



# Durbin Votes Against Nomination Of Justin Walker To D.C. Circuit Court In Senate Judiciary Committee

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WASHINGTON – During today’s Senate Judiciary Committee markup, U.S. Senate Democratic Whip Dick Durbin (D-IL) voted against the nomination of Justin Walker to the D.C. Circuit Court. Durbin argued that Walker was nominated for this lifetime appointment to the second highest court in the land for two main reasons: because he’s a family friend of Senate Majority Leader Mitch McConnell (R-KY), and because he’s an outspoken critic of the *Affordable Care Act* (ACA). Durbin also called out Senate Republicans for continually rubber-stamping judicial nominees who have written articles or spoken about their hostility to the *Affordable Care Act*, especially in the midst of a public health crisis.

“When it comes to the nomination of Justin Walker to the D.C. Circuit—the second highest court in the land—can we be honest for a moment here among ourselves? Can anyone here say with a straight face that this 38-year-old individual with no practical courtroom experience and a few months’ on the job as a district court judge in the Commonwealth of Kentucky is the best person for this job? Anybody? He’s not, and we know it,” Durbin said. “Justin Walker is in line for this lifetime appointment to the second highest court in the land for two main reasons: He’s a family friend of Senator McConnell, and he’s an outspoken critic of the *Affordable Care Act*.”

Durbin continued, “Make no mistake: the nomination of Justin Walker is not only a personal favor to the Republican Leader, it is a direct attack on the *Affordable Care Act* in the midst of a public health crisis in America. I oppose this nomination.”

Video of Durbin’s remarks in Committee are available [here](#).

Audio of Durbin’s remarks in Committee is available [here](#).

Footage of Durbin's remarks in Committee is available [here](#) for TV Stations.

On July 2, 2018, Walker wrote a column in The Federalist publication in which he described the Supreme Court's decision in *NFIB v. Sebelius*, which upheld the constitutionality of the ACA as an exercise of Congress's tax power, as "an indefensible decision." He also wrote that the Court's rationale in that case was, "catastrophically accepted." And while Walker was a sitting federal judge, he publicly mocked the rationale of the *NFIB* decision during his ceremonial investiture in March 2020.

Durbin previously asked Judge Walker in writing during his district court confirmation process if he would commit to recuse himself from cases involving challenges to the ACA's constitutionality. He refused to make that commitment.