

Congress of the United States
Washington D.C. 20515

October 08, 2020

Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

Honorable Charles Schumer
Minority Leader
United States Senate
Washington, D.C. 20510

Honorable Lindsey Graham
Chairman
Judiciary Committee
United States Senate
Washington, D.C. 20510

Honorable Dianne Feinstein
Ranking Member
Judiciary Committee
United States Senate
Washington, D.C. 20510

Dear Leader McConnell, Leader Schumer, Chairman Graham, and Ranking Member Feinstein,

As members of the Pro-Choice Caucus of the U.S. House of Representatives, we write once again to strongly urge the Senate to honor Justice Ruth Bader Ginsburg's final wish and legacy by not considering any nominee to the Supreme Court until a nomination can be made by the winner of the upcoming election. President Trump and Senate Republicans are not only attempting to fill a seat as people are currently voting, but the President has also made clear that he would only appoint justices who would overturn *Roe v. Wade* and dismantle the Affordable Care Act. The President's nominee to the Supreme Court, Judge Amy Coney Barrett, has already indicated through her judicial record and public statements that she would do both. Due to this, we vehemently oppose the President's and Senate majority's effort to make a mockery of our democracy and diminish the Court itself; and we oppose the nomination of Judge Barrett to the Supreme Court.

Currently, voting in the 2020 election is already under way, and Americans in many states across the country have already begun casting their ballots. The people must have their voices heard in this election and determine who will nominate the next Supreme Court justice. As elected officials, it is our duty to honor the choices of the electorate. Fast-tracking the confirmation of this nominee to the Supreme Court in the middle of an election is nothing less than an affront to our democracy.

Additionally, our nation continues to confront an unprecedented and devastating public health crisis due to the COVID-19 pandemic, which has resulted in the deaths of more than 200,000 people in the United States. Millions more are struggling with, hunger, housing insecurity,

joblessness, and accessing affordable health care. Nonetheless, while the pandemic continues to ravage the lives and economic well-being of people living in the United States and disproportionately impacts communities of color, the Senate refuses to take any action to address this suffering. Instead of voting on a COVID-19 relief package, Senate Republicans are focused on cementing their control of the judiciary, riling up their base ahead of the election, and pushing through the confirmation of a lifetime appointment to our nation's highest court at a breakneck pace.

As members of the Pro-Choice Caucus, we know that reproductive health, rights, and justice are at stake with this nomination. President Trump has repeatedly said he will only nominate justices who are hostile to abortion. During the 2016 election, President Trump campaigned on his commitment to nominating justices who would overturn *Roe v. Wade*. That is his litmus test and, based on her record and public statements, we know that Judge Barrett meets this test.

Judge Barrett's record shows she is a clear and present threat to *Roe* and reproductive freedom. She has publicly opposed abortion and ascribes to such extreme views that she could also call into question the legality of certain forms of birth control and fertility care. She has suggested that *Roe* is an "erroneous decision", stated that life begins at conception, sided with states trying to restrict abortion access, and joined anti-choice groups in voicing opposition to the Affordable Care Act's coverage of contraception. Should she be confirmed, Judge Barrett would radically endanger our fundamental rights for decades to come.

Further, Judge Barrett has an extreme record on racism in the workplace, the Affordable Care Act and access to health care, marriage equality, the rights of immigrants and people seeking asylum, and criminal justice. Confirming her nomination risks the most fundamental rights and freedoms of all Americans: reproductive rights, access to health care, equality for LGBTQ+ people, gender equality, voting rights, racial justice, immigrant rights, environmental justice, and so much more.

These threats are not abstract. There are currently 17 abortion-related cases that are only one step away from the Supreme Court. The Supreme Court will hear oral arguments on a case that challenges the constitutionality of the Affordable Care Act this November, just days after the presidential election; if President Trump and Republican Attorneys General are successful and win this case, over 20 million people could lose health coverage and hundreds of millions more could lose protections for preexisting conditions. Access to legal abortion and high-quality, affordable health care is already out of reach for people pushed to the margins by our health care system, especially Black, brown, and indigenous people, immigrants, low-income people, LGBTQ+ individuals, and everyone living at the intersections of these identities.

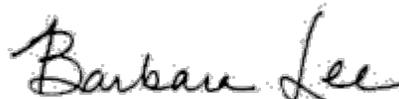
Judge Barrett's confirmation to the Supreme Court would cement a conservative supermajority on the court and would tip the balance against our fundamental rights, including reproductive freedom, for generations. We need a justice who will work to protect equal justice under the law for all, not just a privileged few—Judge Barrett does not meet that standard.

