

Statement of Justice Samuel A. Alito
Associate Justice of the Supreme Court of the United States
Before the
Subcommittee on Financial Services and General Government
of the
House Committee on Appropriations
March 7, 2019
1:30 p.m.
Rayburn House Office Building, Room 2359

Chairman Quigley, Ranking Member Graves, and Members of the Subcommittee. Thank you for giving Justice Kagan and me this opportunity to appear before your Subcommittee to discuss the Supreme Court's budget requirements for fiscal year 2020.

The Supreme Court's budget request consists of two parts. As in past years, we will present the first part of the request today. This part addresses salaries and expenses of the Court. The Architect of the Capitol will submit a separate written statement on the second part of the request, which addresses the care of the building and grounds.

Before presenting our fiscal year 2020 request, we would like to express our appreciation for Congress's approval of our funding request for fiscal year 2019. We recognize that Congress and this Subcommittee face a difficult task in allocating a limited amount of available money to fund a wide range of government activities. The Judiciary's entire budget request is small compared to the overall federal budget, representing less than two-tenths of one-percent of federal spending. The Supreme Court's request, in turn, represents only 1 percent of the Judiciary's budget. Although our request is tiny in relation to the overall federal budget, we appreciate the value of every dollar of funding we receive. We are also grateful for the Subcommittee's

confidence in our ability to manage those funds efficiently. We remain fully committed to prudent fiscal practices.

I should note that our fiscal year 2019 request, following guidance from the Office of Management and Budget, did not include funding for the cost-of-living adjustment for federal employees enacted in the most recent appropriations legislation. That adjustment will likely cost the Court an additional one million dollars annually. To accommodate that increase, the Court has reduced spending by revising existing contracts and cutting back on other discretionary spending.

We hope these cost-cutting measures will allow us to forgo requests for additional funding related to the cost-of-living adjustment. We do not have the capacity to alter our mission or reduce our functions. We have no control over the number of petitions for review that are filed each year. Nevertheless, we continuously seek out ways to make our operations more efficient.

We would also like to thank the members of this Committee for providing the Court with a substantial amount of additional security funding last year. We are carefully and deliberately putting those new funds to work based on a top-to-bottom review of our current practices by highly regarded and experienced security experts. The money you have provided will be used efficiently to expand and improve our physical and cyber security. If we find that additional money is necessary to ensure the safety of the justices, Court staff, and visitors to our building, we will inform the Subcommittee as soon as possible. I would be happy to refer you to the appropriate Court staff following the hearing if you would like to discuss this matter in more detail.

For fiscal year 2020, the Court is requesting funding only to cover the continuation of existing activities. The Court is not requesting any new programmatic increases. The fiscal year 2020 request is 90 million dollars, consisting of 3 million dollars in mandatory expenditures and 87 million dollars in discretionary expenditures. The total request is three million dollars higher than the amount provided in fiscal year 2019. Half of this increase is due to an expected change in agency employer contributions to the Federal Employees Retirement System pursuant to guidance from the Office of Management and Budget.

Most of the Court's budget is devoted to personnel costs. Approximately 80 percent of the total request is for compensation and benefits of current employees. The Court has not requested a new, non-security-related position over the last ten years. Instead, we have successfully utilized existing personnel to accommodate an increasing workload.

For example, we recently implemented a new electronic case filing system using our existing budget. The system provides easy access to all of the Court's case documents, including briefs, orders, and opinions, without logging in or downloading additional software. It has been publicly accessible since 2017 through a link on the Court's website. By building and maintaining this system in-house with existing staff, the Court saved 2 million taxpayer dollars.

In addition to accessing all case-related documents, the public may also use the website to access full transcripts of oral arguments on the same day they occur and audio of the arguments by the end of the week in which they occur. We have also recently revamped the Court's website to make it more user-friendly and to highlight important

information, like the current Term calendar and upcoming cases. As a result, virtually every aspect of the Court's work is easily accessible to anyone with internet access, anywhere in the world. Last year, 19 million people visited the Court's website, a 30 percent increase over the previous year.

The Supreme Court building is also a popular attraction and forum for civics education here in Washington. The website's calendar lists the building's public hours and an online daily schedule of courtroom lectures, in which our volunteer docents explain the history and role of the Court. Last Term, 421,000 people visited the building, and nearly one-third of those visitors attended the free lectures or tours.

Our 2020 request also includes 1.5 million dollars of no-year funding for regular upgrades to our IT systems, many of which have multi-year upgrade cycles. The Court reduced the request for this annual funding in fiscal year 2018 by 500,000 dollars, and the fiscal year 2020 request maintains that reduction. The annual savings are a direct result of the Court's transition away from desktop computers to virtual workstations, which has reduced upgrade and maintenance costs. We will continue to monitor the no-year-fund balance to ensure it is adequate to meet our long-term needs.

When the public interacts with our judicial system, they see the substantial resources that Congress provides to the judiciary, whether it is courthouses, libraries, up-to-date information technology, or the thousands of staff who make the courts run smoothly and efficiently. The result is that these observers—along with many others around the world—see a tangible, powerful example of a Nation committed to the rule of law. On behalf of the Chief Justice and the other Associate Justices of the Court, we

would like to extend our sincere thanks to the members of this Subcommittee for your continued confidence and support.

This concludes a brief summary of our request. Although we cannot comment on Court decisions or pending cases, we would be pleased to respond to any budget-related questions that the Members of the Subcommittee may have.