

Supreme Court of the United States
Washington, D. C. 20543

COUNSELOR TO
THE CHIEF JUSTICE

October 11, 2024

Honorable Jamie Raskin United States House of Representatives Committee on Oversight and Accountability Washington, DC 20510	Honorable Alexandria Ocasio-Cortez United States House of Representatives Committee on Oversight and Accountability Washington, DC 20510
--	--

Dear Ranking Member Raskin and Vice Ranking Member Ocasio-Cortez,

I am writing in response to your letter to the Chief Justice dated October 4, 2024. In that letter, you request written responses to a series of questions about the participation of certain Associate Justices in a case decided by the Supreme Court last Term and the assignment of responsibility for drafting the majority opinion in that case.

To the extent that your questions seek information about the decisions of Members of the Court to sit or recuse in a given case, all nine Members of the Supreme Court recently reaffirmed the historical practice pursuant to which individual Justices decide recusal issues. *See* COMMENTARY TO CODE OF CONDUCT FOR JUSTICES OF THE SUPREME COURT OF THE UNITED STATES at 11 (Nov. 13, 2023); S. CT. STATEMENT ON ETHICS PRINCIPLES AND PRACTICES at 2 (Apr. 25, 2023). Any discussions between Members of the Court relating to internal deliberative processes, including with respect to recusal and the assignment of opinions in individual cases, are now and to my knowledge always have been confidential. As such, it would be inappropriate to respond to your inquiries.

Sincerely,



Robert M. Dow, Jr.

cc: The Honorable James Comer, Chairman