



children's defense fund

Leave No Child Behind®

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Washington, D.C. – Starting today, the Senate Judiciary Committee will hold hearings to appoint a new Justice to the Supreme Court. The decision they will make is one of the most consequential choices impacting the lives of children and potentially one of the most dangerous.

Over the years, the Supreme Court has narrowly ruled that [children do not have a right to quality education](#) and that Congress [could not pass laws to restrict child labor](#). More recently, narrow decisions have [protected 700,000 DREAMERS](#) from deportation by upholding DACA. They have [protected children's health](#) by upholding the Affordable Care Act and they have [greatly endangered children's safety](#) by preventing jurisdictions from keeping handguns off our streets.

In just the next year, the Court will hear cases that will again decide the fate of the [Affordable Care Act](#), that will decide [whether the government can act to prevent discrimination](#) against children and families in government-funded programs, and that will decide the lengths governments must go to [sentence children to die in prison](#). Confirming a Supreme Court Justice is one of the most important responsibilities a Senator has, and not one to be rushed or taken lightly.

And yet, the Senate appears to be rushing this responsibility. Senators [fell over themselves to](#) declare that they will confirm Amy Coney Barrett before hearings have begun and the Senate Majority Leader [announced](#) the President's nominee would receive a floor vote less than two hours after Justice Ginsburg passed. They plan to recklessly flout CDC guidelines and put not only their Senate colleagues, but also countless staffers and their families at risk by rushing three Senators who have contracted the Coronavirus back to the Senate floor so they won't have to delay their vote even one day. It should not be surprising that the Senate is treating a vacancy on the Court as an urgent matter, but it is infuriating to see the Senate treat this as an urgent priority, when it has refused to prioritize the urgent needs of children and families throughout the pandemic and even before.

It has been more than six months since the passage of the CARES Act. Since it passed, more than 200,000 Americans have died, America's children have lost [more than \\$14 trillion](#) in learning, millions of people have lost their jobs including the [60% of American families with children who have seen their wages reduced](#), and [tens of thousands of families have lost their homes](#). The House has passed two large packages to address the urgent needs impacting children and families, but the Senate has taken no meaningful steps to address the impact of the public health emergency. Instead, the Senate has chosen to let crucial protections for families like unemployment insurance, the eviction moratorium, and the Paycheck Protection Program lapse, while leaving our child care, education, and child welfare systems to flounder without support. Senate Majority Leader Mitch McConnell has refused to even come to the table to discuss a plan.

The unwillingness to prioritize the needs of the American People—especially America's children—did not begin during the pandemic. Seemingly countless bipartisan bills to support children and families have passed the House and languished in the Senate, as McConnell did not see them as worthy of a vote. Among issues the Senate has deemed not urgent enough for consideration were [ending youth homelessness](#), [preventing child abuse](#), [criminalizing lynching](#), and [banning dangerous](#)

[products that cause infant fatalities](#). Why are the safety and the lives of children not worth treating with urgency?

Who we elect matters, not only for the votes they cast, but also for those they refuse to cast. Through its actions and its inactions, this Senate has made very clear what it prioritizes. If this Senate is more concerned with gaining power than it is with using that power on behalf of our children, we have to ask ourselves whether those are priorities we share. **Then we have to vote.**

To help make voting more accessible, [CDF has released voter guides](#) for the 2020 election. Our guides explain [why voting matters at every level of government](#), [highlight some of the children's issues that are at stake in this election](#), and help you [make a plan to vote smartly and safely](#) during the pandemic.

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