

# AFL-CIO

## LEGISLATIVE ALERT

December 10, 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 opposes the confirmation of Thomas Kirsch to the Seventh Circuit Court of Appeals.

With our nation struggling with the dire effects of the COVID-19 pandemic, the Senate should be laser focused on providing assistance to the American people and addressing our economic crisis. It should not be barreling forward with lifetime judicial nominations during this lame duck session of Congress in blatant disregard of the Presidential election.

In 2016, the Republican-controlled Senate blocked over fifty of President Obama's federal circuit and district court nominees. That year, not one appellate court nominee was confirmed after January and not one district court nominee was confirmed after July. Among those refused even a committee hearing was Seventh Circuit nominee Myra Selby of Indiana, the first woman and the first African-American to serve on the Indiana Supreme Court. A widely recognized expert in health care law, she would have been the first African American from Indiana to serve on the Seventh Circuit. Given the economic and racial disparities in healthcare that have been illuminated and exacerbated by the current pandemic, it is particularly disheartening that a nominee with her expertise was not even considered. And still today, though people of color are at least 30 percent of the population within the jurisdiction of the Seventh Circuit, no judge of color sits on this court.

Mr. Kirsch, the nominee before you now, has nothing in his record to demonstrate that he deserves or belongs on this Circuit. You should reject his nomination.

Sincerely,



William Samuel, Director  
Government Affairs Department

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**American Federation of Labor and Congress of Industrial Organizations**

815 16th St., N.W. • Washington, D.C. 20006 • 202-637-5000 • [www.aflcio.org](http://www.aflcio.org)

**RICHARD L. TRUMKA**  
PRESIDENT

**ELIZABETH H. SHULER**  
SECRETARY-TREASURER

**TEFERE GEBRE**  
EXECUTIVE VICE PRESIDENT