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# United States Senate

COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

September 21, 2020

Dear Senators Feinstein, Leahy, Durbin, Whitehouse, Klobuchar, Coons, Blumenthal, Hirono, Booker, and Harris,

Like millions of Americans, I was shocked and saddened to hear of Justice Ginsburg's death. Justice Ginsburg served honorably on the federal bench and was a trailblazer for women in the law. She will be missed.

When the American people elected a Republican Senate majority in 2014, Americans did so because we committed to checking and balancing the end of President Obama's lame duck presidency. We did so. We followed the precedent that the Senate has followed for 140 years: since the 1880s, no Senate has confirmed an opposite-party president's Supreme Court nominee during an election year.

Because our Senate majority committed to confirming President Trump's excellent judicial nominees—and particularly because we committed to supporting his Supreme Court nominees—the American people expanded the Republican majority in 2018. We should honor that mandate. Also unlike in 2016, President Trump is currently standing for reelection: the people will have a say in his choices.

Lastly, after the treatment of Justice Kavanaugh I now have a different view of the judicial-confirmation process. Compare the treatment of Robert Bork, Clarence Thomas, Samuel Alito, and Brett Kavanaugh to that of Ruth Bader Ginsburg, Sonia Sotomayor, and Elena Kagan, and it's clear that there already is one set of rules for a Republican president and one set of rules for a Democrat president.

I therefore think it is important that we proceed expeditiously to process any nomination made by President Trump to fill this vacancy. I am certain if the shoe were on the other foot, you would do the same.

Sincerely,



Lindsey O. Graham  
Chairman