

TAMMY BALDWIN
WISCONSIN

United States Senate
WASHINGTON, DC 20510-4906

COMMITTEES:
APPROPRIATIONS
BUDGET
HEALTH, EDUCATION,
LABOR, AND PENSIONS
HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

August 4, 2016

Mr. James Owczarski
City Clerk of Milwaukee
200 East Wells Street
Milwaukee, Wisconsin 53202

Dear Mr. Owczarski:

Thank you for contacting me about filling the U.S. Supreme Court vacancy created by the death of Justice Antonin Scalia. I appreciate you sharing the City of Milwaukee Common Council's resolution expressing support for Judge Merrick Garland, President Barack Obama's nominee for that position.

It is the unique constitutional design for the United States Senate to advise and consent on nominations that the President offers. I take this responsibility very seriously. Unfortunately, Senate Majority Leader Mitch McConnell (R-KY) and Senate Judiciary Committee Chairman Chuck Grassley (R-IA) have both publicly stated that they will categorically refuse to bring forward for consideration any nomination made by President Obama for this seat. Both Senators made this declaration even before the President announced his nominee. This is a grave breach of Senate norms. It is standard practice when a vacancy occurs on the Supreme Court for the Senate to do its job and consider the nomination of a replacement, regardless of who the sitting President may be or how soon a presidential election may occur. It is time for all Senators to put politics aside and do their jobs by giving the President's nominee fair consideration and an up or down vote on the Senate floor.

The U.S. Supreme Court, as a coequal branch of Federal government, serves the essential function of resolving questions of law which affect every aspect of our Nation. Forcing the Supreme Court to function with only eight Justices risks creating numerous instances in which the Justices are evenly divided as to the outcome of the case. This undermines the Court's constitutional function as the final arbiter of the law.

On March 16, the President nominated Judge Merrick Garland, who currently serves as Chief Judge of the United States Court of Appeals for the District of Columbia Circuit, to fill the Supreme Court vacancy. I am pleased the President has taken this step and look forward to doing my job by reviewing Judge Garland's experience and qualifications for our highest court. To fulfill the Senate's constitutional responsibility of "advice and consent", I urged my colleagues on the Senate Judiciary Committee to hold hearings and deliberate upon the President's nominee.

Although I am not a member of the Senate Judiciary Committee, I stand ready to work with my colleagues to ensure that the President's nominee receives full and fair consideration in Senate.

I appreciate knowing of your support for the confirmation of Judge Garland's nomination. I was elected to put progress ahead of politics and I will continue to fight this obstructionism regarding the current vacancy on the U.S. Supreme Court.

Once again, thank you for contacting my office. It is important for me to hear from the people of Wisconsin on the issues, thoughts and concerns that matter most to you. If I can be of further assistance, please visit my website at <http://www.baldwin.senate.gov> for information on how to contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Baldwin". The signature is written in a cursive, flowing style.

Tammy Baldwin
United States Senator

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