



September 13, 2021

The Honorable Richard Durbin
Chairman
Senate Judiciary Committee

Dear Chairman Durbin:

On behalf of the Service Employees International Union (SEIU), a union of two million women and men throughout the United States, Canada, and Puerto Rico, I write to express our strong support for the confirmation of Jennifer Sung to the U.S. Court of Appeals for the Ninth Circuit.

Ms. Sung is an experienced and extremely well-qualified adjudicator. She has served on the Oregon Employment Relations Board since 2017, and her nomination to that Board received unanimous support from Republican state senators in addition to Democrats. All of Oregon's Republican state senators later voted for Member Sung's re-confirmation as well. Member Sung's nomination to the Ninth Circuit is supported now by lawyers who have appeared before her representing both unions and management, which demonstrates her ability to serve as a neutral decisionmaker.

Before joining the Oregon Employment Relations Board, Member Sung had a distinguished career as a litigator representing those in our society who often do not have a voice. She represented low-wage workers victimized by wage theft and low-income patients in New Haven, Connecticut, who were improperly denied healthcare assistance for which they qualified. These are but two of a long and impressive list of examples. Prior to her litigation career, Member Sung worked as an organizer for two SEIU local unions, attended Yale Law School, and clerked for the Honorable Betty Binns Fletcher.

In addition to her years of litigation experience, Member Sung will also bring much needed racial and gender diversity to the Ninth Circuit Court of Appeals. If confirmed, she will be President Biden's first Asian American nominee to serve on an appellate court, only the third AAPI woman to serve on any federal circuit court, and the first Oregon judge from the Asian American Pacific Islander (AAPI) community to serve on the Ninth Circuit, which has the largest AAPI population of any federal judicial circuit.

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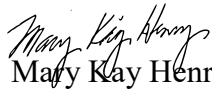
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Finally, I would like to emphasize that there are far too few judges with labor experience on the federal bench and even fewer who have any experience representing workers organized in unions. Millions of Americans have joined together in unions in order to improve their family's circumstances and to have a meaningful voice at work and in our political system. We should have many more than one or two federal appellate judges on the bench who have represented those millions of Americans and who know something of their lived experience. Member Sung's experience in the labor law area makes her uniquely qualified to serve, and we hope her nomination is the first of many for lawyers with union- and employee-side litigation experience.

Sincerely,

A handwritten signature in cursive script that reads "Mary Kay Henry".

Mary Kay Henry
International President