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United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510–6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

February 23, 2016

The Honorable Charles E. Grassley
U.S. Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Republican Members of the Judiciary Committee:

We understand Senate Republicans of the Judiciary Committee unilaterally decided in a closed door meeting today, without consultation or public debate, to deny a hearing or any other consideration to the next Supreme Court nominee.

Contrary to what Majority Leader McConnell announced to the press this afternoon, the Senate Judiciary Committee did not unanimously recommend anything today. We did not have an Executive Business meeting or any opportunity for the Committee to debate the issue of hearings for the next Supreme Court nominee. On matters of such profound national importance, the American people deserve to have their elected officials make decisions in a transparent and accountable manner.

Today's announcement by Republican Committee members is nothing but a partisan attempt to avoid fulfilling your duty to consider the next Supreme Court nominee. As Senators, our constitutional duty is to provide advice and consent. Since Committee hearings began in 1916, every pending Supreme Court nominee has received a hearing, except 9 nominees who were all confirmed within 11 days. Your decision is an unprecedented and drastic departure from this body's history.

You may view the decision to deny the next Supreme Court nominee a hearing as politically expedient. But the fact is your decision will harm our constitutional democracy and undermine the Supreme Court's ability to be our Nation's final arbiter of the law. You and the Majority Leader have decided to deprive the American people of a fully functioning Supreme Court for two terms. History will not look kindly on this decision, nor will the American people.

You should reconsider your position, so the Senate and this Committee can do the job the American people elected us to do.

Sincerely,

Patrick Leahy

PATRICK LEAHY
Ranking Member

Dianne Feinstein

DIANNE FEINSTEIN
United States Senator

CHARLES E. SCHUMER
United States Senator

RICHARD J. DURBIN
United States Senator

SHELDON WHITEHOUSE
United States Senator

AMY KLOBUCHAR
United States Senator

AL FRANKEN
United States Senator

CHRISTOPHER A. COONS
United States Senator

RICHARD BLUMENTHAL
United States Senator

Cc: The Honorable Mitch McConnell, United States Senate Majority Leader
The Honorable Orrin G. Hatch, United States Senator
The Honorable Jeff Sessions, United States Senator
The Honorable Lindsey O. Graham, United States Senator
The Honorable John Cornyn, United States Senator
The Honorable Michael S. Lee, United States Senator
The Honorable Ted Cruz, United States Senator
The Honorable Jeff Flake, United States Senator
The Honorable David Vitter, United States Senator
The Honorable David A. Perdue, United States Senator
The Honorable Thom Tillis, United States Senator