

Durbin: Affordable Care Act, Gun Safety Laws, Voting Rights, Election Integrity At Stake With This Supreme Court Nomination

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WASHINGTON – On the third day of the Supreme Court nomination hearing for Judge Amy Coney Barrett, U.S. Senate Democratic Whip Dick Durbin (D-IL), a member of the Senate Judiciary Committee, once again emphasized the dangerous repercussions of filling this judicial vacancy without voters' input as the Supreme Court is scheduled to hear oral arguments on the fate of the Affordable Care Act (ACA) just one week after the November 3, 2020, election.

Durbin shared the health care story of Buffalo Grove, Illinois, resident Jared Ray, who has relied upon protections enshrined in the ACA to access lifesaving health care treatments. Earlier this year, Jared, 20, began experiencing increasingly severe headaches. A CT scan revealed a mass on Jared's brain and he was immediately transported to Evanston Hospital for emergency surgery. Jared was diagnosed with medulloblastoma, a cancerous brain tumor on the cerebellum—prompting him to undergo proton radiation and chemotherapy treatments that have totaled more than \$700,000. Before the ACA, health insurance plans typically imposed lifetime limits on

the amount of benefits they would pay for. Fortunately, the ACA eliminated those lifetime limits, prohibited insurance companies from declining coverage for patients with pre-existing conditions, and has allowed Jared to remain covered by his mother Mary's employer-based insurance until the age of 26.

“When sharing her son's story, his mom Mary noted that, ‘Any parent would be shocked and terrified in this situation. If the ACA is abolished and if my employer elects not to offer coverage for dependents up until age 26, that puts Jared at risk for being uninsured and also uninsurable, because he will have a preexisting condition.’ Jared's father added, ‘Jared would not have access to this type of care if it were not for ACA, because he wouldn't be insured. It's been a huge benefit,’” Durbin said. “President Trump has been open in acknowledging that he wants another nominee on the Court to strike down the ACA... it is an orange cloud over your nomination... I'm afraid of the impact of that repeal on people like Jared.”

During today's questioning, Durbin also pressed Judge Barrett on whether or not the Constitution gives the President of the United States the authority to unilaterally delay an election and whether the President has the authority to unilaterally deny someone's right to vote based on race. Judge Barrett refused to directly answer either question.

Durbin also again pressed Judge Barrett on the 2019 7th Circuit case *Kanter v. Barr*, where Judge Barrett dissented from an opinion by two other Republican-appointed judges on the question of gun possession by convicted felons. In her dissent, Judge Barrett attempted to distinguish felony disenfranchisement laws, which bar people convicted of felonies from voting, from felony gun possession laws. She drew this distinction on the grounds that, among other things, voting is a civic right that historically “belonged only to virtuous citizens,” and that the right to bear arms is not.

“You concluded that any felony can take away your right to vote, but only a ‘violent’ felony can take away your right to purchase an AK47,” Durbin said. “Do you understand why I read your lengthy dissent... and you say to Rickey Kanter ‘sorry you can't vote anymore, but buy any guns you wish—we treat those rights differently.’ Can you see why that would be troubling?”