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Washington, D.C., 20005

Chairman Tom Graves
House Appropriations Committee
Subcommittee on Financial Services and General Government
2000 Rayburn House Office Building
Washington, D.C., 20515

March 27, 2017

Dear Chairman Graves:

It has long been custom that members of the U.S. Supreme Court testify before your subcommittee to present the annual budget request of their institution and, oftentimes, of the federal judiciary as a whole.

That custom was broken on Feb. 23 of last year when Chairman Crenshaw and Ranking Member Serrano met privately at the court with Justices Kennedy and Breyer. No readout was given from that meeting, and the public did not even learn of its existence until the *National Law Journal* broke a story about it some weeks later.

As the executive director of a national nonpartisan organization dedicated to building a more open and accountable federal judiciary, I write to urge you and Ranking Member Quigley to restore the tradition of transparency within your subcommittee by calling on the justices to testify before you and your fellow members.

The annual appropriations process is one of the only times all year that the American people, no matter where they live, can hear directly from the justices – live and uncut, thanks to C-SPAN. With the judiciary spending nearly \$7 billion of the public's money, the public – via our representatives – should take an active role in that process.

That Justice Scalia passed away during last year's budget negotiations, and that Judge Gorsuch's nomination is before the Senate during this year's, are not reasons enough to hold budget meetings in private. Unexpected occurrences are all too common in Washington these days, and trying to shield the justices from some sort of tangential public or political pressures as a result doesn't pass muster.

Every federal agency, congressional agency and judicial institution must justify dollars and cents before House and Senate committees; nearly all of them do so in public, and the Supreme Court should not be exempt.

I am hopeful that you and Ranking Member Quigley call upon the justices of the high court to testify before your subcommittee about the judiciary's annual budget request soon.

Sincerely,
Gabe Roth
Executive Director
Fix the Court

CC: FSGG Ranking Member Mike Quigley