsburg died on September 18th and President Trump announced his nomination of Judge Barrett 8 days later in the Rose Garden on September 26th. Judge Barrett's hearing before the Judiciary Committee opened 19 days after the announcement, on October, 12th. Senator McConnell has announced the vote of the full Senate on the nomination will be on October 26th, just 8 days before the election on November 3rd. The entire timeline reflects the Senate's lack of fairness, lack of appropriate process and lack of careful consideration in its efforts to quickly confirm her replacement before the ongoing election is concluded. For these reasons, we ask you to oppose the nomination.

Sincerely,



William Samuel
Director, Government Affairs

American Federation of Labor and Congress of Industrial Organizations

815 16th St., N.W. • Washington, D.C. 20006 • 202-637-5000 • www.aflcio.org

RICHARD L. TRUMKA
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