

McConnell: Trump's Supreme Court nominee 'will receive a vote on the floor of the United States Senate'

Ginsburg, 87, died Friday from complications surrounding metastatic pancreas cancer.

Senate Majority Leader Mitch McConnell said unequivocally Friday night that President Trump's Supreme Court nominee to fill the vacancy of late Justice Ruth Bader Ginsburg "will receive a vote on the floor of the United States Senate."

Ginsburg, 87, died Friday from complications surrounding metastatic pancreas cancer.

"The Senate and the nation mourn the sudden passing of Justice Ruth Bader Ginsburg and the conclusion of her extraordinary American life," McConnell said in a statement Friday.

"In the last midterm election before Justice Scalia's death in 2016, Americans elected a Republican Senate majority because we pledged to check and balance the last days of a lame-duck president's second term. We kept our promise," McConnell continued. "Since the 1880s, no Senate has confirmed an opposite-party president's Supreme Court nominee in a presidential election year."

McConnell added that "by contrast, Americans reelected our majority in 2016 and expanded it in 2018 because we pledged to work with President Trump and support his agenda, particularly his outstanding appointments to the federal judiciary."

"Once again, we will keep our promise," he said. "President Trump's nominee will receive a vote on the floor of the United States Senate."

SUPREME COURT JUSTICE RUTH BADER GINSBURG DIES AT 87

In May 2019, McConnell, R-Ky., made clear that should a vacancy materialize in

the midst of the 2020 election cycle, the GOP-majority Senate would likely “fill it.”

McConnell’s comments last year were met with criticism from Democrats who accused him of hypocrisy, based on the treatment of former President Barack Obama’s Supreme Court nominee and D.C. Circuit Court of Appeals chief Judge Merrick Garland.

Obama nominated Garland to replace the late Justice Antonin Scalia, who passed away in 2016, but McConnell and Senate Republicans refused to hold a hearing or vote on his nomination, citing the imminent 2016 presidential election.

Speaking to Fox News last year, McConnell suggested his stance was not hypocritical — because in 2020, Republicans would control both the White House and the Senate, unlike Democrats in 2016, who controlled only the White House.

“You have to go back to 1880s to find the last time a Senate controlled by a party different from the president filled a vacancy on the Supreme Court that was created in the middle of a presidential election year,” McConnell told Fox News.

FLASHBACK: MCCONNELL VOWS TO FILL A SUPREME COURT VACANCY DURING ELECTION YEAR

But the nomination and confirmation process for the latest addition to the high court, Justice Brett Kavanaugh, took 89 days total for confirmation. It took 57 days from Kavanaugh’s nomination to his confirmation hearing.

There are 45 days until Election Day.

But Senate Minority Leader Chuck Schumer, D-N.Y., on Friday night said Ginsburg’s vacancy should not be filled until “we have a new president.”

“The American people should have a voice in the selection of their next Supreme Court justice,” Schumer, D-N.Y., tweeted Friday. “Therefore, this vacancy should not be filled until we have a new president.”

There was an active vacancy after the death of Scalia in 2016, but the next presidential term could be even more significant for Supreme Court nominations.

Ginsburg’s death leaves a vacancy; and several other justices are over 70, including Justice Stephen Breyer is 82; Clarence Thomas is 72; and Justice

Samuel Alito is 70.

Meanwhile, President Trump last week announced a list of more than 20 people he would consider nominating to the Supreme Court.

TRUMP'S SUPREME COURT LIST: POTUS REVEALS LIST OF MORE THAN 20 PEOPLE HE'D CONSIDER NOMINATING

Top contenders, prior to Ginsburg's passing, included Judge Amy Coney Barrett of the 7th Circuit U.S. Court of Appeals; Judge Britt Grant of the 11th Circuit U.S. Court of Appeals; Judge Amul Thapar of the U.S. Court of Appeals for the 6th Circuit; Judge Steven Colloton of the 8th Circuit U-S Court of Appeals; Judge Allison Eid of the 10th Circuit U.S. Court of Appeals; Judge Raymond Gruender of the 8th Circuit U-S Court of Appeals; Judge Thomas Hardiman of the 3rd Circuit U-S Court of Appeals; Judge Raymond Kethledge of the 6th Circuit U-S Court of Appeals; Judge Joan Larsen of the 6th Circuit U.S. Court of Appeals; Judge Barbara Lagoa of the 11th Circuit U.S. Court of Appeals; Justice Thomas Lee of the Utah Supreme Court; Judge David Stras of the 8th Circuit U.S. Court of Appeals; Judge Allison Jones Rushing of the 4th Circuit U.S. Court of Appeals; and Judge Don Willett of the 5th Circuit U.S. Court of Appeals.

Meanwhile, Ginsburg, who passed away late Friday, was appointed to the Supreme Court in 1993 by President Bill Clinton, spent more than two decades on the bench, and is survived by her two children Jane Carol and James Steven Ginsburg.

Ginsburg battled two forms of cancer in the past, but her health began to take a downturn in December 2018 when she underwent a pulmonary lobectomy after two malignant nodules were discovered in the lower lobe of her left lung.

On Jan. 7, 2019, the Court announced she would miss oral arguments that day for the first time since she joined as she continued to recuperate from that surgery.

Fox News' Shannon Bream, Bill Mears and Chad Pergram contributed to this report.

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