January 18, 2024

Judiciary Committee  
U.S. Senate  
Washington, DC 20510

Dear Senator:

On behalf of our 3 million members and the 50 million students they serve, we urge you to VOTE YES on Nicole Berner’s nomination to the U.S. Court of Appeals for the Fourth Circuit.

Ms. Berner is eminently qualified to serve on the federal bench and would bring to it much-needed diversity—professional and personal. She has dedicated her legal career to representing working people and their communities to obtain economic and racial justice, access to healthcare, and gender equality. If confirmed, she would be the first openly LGBTQ+ judge on the U.S. Court of Appeals for the Fourth Circuit.

Ms. Berner has been with the legal department of the Service Employees International Union (SEIU) since 2006, where she was appointed General Counsel in 2017. The union represents nearly 2 million workers in the healthcare, property services, and public sectors across the nation.

Earlier in her career, Ms. Berner was a staff attorney at the Planned Parenthood Federation of America. As an associate at Jenner and Block, she litigated cases revolving around reproductive rights, civil liberties, and LGBTQ+ rights. She also clerked for Judge Betty B. Fletcher, U.S. Circuit Court of Appeals for the Ninth Circuit, and Chief Judge Thelton E. Henderson, U.S. District Court for the Northern District of California.

Ms. Berner earned her bachelor’s degree, master’s degree in public policy, and law degree at the University of California, Berkeley.

We urge you vote to VOTE YES on Nicole Berner’s nomination to U.S. Court of Appeals for the Fourth Circuit.

Sincerely,

Marc Egan  
Director of Government Relations  
National Education Association