We urge our colleagues in the Senate to wait to consider any Supreme Court nominee until a nomination can be made by the winner of the upcoming election, and express our vehement opposition to the nomination of Judge Amy Coney Barrett.

Sincerely,



Diana DeGette
Member of Congress



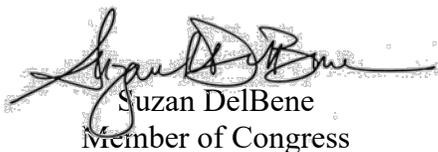
Barbara Lee
Member of Congress



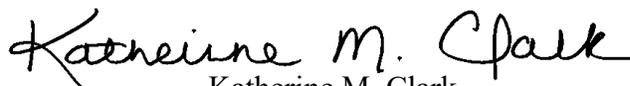
Judy Chu
Member of Congress



Julia Brownley
Member of Congress



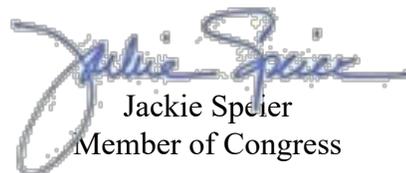
Suzan DelBene
Member of Congress



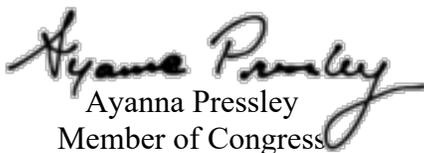
Katherine M. Clark
Member of Congress



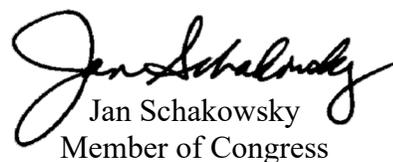
Norma J. Torres
Member of Congress



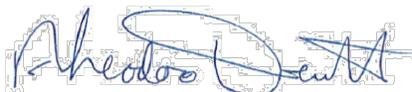
Jackie Speier
Member of Congress



Ayanna Pressley
Member of Congress



Jan Schakowsky
Member of Congress



Theodore E. Deutch
Member of Congress

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Gerald E. Connolly
Member of Congress

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Sean Casten
Member of Congress

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Peter A. DeFazio
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Bonnie Watson Coleman
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Joseph Morelle
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James P. McGovern
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Gwen Moore
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André Carson
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Alcee L. Hastings
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Val Demings
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Grace F. Napolitano
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Joyce Beatty
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Andy Levin
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Lloyd Doggett
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Joseph P. Kennedy, III
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Eleanor Holmes Norton
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Dina Titus
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Ann Kirkpatrick
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Lois Frankel
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John P. Sarbanes
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Lisa Blunt Rochester
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Lori Trahan
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Susan Wild
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Mark Takano
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Raúl M. Grijalva
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Deb Haaland
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Debbie Wasserman Schultz
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Marcy Kaptur
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Carolyn Maloney
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Sylvia Garcia
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Ed Case
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Chellie Pingree
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Jerrold Nadler
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Darren Soto
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Bradley S. Schneider
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Jerry McNerney
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Jimmy Gomez
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Steve Cohen
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David Price
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Grace Meng
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Peter Welch
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Rick Larsen
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Mark DeSaulnier
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Bill Foster
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Mike Doyle
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Adam Smith
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Bennie Thompson
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Albio Sires
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Alexandria Ocasio-Cortez
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Marcia L. Fudge
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Kathy Castor
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Jennifer Wexton
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Betty McCollum
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Brian Higgins
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Eddie Bernice Johnson
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David N. Cicilline
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John Yarmuth
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Anthony G. Brown
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David Scott
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Earl Blumenauer
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Linda T. Sánchez
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Rashida Tlaib
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Anna Eshoo
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Madeleine Dean
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Marc Veasey
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Jimmy Panetta
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Al Lawson
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Bobby L. Rush
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Jamie Raskin
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Adam Schiff
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Brendan F. Boyle
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Denny Heck
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Seth Moulton
Member of Congress

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Ami Bera, M.D.
Member of Congress

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Frederica Wilson
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A. Donald McEachin
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Scott Peters
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Colin Allred
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Jesús G. “Chuy” Garcia
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Jared Huffman
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Kim Schrier, M.D.
Member of Congress