

# **GOP has votes to confirm Trump's Supreme Court pick by Nov. 3, Lindsey Graham says**

**WASHINGTON** - Republicans have the votes to confirm President Donald Trump's Supreme Court pick before the Nov. 3 presidential election, according to the Senate Judiciary chairman who will shepherd the nomination through the chamber.

"The nominee is going to be supported by every Republican in the Judiciary Committee," Chairman Lindsey Graham told Fox News late Monday. "We've got the votes to confirm the justice on the floor of the Senate before the election and that's what's coming."

Trump is expected to announce his choice to replace the late Ruth Bader Ginsburg by week's end, setting off a monumental Senate battle with Democrats, who contend it's too close to the November election.

**Related: Judge Amy Coney Barrett emerges as Supreme Court favorite, Trump to announce pick by weekend**

The president met with conservative Judge Amy Coney Barrett at the White House on Monday and told reporters he would interview other candidates and might meet with Judge Barbara Lagoa when he travels to Florida later this week. Conversations in the White House and Senate Majority Leader Mitch McConnell's office have been increasingly focused on Barrett and Lagoa, according to a person granted anonymity to discuss the private deliberations.

Republicans hold a 53-47 majority in the chamber and can confirm a justice by a simple majority.

Barrett has long been favored by conservatives, and those familiar with the process said interest inside the White House seemed to be waning for Lagoa amid concerns by some that she did not have a proven record as a conservative jurist. Lagoa has been pushed by some aides who tout her political advantages of being Hispanic and hailing from the key political battleground state of Florida.

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Barrett, 48, a judge on the U.S. Court of Appeals for the 7th Circuit, was a strong contender for the seat that eventually went to Brett Kavanaugh in 2018. At the time, Trump told confidants he was "saving" Barrett for Ginsburg's seat.

Before joining the 7th Circuit, she had made her mark in law primarily as an academic at the University of Notre Dame, where she received a law degree and later began teaching at age 30. She clerked at the U.S. Court of Appeals for the District of Columbia Circuit, clerked at the Supreme Court for Justice Antonin Scalia, worked at the Miller, Cassidy, Larroca & Lewin law firm in Washington, D.C., then returned to Notre Dame.

Barrett has long expressed sympathy with a mode of interpreting the Constitution, called originalism, in which justices try to decipher original meanings of texts in deciding cases. Many liberals say that approach doesn't allow the Constitution to change with the times.

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Trump has said he would choose a woman, and he admitted that politics may play a role. He gave a nod to another election battleground state, Michigan, and White House officials confirmed he was referring to Joan Larsen, a federal appeals court judge there.

The president also indicated that Allison Jones Rushing, a 38-year-old appellate judge from North Carolina, is on his short list. His team is also actively considering Kate Todd, the White House deputy counsel who has never been a judge but was a clerk for Justice Clarence Thomas.

Democrats, led by presidential nominee Joe Biden, are protesting the Republicans' rush to replace Ginsburg, saying voters should speak first, on Election Day, and the winner of the White House should fill the vacancy.

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Trump dismissed those arguments, telling TV's "Fox & Friends" on Monday, "I

think that would be good for the Republican Party, and I think it would be good for everybody to get it over with.”

The mounting clash over the vacant seat — when to fill it and with whom — injects new turbulence in the presidential campaign with the nation still reeling from the coronavirus pandemic that has killed nearly 200,000 Americans, left millions unemployed and heightened partisan tensions and anger.

Democrats point to hypocrisy in Republicans trying to rush through a pick so close to the election after McConnell led the GOP in refusing to vote on a nominee of President Barack Obama in February 2016, long before that year’s election. Biden is appealing to GOP senators to “uphold your constitutional duty, your conscience” and wait until after the election.

### **Related: Late Supreme Court Justice Ruth Bader Ginsburg to lie in repose this week**

Ginsburg, 87, died Friday of metastatic pancreatic cancer. She will lie in state at the U.S. Capitol this week, the first woman ever accorded that honor. First, her casket is to be on view midweek on the steps of the high court.

With just over a month before the election, McConnell said the Senate has “more than sufficient time.”

No nominee has won confirmation so quickly since Sandra Day O’Connor — with no opposition from either party — became the first woman to serve on the Supreme Court in 1981.

Both sides are mobilizing for a wrenching confirmation fight punctuated by crucial issues before the court — healthcare, abortion access and even the potential outcome of the coming presidential election. Some protesters showed up early Monday morning outside the homes of key GOP senators.

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At a Trump rally later Monday in Ohio, people chanted, “Fill the seat!”

As the Senate returned to Washington on Monday, several key GOP senators, including Mitt Romney of Utah, declined to say whether they would agree to a swift vote.

Four Republicans could halt a quick confirmation and Trump criticized Republican Sens. Susan Collins of Maine and Lisa Murkowski of Alaska for opposing a vote before elections. The president warned they would be “very badly hurt” by voters.

**Related: GOP Sens. Murkowski, Collins opposed vote on Supreme Court vacancy before elections prior to Ginsburg’s death**

Others, including GOP Sens. Chuck Grassley of Iowa and Cory Gardner of Colorado, declined to join in opposing the president’s plan.

Biden has appealed to Republicans to join Murkowski and Collins in opposing a confirmation vote before the Nov. 3 election. He said, “Let the people speak. Cool the flames that have engulfed our country.”

Senate Democratic leader Chuck Schumer objected to what he called McConnell’s “utterly craven” pursuit of Supreme Court confirmation under current circumstances, warning it would shatter Senate norms. “It’s enough to make your head explode,” he said.

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