

United States Senate

September 30, 2020

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

Dear Chairman Graham:

On September 19, we wrote to ask you not to consider any nominee to fill Justice Ginsburg's seat until after the presidential inauguration. Now that Judge Barrett has formally been nominated, we write to object to the timeline you unilaterally laid out for consideration of her nomination, and we renew our objections to processing Judge Barrett's nomination to the Supreme Court.

The President announced his intent to nominate Judge Barrett on the evening of Saturday, September 26. According to the schedule you have announced to the press, the Committee will begin Judge Barrett's confirmation hearing on Monday, October 12, just 16 days after the President's announcement. Moreover, the Committee only received Judge Barrett's Senate Judiciary Questionnaire (SJQ) and attachments, which are a critical part of the review process, last night—just thirteen days before the first scheduled hearing on the nomination.

This timeline is a sharp departure from past practice. Even more, it undercuts the Senate's ability to fulfill its advice and consent role and deprives the American people of a meaningful opportunity to gauge the nominee and her record for themselves.

Specifically, the timeline you have set calls into question the following:

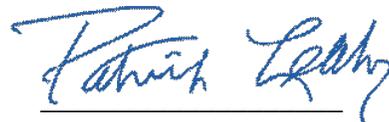
1. The FBI's ability to thoroughly vet the nominee and her background as part of the background investigation (BI) process;
2. The production and review of documents that may bear on the nominee's fitness for appointment to the Supreme Court;

3. Adequate time to review the nominee's entire record;
4. Adequate time for questioning the nominee, including through the submission of written Questions for the Record (QFRs).

The timeline for consideration of Judge Barrett's nomination is incompatible with the Senate's constitutional role. We again urge you to delay consideration of this nomination until after the presidential inauguration. The Senate and the American public deserve a deliberative, thorough process, and this falls far short.

Sincerely,


DIANNE FEINSTEIN
Ranking Member


PATRICK LEAHY
United States Senator


RICHARD J. DURBIN
United States Senator


SHELDON WHITEHOUSE
United States Senator


AMY KLOBUCHAR
United States Senator


CHRISTOPHER A. COONS
United States Senator


RICHARD BLUMENTHAL
United States Senator


MAZIE K. HIRONO
United States Senator


CORY A. BOOKER
United States Senator


KAMALA D. HARRIS
United States Senator