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February 13, 2019

Committee on Rules and Administration
United States Senate
Washington, DC 20510

Dear Senator:

On behalf of our three million members and the 50 million students they serve, we strongly urge you to VOTE NO on the Lankford proposal changing Senate rules to limit debate on all federal district court nominees and the vast majority of executive branch nominees — for example, every Senate-confirmed Education Department official except the Secretary herself. Votes associated with this issue may be included in NEA's Report Card for the 116th Congress.

Limiting debate would undermine the Senate's constitutional duty and ability to identify nominees who do not merit confirmation

- The amount of time allotted for debate and consideration of nominees would be slashed from 30 post-cloture hours to two post-cloture hours.
- Several judicial nominees rated "not qualified" by the American Bar Association have advanced, and more are in the pipeline.
- If the proposed change had been in effect, two recent nominees for lifetime judicial appointments — Ryan Bounds to the Ninth Circuit and Thomas Farr to the Eastern District of North Carolina — are likely to have been approved despite their disqualifying records.
- In contrast, the current rules provide sufficient time to vet nominees thoroughly — for example, Tim Kelly, whose nomination to the Education Department was withdrawn in 2017 after his racist and anti-Muslim writings emerged.
- Previous changes in the rules governing debate and consideration of nominees have had bipartisan support, and have been enacted at the beginning of a new Congress.
- Thorough Senate review of nominees is a vital constitutional duty.
- Allowing controversial or unqualified nominees to be approved more quickly would jeopardize the Senate's ability to identify those who do not merit confirmation.

For all of these reasons, we strongly urge you to VOTE NO on the Lankford proposal to change Senate rules.

Sincerely,

Marc Egan
Director of Government Relations
National Education Association