

The Honorable Chuck Schumer
Democratic Leader, U.S. Senate
S-221, The Capitol
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker, U.S. House of Representatives
H-232, The Capitol
Washington DC 20515

Dear Democratic Leader Schumer and Speaker Pelosi:

Democrats in both the Senate and the House of Representatives must make every effort to stop President Donald Trump and Senate Majority Leader McConnell from confirming another Supreme Court Justice. Filling Justice Ruth Bader Ginsburg's seat with Judge Amy Coney Barrett would create a 6-3 conservative majority, placing the swing vote on an entire generation of progressive policies into the hands of Brett Kavanaugh.

We urge you to deploy every tool, including but not only procedural levers described in a memo circulating around the Capitol,¹ to delay confirmation at least beyond Election Day. This would substantially increase the likelihood that Judge Barrett would not be confirmed. Even if she is ultimately confirmed in a lame duck session — one in which the American people have shown through their votes that they do not want Republicans to make the determination of who should serve on the Supreme Court — that result would increase public support for much-needed reforms to the high court.

We urge you to employ every tactic at your disposal to prevent a premature confirmation, including making use of tools the House might wield to support action in the Senate.²

Sincerely,

Advance Native Political Leadership
Alliance for Youth Action
American Family Voices
Be A Hero Fund
Brave New Films
Center for Popular Democracy
Climate Hawks Vote
CODEPINK
Color Of Change PAC
Daily Kos
Debt Collective

Demand Progress
Democratic Policy Center
Empire State Indivisible
Equal Justice Society
Faithful America
Fight for the Future
For All
Free Speech for People
In the Public Interest
Justice Democrats
LA Forward
Masks For America
MediaJustice
Movement Voter Project
National Association of Social Workers
Other98
Our Revolution
People For Bernie
Progressive Change Campaign Committee
Progressive Democrats of America
Public Leadership Institute
RAICES Action
Revolving Door Project
RootsAction.org
Social Security Works
Sunrise Movement
UltraViolet
United We Dream Action
#VOTEPROCHOICE
Women's March
Youth Caucus of America
Youth vs Apocalypse

1. "Trump Taps Amy Coney Barrett — Memo Lays Out Tactics for Opposition," Ryan Grim, The Intercept (Sept. 24, 2020), <https://theintercept.com/2020/09/24/memo-laying-out-delay-tactics-circulates-among-senate-democrats/>

2. While we agree that the House of Representatives is able to act remotely and that the U.S. Constitution permits remote deliberations, the terms of House Resolution 965 require many Members to be physically present and Senator McConnell has stated that he will not recognize House actions undertaken with fewer than a majority of Members physically present. The House would be wise to update the resolution to allow for expanded remote deliberations during the COVID-19 pandemic, the timing of which coincides with the likely nomination fight. In addition, a measure sent over from the House under a revised resolution may provide additional leverage with respect to Senate proceedings.