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LDF Statement on Confirmation of Judge Amy Coney Barrett to the United States Supreme Court

Today, Sherrilyn Ifill, President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), issued the following statement regarding the confirmation of Judge Amy Coney Barrett to the United States Supreme Court:

“Today’s vote confirming Judge Amy Coney Barrett for a lifetime appointment to the United States Supreme Court completes a process that from its very beginning – just days after the death of Justice Ruth Bader Ginsburg – has been an utter travesty. It comes amid a general election in which more than 62 million Americans have already cast votes to decide the direction of our country. It also arrives even though the Senate has refused to take up legislation passed in the House months ago to provide desperately needed relief for those suffering the health and financial effects of the COVID-19 pandemic.

“Judge Barrett was nominated and confirmed at warp speed — an unheard of 30 days — in an embarrassingly politicized process that shredded Senate norms and rules, and contradicted the principles set down by Republican leadership in 2016 when they refused to even consider the nomination of Judge Merrick Garland to the Supreme Court. In confirming Judge Barrett, Senate Republicans have made a mockery of the Senate’s constitutional duty to provide ‘advice and consent’ on judicial nominations — one of the Senate’s most consequential exercises of constitutional authority.

“The losers are the American people, whose desire to see the next president — whoever he might be — select the justice to fill this seat has been completely ignored, and who continue to await Senate action on a COVID-19 relief bill, as the effects of the pandemic decimate our economy. Americans have instead watched as the Senate Majority Leader callously prioritized the fast-tracked advancement of Judge Barrett’s nomination over addressing the health, economic, and housing crises that have significantly impacted the nation, and even over the health and safety of members of the Senate.

“The reputation of the Supreme Court and our federal courts are also harmed by the Senate Majority Leader’s ongoing cavalier treatment of the constitutional ‘advice and consent’ authority to approve Article III judges, which has been undertaken with increasing haste and minimal vetting. Even as the Barrett nomination was under consideration, Senate Republicans continued confirming judicial nominees at breakneck speed, including those deemed ‘unqualified’ by the American Bar Association.

“Finally, the consequences of this decision to confirm Judge Barrett — especially for people of color and other marginalized groups — cannot be overstated. With Judge Barrett’s addition to the court, numerous longstanding civil rights protections are imminently under

threat. The integrity of this election, the protections of the Voting Rights Act, access to health care under the Affordable Care Act, affirmative action, and abortion rights all hang in the balance.

“This is a grave and precarious time for our country. This episode demonstrates the need for transparency, accountability, and reform in our judicial nomination and confirmation process in order to safeguard our democracy, as the trajectory of this country for generations to come is being molded at this moment.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.