

U.S. SENATOR BEN CARDIN



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Dear Friend,

This week, our nation has been mourning the loss of an icon. The diminutive Ruth Bader Ginsburg – Notorious RBG – was a giant among justices and an icon of those who cherish equality, fairness and the rule of law. Justice Ginsburg was both an inspiration and a trailblazer in every possible sense of the words. After breaking through the countless barriers thrown in her path, she re-defined what it meant to be a both a thoughtful jurist and a dedicated public servant. Her fiery dissents in the Supreme Court were visionary, charting a path of where our country needed to be.

As the [National Women's Law Center](#) wrote about Justice Ginsburg's death, her passing "is cause for us to pause and honor the unparalleled mark she has left on this country. From co-founding the ACLU's Women's Rights Project, to bringing the first case striking down a law that discriminated against women, to building the case that defined the standard for sex discrimination cases, Ginsburg was a visionary who revolutionized the gender equality movement – and the law – long before becoming a Supreme Court justice. For our country, Ginsburg's ethos was greater than just the law."

As we honor Justice Ginsburg's accomplishments and her legacy, it's important that everyone in our country understand what a difference the Supreme Court of the United States has on our lives and what is at stake as we look at who will take her seat.

The choice of a new associate justice will affect your health care. This is not hypothetical. On November 10, the Supreme Court is scheduled to hear arguments on the constitutionality of the Patient Protection and Affordable Care Act (ACA). The president has tried repeatedly to repeal the ACA. He has made it more difficult for individuals to access affordable, high-quality health plans and receive the full benefits and consumer protections of the law. Now, he plans to install on the highest court a person who will rule the way he wants them to rule.

We are in the middle of a pandemic and President Trump continues to do all he can to take away health coverage from millions of Americans.

[Protections for more than 133 million individuals with pre-existing conditions are at risk.](#) Common conditions that insurers consider pre-existing conditions include cancer, diabetes, high blood pressure, behavioral health disorders, high cholesterol, asthma/chronic lung disease, heart conditions, and numerous others. Health care for women will be at risk because pregnancy is considered a pre-existing condition.

If the Affordable Care Act is struck down, insurers could bring back annual and lifetime limits on coverage, adults covered by Medicaid expansion would lose vital health services,. Young people would be kicked off their parent's insurance. Issuers could sell skimpy plans that don't cover essential health benefits like prescription drugs, emergency room visits, mental health and substance use, and maternity care.

The Affordable Care Act increased access to care for millions who previously were uninsured or underinsured. Through Medicaid expansion, 13 million low-income Americans now have dependable, comprehensive health. In Maryland alone, over 1.3 million low-income individuals depend on Medicaid, including 512,000 low-income children, 107,000 seniors, and 152,000 individuals with disabilities.

And Roe v. Wade will be in the cross hairs, yet again. The rights of the LGBTQ community also will be at risk. With Justice Ginsburg's death, these and so many other rights hang in the balance, with a potential change to a 6-3 conservative majority.

It would not take much for the Supreme Court to upend the lives of millions of Americans at once.

On Friday, a new [Washington Post-ABC poll](#) was released indicating that a majority of Americans – 57 percent – think filling Justice Ginsburg's vacancy on the Supreme Court should be done by whoever wins the election in November. Only 38 percent said it should be filled now.

Four years ago, [Mitch McConnell](#), who controls the schedule in the Senate, agreed with the American people. Faced with a vacancy a full nine months from Election Day, he said: “The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until we have a new president.”

This Saturday, the president is scheduled to announce his choice to fill Justice Ginsburg’s seat on the court, before Justice Ginsburg is even buried next week. We are barely one month away from Election Day. There is no honor or fairness in the way Leader McConnell and President Trump are proceeding to fill this seat. Voters have already started to vote in many states. There is no precedent in the history of our nation to fill a Supreme Court vacancy after July of a presidential election year. None.

The hypocrisy of the Republicans who are leading the charge and those who are allowing this to proceed is clear.

The American people think we should wait. Justice Ginsburg’s dying wish, as dictated to her granddaughter, was that “I will not be replaced until a new president is installed.”

So what is next? My fervent hope is that four of my Republicans colleagues will have the courage to stand up and say that this is not right and that we should wait until the American voters have their say. Elections have consequences, so let’s wait and see what the voters have to say.

I urge everyone reading this letter to make sure they are registered to vote and that they have requested an absentee ballot or have made a plan to vote. I expect to fill out my absentee ballot quickly and drop it off at one of the many [official drop boxes](#). Due to COVID-19, things will be very different this year. Be prepared.

In Maryland, the deadline to [register to vote or update your voter registration information](#) is October 13. Although you also may register to vote in person on Election Day, November 3.

Let’s all honor Justice Ginsburg’s legacy by voting. Let’s make sure that every eligible voter has their voice heard loud and clear in this election. Our nation depends on it.

Thank you,



Ben

If you would like to hear more about the Supreme Court and the issues at stake filling this vacancy, please join me with guests Ben Jealous of People for the American Way and Nan Aron of the Alliance for Justice for a Facebook Live session Wednesday, September 30 at 4pm. Also live on YouTube.

WHAT'S AT STAKE
THE NOMINATION FOR THE NEXT U.S. SUPREME COURT JUSTICE


NAN ARON
President, Alliance for Justice


BEN JEALOUS
President, People for the American Way

WEDNESDAY, SEPTEMBER 30, 2020
4:00pm-5:00pm

**JOIN U.S. SENATOR BEN CARDIN
AND GUESTS FOR A VIRTUAL CONVERSATION**

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