

**Senator Elizabeth Warren**  
**Floor Speech on the Republican Blockade of Any Supreme Court Nominees**  
**March 9, 2016**

There's a vacancy on the most important court in America – and the message from Senate Republicans is crystal clear.

Forget the Constitution. It doesn't matter who President Obama nominates because the Republicans will allow no votes on that nominee. They will hold no hearings on that nominee. Their response to one of the most solemn and consequential tasks that our government performs – the confirmation of a Supreme Court Justice – will be to pretend that the nominee, and President Obama himself, simply do not exist—cannot see them, cannot hear them.

At the same time that they are blocking all possible Supreme Court nominees, Senate Republicans are in a panic because their party seems to be on the verge of nominating one of two extremists for President. Two candidates who think nothing about attacking the legitimacy of their political opponents, and demeaning millions of Americans. Two candidates whose extremism, Republicans worry, will lead their party to defeat in November.

Now, these are not separate issues. They are the same issue. If Republican senators want to stand up to extremists running for President, they can start right now by standing up to extremists in the Senate. They can start by doing what they were elected to do right here in the Senate. They can start by doing their jobs.

The refusal of Republican Senators to execute the most basic constitutional duties of their office is shocking – but it is not new.

Article II, Section 2 of the Constitution says that the President of the United States shall nominate judges, executive officials, and justices to the Supreme Court, with the advice and consent of the Senate. There is no secret clause that says "...except when that President is a Democrat."

But for seven years, that is how Republicans in the Senate have acted. Since the first day of the Obama presidency, Republican Senators have bowed to extremists who reject his legitimacy and abuse the rules of the Senate in an all-out effort to cripple his Administration and to paralyze the federal courts.

The Constitution directs senators to provide advice and consent on the President's nominees, and every senator swore an oath to uphold the Constitution. If senators object to a nominee's qualifications, they can vote no and explain themselves to the American people. President

Obama and I are members of the same political party, but I haven't agreed with every single nomination he's made—and I haven't been shy about it. But that's how advice and consent works: learn about the nominees, and then use your best, good faith judgment about their qualifications.

But Republican extremists aren't voting against individuals based on a good faith judgment about a specific person. No, they are blocking votes wholesale in order to keep those jobs vacant and undermine the government itself.

For years, Republicans have executed a strategy to delay votes on confirming government officials across the board. In 2013, only one year into President Obama's second term, Republican leaders flatly rejected his authority to confirm *any* judges to fill *any* of three open seats on the second-highest court in the country, and Democrats had to change the filibuster rules in order to move those nominees forward. Once Republicans took over the Senate in 2015, judicial confirmations nearly ground to a halt.

And it's not just judges. For months after the President won re-election, Republicans held up his nominees to run the Department of Labor and the EPA, largely on the suspicion that those highly qualified individuals might actually help those agencies do their work.

For years, Republicans held up nominees to the National Labor Relations Board – even Republican nominees – in order to cripple the ability of that 80 year-old agency to resolve disputes between workers and their bosses.

For years, Republicans held up the President's choice to run the Consumer Financial Protection Bureau, refusing to confirm anyone unless the President would agree to gut the agency.

Republicans regularly hold up the confirmation of dozens of ambassadors, undermining our national security and our relationships with other nations.

Last year, Republicans blocked confirmation of the Attorney General, the highest law enforcement official in this country, blocked her for 166 days – that's longer than it took the Senate to consider the prior seven Attorneys General combined.

For more than a year, the Republican Chairman of the Banking Committee hasn't held a single vote on *any* of the sixteen Presidential nominees sitting on his desk, not even nominees who are critical to maintaining the financial stability of this country or the ones who are responsible for choking off the flow of money to ISIS.

The message couldn't be clearer: no matter how much it damages the nation, no matter how much it undermines the courts, no matter whether it cripples the government or lays waste to our Constitution, Senate Republicans do pretty much everything they can to avoid acknowledging the legitimacy of our democratically-elected President.

For too long, Republicans in this Senate wanted to have it both ways: they want to feed the ugly lies and nullify the Obama Presidency while also claiming that they can govern responsibly.

Well, that game is over. Candidates motivated by bigotry and resentment – candidates unable to govern - candidates reflecting the same extremism that has been nursed along for seven years right here in the United States Senate - are on the verge of winning the Republican Party's nomination for President, and now Republican Senators must make a decision.

Because here's the deal – extremists might not like it, but Barack Obama won the Presidency in 2008 by nine million votes. He won re-election in 2012 by five million votes. There were no recounts and no hanging chads, no stuffing the ballot box or tampering with voting machines, no intervention by the United States Supreme Court. No. President Obama was elected the legitimate President seven years ago, and he is the legitimate President right now.

So if it's true that some Republican Senators are finally ready to stand up to the extremism that denies the legitimacy of this President and of the Constitution, I say to you:

Do your job: Vote on a Supreme Court nominee.

Do your job: Vote on District Court judges and Circuit Court judges.

Do your job: Vote on ambassadors.

Do your job: Vote on agency leaders and counterterrorism officials.

If you want to stop extremism in your party, you can start by showing the American people that they you respect the President of the United State and the Constitution enough to do your job, right here, in the United States Senate.