



United States Senate

November 12, 2020

The Honorable Lindsey O. Graham
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Graham:

Now that the 2020 election has concluded, it is clear that the American people have overwhelmingly rejected a second term for President Trump. President-Elect Joe Biden and Vice President-Elect Kamala Harris are already implementing their transition plan. As of the date of this letter, the Biden-Harris ticket is on track to receive 306 electoral votes and has already garnered the votes of more than 77 million Americans. In light of that, it is imperative that the Judiciary Committee cease to process judicial nominations and allow President-Elect Biden the opportunity to appoint judges following his inauguration on January 20, 2021.

Although processing judicial nominations is one of the Committee's principal responsibilities, the Committee's long and established tradition in presidential election years is to halt consideration of judicial nominees after Election Day.

Going back to 1984, the Committee has only twice held a nominations hearing in the lame duck period of a presidential election year — once in 2004, following President George W. Bush's reelection, and once in 2012, following the reelection of President Obama. Unlike Presidents Bush and Obama, President Trump has lost his reelection bid.

The Committee should accordingly cease to process judicial nominations and allow the Biden-Harris Administration the opportunity to appoint judges after Inauguration Day.

Sincerely,

A handwritten signature in blue ink that reads "Dianne Feinstein".

Dianne Feinstein
United States Senator