

National Hispanic Leadership Agenda

March 9, 2016

The Honorable Mitch McConnell
Senate Majority Leader
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Chuck Grassley
Chairman, Senate Judiciary
135 Hart Senate Office Building
Washington, DC 20510

Re: Urgent Need for the Senate to Consider and Vote on a Presidential Supreme Court Nominee

Dear Senators:

On behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of 40 leading Hispanic advocacy organizations in the United States, we write to express our deep frustration with your current position to refuse to allow proper vetting, a hearing, or a floor vote for any nominee made by the President to the Supreme Court of the United States. Our coalition includes a broad range of perspectives, as indicated by the members listed, and the board voted **unanimously** to urge you to fulfill your constitutional duties and move a candidate through the process to an eventual floor vote, once a nominee has been named.

The consideration of Supreme Court nominees is a fundamental constitutional responsibility of the Senate. The refusal to hold a hearing or meet with a nominee to the Supreme Court is a clear dereliction of duty, and inconsistent with normal order of the Senate. The politicization of the current vacancy and the President's duty to nominate a Supreme Court justice violates the very principles of order and rule of law that uphold our Constitution and values as a nation.

The Constitution states that with advice and consent of the Senate, the President shall appoint justices to the Supreme Court.¹ This language provides no constitutional or legal argument for the Senate to deny any deliberation, hearing, or vote on a nominee to the Court. By choosing to act in direct contradiction of its constitutional responsibilities, this Senate is choosing to place politics above the rule of law and justice, which is a threat to the democratic process each Senator has vowed to protect.

The impact of Senate inaction will ultimately fall on everyday Americans, whose issues and cases appear before the Court. The nation relies on a fully-staffed and fully-functioning Court to resolve matters conclusively and in a timely manner. Saddling the court with only eight justices for possibly two terms, potentially preventing the court from making decisive rulings on those questions of utmost concern to the public, can only be perceived as a self-serving maneuver that compromises our justice system and constitutional values. The Latino community is acutely aware of the need for a fully constituted Court because of the cases now and in the future that directly affect us, including a number of cases coming out of Texas, where Latinos make up 38 percent of the population.

¹ U.S. CONST. art. II, § 2, cl. 2.

MEMBER ORGANIZATIONS


Alianza Americas
American G.I. Forum
ASPIRA Association
Avance Inc.
Casa de Esperanza: National Latin@ Network
Congressional Hispanic Caucus Institute
Cuban American National Council
Farmworker Justice
Hispanic Association of Colleges & Universities
Hispanic Federation
Hispanic National Bar Association
Inter-University Program for Latino Research
Labor Council for Latin American Advancement
Latino Justice PRLDEF
League of United Latin American Citizens
MANA, A National Latina Organization
Mexican American Legal Defense and Educational Fund
National Association of Hispanic Federal Executives
National Association of Hispanic Publications
NALEO Educational Fund
National Association of Latino Independent Producers
National Conference of Puerto Rican Women, Inc.
National Council of La Raza
National Hispana Leadership Institute
National Hispanic Caucus of State Legislators
National Hispanic Council on Aging
National Hispanic Environmental Council
National Hispanic Foundation for the Arts
National Hispanic Media Coalition
National Hispanic Medical Association
National Institute for Latino Policy
National Latina Institute for Reproductive Health
National Puerto Rican Coalition Presente.org
SER Jobs for Progress National
Southwest Voter Registration Education Project
United States Hispanic Chamber of Commerce
United States Hispanic Leadership Institute
United States-Mexico Chamber of Commerce
U.S.- Mexico Foundation

There remains more than sufficient time to consider, vet, and vote on a nominee. Over the past four decades, the time from nomination to confirmation has averaged 67 days. Moreover, no nominee has waited more than 125 days for a confirmation vote. We fully expect the Senate to live up to its fundamental constitutional obligations by holding a hearing and taking a vote on the President's nominee, and to reverse your position of obstructionism and delay. Just as millions of Americans go to work each day, the Senate must do the same, and must show the country that it is capable of carrying out its basic functions for the good of the country.

Sincerely,



Hector Sanchez
Chair, NHLA
Executive Director, LCLAA



Thomas A. Saenz
Vice-Chair, NHLA
President and General Counsel, MALDEF