

Democrats Will Filibuster Judge Gorsuch's Confirmation

Senate Minority Leader Chuck Schumer, D-N.Y., said he will vote against Supreme Court nominee Judge Neil Gorsuch and asked his Democrat colleagues to filibuster during a speech on the Senate floor Thursday.

"I am voting no on Gorsuch for workers across the country ... and for others who do not want to choose between their health and providing for their children," Schumer said. "His nomination will have a cloture vote. My vote will be no and I will urge my colleagues to do the same."

If Democrats follow Schumer's wishes and filibuster, Senate Republicans will need eight votes from Democrats to break the filibuster with 60 votes as there are 52 Republicans in the Senate.

Rachel Bovard, director of policy services at The Heritage Foundation and a former Senate aide, told The Daily Signal in an email that Schumer's call to filibuster will not likely have a significant impact on Gorsuch's confirmation due to upcoming Senate re-election campaigns.

Ten Democrat senators will be campaigning for re-election in 2018 in states that went to President Donald Trump, according to Politico.

"Based on how well the confirmation hearings have gone, [Democrats] haven't been able to make the case that Gorsuch is so far outside the mainstream that he shouldn't be confirmed," Bovard said. "Plus, you have enough red-state Democrats who are in cycle in 2018 and don't want to look like they're obstructing a guy the rest of the country seems to think is reasonable."

Schumer said that he could not support a candidate for the high court who is uncompassionate.

“Who we put on the bench, their basic judgment matters,” Schumer said. “We do not want judges with ice water in their veins. Judge Gorsuch told us that he is not God, and that is true. But his humanity does not exclude him from the attribute of mercy.”

Carrie Severino, chief counsel and policy director of the Judicial Crisis Network, tweeted that she found it unbelievable that Schumer had already made up his mind about his vote on Gorsuch when the hearings for the high court nominee are still ongoing.

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Gorsuch could still be confirmed with 51 votes if Republicans choose to implement the nuclear option or the two-speech rule, a Senate rule that mandates the Senate stay in the same legislative day until filibustering senators give up on their efforts.

Democrats are reportedly considering options that would allow an up-or-down vote for Gorsuch in exchange for a 60-vote threshold on Trump’s district and appeals court nominees, according to The Huffington Post.

In 2013, Democrats used the “nuclear option” to abolish the filibuster on nominees, although some liberals are voicing regret now that a Republican is in the White House. Another

possible deal, Huffington Post reported, would ensure Gorsuch's confirmation if future Supreme Court nominees are held to a 60-vote threshold.

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