

Durbin: Senate Republicans' Reversal on Filling Supreme Court Vacancy During Presidential Election Year Is Thinly-Veiled Effort to Destory Affordable

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WASHINGTON – During today's Senate Judiciary Committee markup, U.S. Senate Democratic Whip Dick Durbin (D-IL) argued that Senate Republicans' reversal on filling a Supreme Court vacancy in a presidential election year is a thinly-veiled effort to destroy the Affordable Care Act (ACA) after numerous failed attempts to abolish the health care law in Congress.

With President Trump and Senate Majority Leader Mitch McConnell (R-KY) actively working to dismantle the ACA's coverage and pre-existing condition protections for

tens of millions of Americans in the middle of a pandemic, Durbin emphasized the dangerous repercussions of filling this judicial vacancy without voters' input as the Supreme Court is scheduled to hear oral arguments on the constitutionality of the law just one week after the November 3, 2020, election.

In 2015, President Trump [tweeted](#), "If I win the presidency, my judicial appointments will do the right thing unlike Bush's appointee John Roberts on ObamaCare."

"It's clear that Republicans want to have a new justice... handpicked by President Trump," Durbin said. "We know why the rush is on. It is because of the case of *California v. Texas* and the need to have someone on the bench who decides, as the President wishes, to take away the health insurance coverage of 20 million Americans – including 600,000 in my home state of Illinois. Tens of millions of Americans with pre-existing conditions—including five million in my state—would lose protections that the Affordable Care Act gives them."

Durbin continued, "What a bitter irony that at this moment, in the middle of a raging pandemic, Senator McConnell can't even be bothered to come to the negotiating table to work on a COVID-19 relief package. But it seems he'll spare no effort to rush through a nominee to sit on the Supreme Court when Republicans try to wipe out the critical health care protections in the Affordable Care Act."

Durbin also slammed his Senate Republican colleagues for defying Justice Ginsburg's fervent wish and attempting to fill her Supreme Court seat this year, hypocritically breaking their own rule that "the American people should have a voice" in filling Supreme Court vacancies in presidential election years.

"On February 23, 2016, four years ago, every Republican member of this Committee signed a letter—put it in writing—that a Supreme Court vacancy created by Justice Scalia's death in that election year should not be filled until after the American people spoke in that election. That letter was sent 259 days before Election Day. The letter noted 'the election is well underway,' 259 days in advance, four years ago, and said this decision was, 'born of a necessity to protect the will of the American people.' Now, Republicans on this Committee are saying exactly the opposite. There is pain in your face as you stand before the microphone and hear your words read back to you that you said just four years ago."