

February 26, 2016

The Honorable Charles Grassley, Chairman  
The Honorable Orrin Hatch  
The Honorable Jeff Sessions  
The Honorable Lindsey Graham  
The Honorable John Cornyn  
The Honorable Michael Lee  
The Honorable Ted Cruz  
The Honorable Jeff Flake  
The Honorable David Vitter  
The Honorable David Perdue  
The Honorable Thom Tillis

Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Senators:

We, the undersigned organizations, urge you to reconsider your unprecedented and destructive refusal to give fair consideration to any Supreme Court nomination until after the next President is sworn into office on January 20, 2017, as announced in your February 23<sup>rd</sup> letter to Senate Majority Leader Mitch McConnell.

Your letter claims that your refusal to hold a hearing on—or to even meet with— any potential nominee is part and parcel to executing your “constitutional authority to withhold consent on any nominee.” This is a clear perversion of your constitutional duties as understood by almost every scholarly authority on the topic and by most Americans.

It is a dereliction of your constitutional duty to handcuff the Supreme Court for two terms. Your proposed course of action would cause a constitutional crisis that would shake the very foundation of our democracy.

We condemn this unprecedented overreach, and call on you to uphold the Constitution by giving fair consideration, including timely hearings and votes, to the next nominee to the Supreme Court.

Under Article II, Section 2 of the U.S. Constitution, the President shall nominate a Justice to the Supreme Court “by and with the Advice and Consent of the Senate.” This does not give a select few senators veto power over the President’s role in selecting and nominating a candidate. The Senate’s duty is to evaluate a nominee’s fitness and qualifications, not to pick the President making the nomination.

Our legal system is based on the rule of law and requires stability and certainty. The course you have charted would mean that a new justice would not be confirmed until well into 2017 at the earliest. Shackling the court for two terms would undermine the rule of law, leave legal questions unresolved, and hamper the administration of justice across our nation.

Refusing to consider any nominee, without due evaluation of his or her merits, credentials, and experiences, is a direct repudiation of your constitutional duties.

We believe in upholding the Constitution. So should you.

Sincerely,

The Leadership Conference on Civil and Human Rights  
Philip Randolph Institute  
AFL-CIO  
African American Ministers In Action  
Alliance for Justice  
American Association for Access, Equity and Diversity  
American Association For Justice  
American Family Voices  
American Federation of State, County, and Municipal Employees  
American Federation of Teachers  
American-Arab Anti-Discrimination Committee  
Americans for Democratic Action (ADA)  
Americans United for Change  
Andrew Goodman Foundation  
Asian & Pacific Islander American Health Forum  
Asian American Legal Defense and Education Fund (AALDEF)  
Asian Americans Advancing Justice | AAJC  
Asian Pacific American Labor Alliance, AFL-CIO (APALA)  
Association of Asian Pacific Community Health Organizations (AAPCHO)  
Bazon Center for Mental Health Law  
Bend the Arc Jewish Action  
Center for American Progress  
Center for Community Change  
Center for Pan Asian Community Services, Inc. (CPACS)  
Coalition on Human Needs  
Common Cause  
Communications Workers of America  
Constitutional Accountability Center  
Defenders of Wildlife  
Disability Rights Education & Defense Fund  
Earthjustice  
Equal Justice Society  
Feminist Majority Foundation  
Human Rights Campaign  
International Association of Official Human Rights Agencies (IAOHRA)  
Iota Phi Lambda Sorority, Inc.  
Japanese American Citizen League  
Jewish Labor Committee  
Korean American Resource & Cultural Center  
Korean Resource Center  
Lambda Legal  
Lawyers' Committee for Civil Rights Under Law  
League of Conservation Voters  
League of United Latin American Citizens  
MALDEF

MoveOn.org Civic Action  
NAACP  
NAACP Legal Defense and Educational Fund, Inc.  
NAACP-National Voter Fund  
NARAL Pro-Choice America  
National Asian Pacific American Families Against Substance Abuse  
National Association of Social Workers (NASW)  
National Black Justice Coalition  
National Coalition for Asian Pacific American Community Development  
National Congress of American Indians  
National Council of Asian Pacific Americans (NCAPA)  
National Council of Jewish Women  
National Education Association  
National Employment Law Project  
National Employment Lawyers Association  
National Fair Housing Alliance  
National Korean American Service & Education Consortium  
National LGBTQ Task Force Action Fund  
National Partnership for Women & Families  
National Queer Asian Pacific Islander Alliance  
National Tongan American Society  
National Urban League  
National Women's Law Center  
People For the American Way  
Planned Parenthood Federation of America  
PolicyLink  
Project Vote  
Reconstructionist Rabbinical Association  
Service Employees International Union  
Sierra Club  
South Asian Bar Association of North America  
Southeast Asia Resource Action Center (SEARAC)  
Southern Poverty Law Center  
TASH  
Union for Reform Judaism  
United Auto Workers (UAW)  
Workmen's Circle

CC: The Honorable Mitch McConnell, Senate Majority Leader