

August 31, 2016

The Honorable Senator Marco Rubio
5201 West Kennedy Boulevard Suite 530
Tampa, FL 33609

Dear Senator,

Florida Consumer Action Network (FCAN) is today delivering to you a message from some of your constituents. As a member of the Florida Why Courts Matter coalition, FCAN staff spent all of August talking to Floridians about the crisis of vacancies in Florida's Federal courts and the U.S. Supreme Court. FCAN captured and tweeted daily #DoYourJob messages from Floridians to you. A collage of these 31 days of action is being delivered today.

Despite the urgent need to fill judicial vacancies among Florida's federal courts, you are blocking nominations for no reason other than politics. Meanwhile, as long as these judgeships remain vacant the understaffed judiciary builds a backlog of cases, delaying justice for Floridians. Your obstruction has helped slow confirmations to a snail's pace. The Senate is on track to confirm the fewest number of judges since 1953.

While the Senate was in its longest recess of the year this summer, we crossed an unfortunate threshold in American history: no Supreme Court nominee has ever waited this long for consideration from the Senate. As of September 7, 2016, the President's Supreme Court nominee, Chief Judge Merrick Garland, will have waited 175 days for consideration by the Senate.

To this point, the record for the longest ever confirmation process for a Supreme Court justice is held by Justice Louis Brandeis. From nomination to a final confirmation vote, Justice Brandeis' confirmation process waited 125 days. That was in 1916.

Nothing in the Constitution or American history suggests that the President's duty to appoint a Supreme Court Justice nominee—or the Senate's duty to provide advice and consent on that nominee—should be abdicated during a presidential election year. In fact, throughout American history, the Senate has *never* denied a President's Supreme Court nominee a hearing before the Senate Judiciary Committee.

We call on you, Senator Rubio, to **do your job**, and get these nominations moving. Demand a vote in the Senate Judiciary Committee as soon as possible.

Sincerely,

Susan McGrath
FCAN Executive Director