



# CHRIS LARSON

## STATE SENATOR

September 21, 2020 - DELIVERED ELECTRONICALLY

Senator Tammy Baldwin  
709 Hart Senate Office Building  
Washington, DC 20510

Senator Ron Johnson  
328 Hart Senate Office Building  
Washington, DC 20510

Senator Johnson and Senator Baldwin,

Our nation is in the midst of one of the most tumultuous periods in its history. Voting has already begun in the most hotly-contested presidential election since the Civil War. Justice Ruth Bader-Ginsburg's death came as a crushing blow to millions of Americans who look up to her as a sign of strength, perseverance, and, most of all, integrity at a time when these qualities seem in short supply. It is against this backdrop I call on the United States Senate to delay confirmation of a new Supreme Court Justice until after the next Congress is sworn in in January 2021, and that the choice of nominee should be left up to the President who wins the election this November.

The precedent was set when Justice Antonin Scalia passed away in February of 2016. President Barack Obama nominated Merrick Garland to fill his seat on the bench. Majority Leader McConnell refused to even offer Garland a hearing, saying the following:

*"Given that we are in the midst of the presidential election process, we believe that the American people should seize the opportunity to weigh in on whom they trust to nominate the next person for a lifetime appointment to the Supreme Court."*

Senator Johnson concurred:

*"What we're saying is let the American people have a voice...We're six months before an election. They're going to decide the direction of the country. Let them decide the direction of the court through their votes."*

Justice Scalia died 270 days before the 2016 election. Justice Ginsburg's death came just 47 days from this year's vote. If the American people deserved a say in 2016, as both McConnell and Johnson asserted, they most certainly deserve a say now.

Whether before the election or during the lame duck period, holding a confirmation vote before Inauguration Day would be highly problematic, considering the important vetting and public feedback that is necessary before a lifetime appointment can be justly confirmed. This is particularly true if the election were to result in a change in the partisan balance of the Senate. The very integrity of the high

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court would be jeopardized if a new Justice were to be confirmed mere weeks before a different party takes power. With so many big questions likely to be heard in the new session, from gerrymandering and reproductive rights to the Affordable Care Act and immigration, it is essential that the Court maintains the public's trust.

To continue the precedent set 4 years ago, to prevent our country from further shifting to partisan whims, and because no impeached president has ever nominated a Supreme Court justice, I urge the Senate to delay confirmation hearings until the American people have chosen a president and until that President has selected his nominee. Our democracy hangs by a string. We hope that you will each put the future legitimacy of American government over the temporary temptation to change course and force a cloud of corruption over all three branches of our government.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Larson". The signature is written in a cursive, flowing style with a large initial "C" and "L".

Chris Larson  
State Senator - 7th District