

## **YES, THE SENATE CAN SAFELY HOLD CONFIRMATION HEARINGS**

### **FALSE CLAIM: “JUDGE BARRETT’S CONFIRMATION HEARING MUST BE DELAYED DUE TO THE PANDEMIC”**

- Over the weekend, Senate Democrats and their media allies have called for delaying Judge Barrett’s confirmation hearings, this time due to “concerns” about the viral pandemic because at least three members of the Senate have tested positive for the virus.
- Here’s how the *Washington Post* described it on Sunday, October 4:

Sensing an opportunity to delay, Democrats are cranking up their push to postpone the Oct. 12 confirmation hearings, citing the safety of members, aides and Barrett herself — waging a public pressure campaign because they have no powers on their own to stop the proceedings.

Source: Seung Min Kim, “Positive tests for senators raise doubts about fast-track confirmation of Trump’s Supreme Court choice,” *Washington Post* (Oct. 4, 2020).

### **THE TRUTH: THESE ARE JUST MORE DELAY TACTICS, AND THE SENATE CAN SAFELY MOVE FORWARD AS PLANNED**

- The Senate Judiciary Committee is well-equipped to perform its work while protecting senators and Judge Barrett, including by holding hearings remotely if necessary.
- The Senate Judiciary Committee has already held 21 hearings this year where one or more senators, witnesses, or both appeared remotely. Several of these hearings were for lifetime appointees to the federal judiciary.
- At least nine members of the Senate Judiciary Committee—including six of the Committee’s ten Democrats—have appeared at Senate Judiciary Committee hearings remotely this year.
- Senate Democrats have opposed Judge Barrett’s nomination since before it was even announced.
- Last week, before any senator had tested positive for the virus, the ten Democrats on the Senate Judiciary Committee called again for the Senate to delay any hearings on Judge Barrett until January next year. They aren’t asking for a delay this week because of new concerns about the pandemic; they are just using the pandemic as another excuse to delay Judge Barrett’s confirmation.
- Senate Judiciary Chairman Lindsay Graham has confirmed that the Judiciary Committee will continue to do its job and will begin Judge Barrett’s confirmation hearing on October 12.