

## Fact Checkers Find Paul Ryan Wrong on SCOTUS Nomination

Written by Democratic Party of Wisconsin, Brandon Weathersby  
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***Fact checkers dig into history behind Speaker Paul Ryan's statement that there is precedent for not nominating a justice in a presidential campaign. History shows Presidents have always been able to nominate someone.***

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MADISON – Last week, fact checkers dug into the history behind Speaker **Paul Ryan's** statement that there is a precedent for the President not to nominate someone to the Supreme Court during an election year. They found this statement to be completely false and history shows Presidents have always been able to nominate someone. Paul Ryan and his Republican colleagues like Ron Johnson are playing partisan politics and virtually leaving the Supreme Court locked 4-4.



Paul Ryan and Ron Johnson are playing partisan politics and leaving the Supreme Court deadlocked on critical issues like women's health care, voting access, and the rights of workers to organize.

### Read excerpts of the article below

Ten days after [the death](#) of U.S. Supreme Court Justice [Antonin Scalia](#), House Speaker Paul Ryan entered the debate on whether Scalia's successor should be chosen before or after [Barack Obama](#) leaves the Oval Office.

The Democratic president has the right to submit a nominee before he departs in January 2017, said the [Wisconsin Republican](#), [appearing](#) Feb. 23, 2016 on CNBC's "Squawk Box."

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But the GOP-controlled Senate, Ryan added, has the right not to move the nomination forward and instead await a nomination from the next president.

Then co-host [Andrew Ross Sorkin](#) asked: "Should you look at whoever gets nominated on the merits of who they are, or simply on the politics of the moment?"

"We are in the politics of the moment, which is we are in the middle of a presidential election," Ryan said, referring to the early 2016 primaries and caucuses. "We've already had South Carolina, New Hampshire and Iowa. We're knee-deep in a presidential election.

"There's a reason for having this tradition of not nominating somebody in the middle of a presidential election, because it gets so political. I agree with that precedent, and there is a precedent for that."

[...]

### Our rating

Ryan said: "There is a precedent" for not nominating someone to the U.S. Supreme Court "in the middle of a presidential election.'

It's rare for a Supreme Court vacancy to occur during a presidential election year -- the last time was in 1940, although there were also two election-year nominations in 1968.

But we could find no instances in which a president faced with a Supreme Court vacancy during a presidential election year did not make a nomination. It occurred five times between 1912 and 1940, and each time the nominee was confirmed.

**We rate Ryan's statement False.**