

**OPENING STATEMENT**  
The Honorable José Serrano  
Chairman, Financial Services and General Government Subcommittee  
House Committee on Appropriations

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Hearing on the Supreme Court  
Fiscal Year 2011 Budget Request  
April 15, 2010

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This morning we gather to hear about the fiscal year 2011 budget request for the Supreme Court. We have the distinct honor of being joined by two distinguished Justices of the Supreme Court regarding its appropriations request for the upcoming fiscal year. And we do so at a time when the court's oldest member, Justice John Paul Stevens, has recently announced that he will retire when the court finishes its work for the summer. I know that I speak for every member of this committee when I ask the justices here today to pass along this subcommittee's appreciation and thanks to Justice Stevens for his decades of service to his country.

These annual hearings are a rare and important opportunity for our two branches of government to interact. Congress, of course, has constitutional responsibility over Federal spending, which includes appropriations for the Supreme Court and the rest of the Judiciary. Although I always have some concern about asking the Third Branch to come and testify before us, these hearings provide a valuable chance not just to help us understand the Supreme Court's budgetary needs, but for the nation's highest Court to discuss issues affecting the Judiciary as a whole. Hopefully, our two branches get to know one another a little better as well.

Meeting the needs of the Judicial Branch is a priority for this subcommittee. The courts have a vital role to play in our society where the rule of law is a core principle. We need to be sure that the courts have the resources they need to dispense justice with reasonable speed and care, as well as proper regard for the rights of defendants and litigants and the needs of society.

At the same time we must also exercise due diligence in spending matters and balance competing needs. In some years, the percentage increases requested by the court have been substantial, as have those of many agencies. As we put together our plans for fiscal year 2011 we face a more austere environment for nonemergency spending.

We look forward today to a discussion of the budget needs of the Supreme Court, as well as a broader conversation about the federal judiciary as a whole. Our witnesses are Justice Clarence

Thomas and Justice Stephen Breyer—both of whom have appeared before this subcommittee previously.

Justice Thomas was nominated to the Court in 1991 by the first President Bush, after serving as Assistant Secretary of Education for Civil Rights, Chairman of the Equal Employment Opportunity Commission, and as a judge on the Court of Appeals for the District of Columbia Circuit, among other positions.

Justice Breyer joined the Court in 1994 as a nominee of President Clinton. Before that he was a professor at Harvard Law School, staff member for the Senate Judiciary Committee, and judge and then chief judge on the Court of Appeals for the First Circuit.

We welcome both of you today. We're glad that your previous appearances before the subcommittee were pleasant enough that you agreed to return for repeat performances. Thank you for joining us today.

Before we hear from the Justices, let me first recognize my colleague Mrs. Emerson for her opening remarks.