

# AFL-CIO

## LEGISLATIVE ALERT

February 6, 2019

Chairman Lindsey Graham  
Ranking Member Diane Feinstein  
U.S. Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington D.C. 20510-6050

Dear Chairman Graham and Ranking Member Feinstein:

The AFL-CIO urges you to oppose the nomination of Chad Readler to serve on the United States Court of Appeals for the Sixth Circuit.

In his current capacity as Principal Deputy Assistant Attorney General of the Department of Justice Civil Division, Mr. Readler challenged the constitutionality of Affordable Care Act (ACA) provisions that prohibit insurers from denying coverage or charging more to people with pre-existing conditions. The brief he filed has been widely criticized for its blatant partisanship and baseless legal arguments with even Republican Senator Lamar Alexander characterizing it “as far-fetched as any I’ve ever heard.”

In another attempt to undermine workers’ rights, Mr. Readler abandoned the defense of a Department of Labor rule that narrowed the exemptions from the Fair Labor Standards overtime requirements. His inaction has resulted in the disqualification of millions of American workers from overtime pay.

Under his leadership, the Justice Department position is that the protections of Title VII of the Civil Rights Act of 1964 do not extend to gender identity. This position is contrary to that of the Obama administration and to the Equal Employment Opportunity Commission (EEOC).

Mr. Readler also defended the Administration’s policy of separating immigrant children from their parents at the border. He secured modification of the Flores Agreement which had prevented the detention of immigrant children beyond twenty days. Further, Readler defended President Trump’s Muslim ban and sought to end the Deferred Action for Childhood Arrivals (DACA) program.

The positions Mr. Readler has taken both in his private sector professional capacity and personal capacity align with those taken during his government service. As a private attorney, he advocated for restrictive voting laws, including voter roll purges and rolling back early voting.

In a 1998 University of Michigan Law Review article, he argued against local laws that provide civil rights protections for individual characteristics not protected by the federal or state law—going so far as to suggest abandoning civil rights laws altogether.

Last, given the objections of Ohio Senator Sherrod Brown to this nominee, the Senate Judiciary Committee should not have held a hearing on Mr. Readler and certainly should not move forward with his nomination. We urge you to oppose him.

Sincerely,



William Samuel  
Government Affairs Director

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**American Federation of Labor and Congress of Industrial Organizations**

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