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December 19, 2019

Merrick Garland
Chief Judge
U.S. Court of Appeals for the District of Columbia
333 Constitution Avenue, NW
Washington, DC 20001

Dear Chief Judge Garland,

C-SPAN respectfully requests that you authorize television coverage of the January 3rd oral arguments being heard in two cases - Committee on the Judiciary v Don McGahn II and In re: App. Cmte of the Judiciary.

In 1996, after a successful 3-year experiment, the Judicial Conference of the United States amended its policy to approve the use of cameras "for the photographing, recording, or broadcasting of appellate arguments." Since that change, C-SPAN has televised over 100 arguments heard before Federal Courts of Appeals. The Judicial Conference also authorized each court of appeals to decide for itself when to allow television coverage of their proceedings. Since the DC Circuit has been a leader in transparency among the other federal circuits, C-SPAN requests the Court take the next step and permit video recording of the arguments in these two significant cases.

Chief Justice Rehnquist used a standard of "heightened public interest" in deciding to allow electronic media coverage of the Supreme Court oral arguments in the Bush v Gore cases. We believe there is a heightened public interest in these cases, which justifies making the arguments available to a wide audience thru television.

C-SPAN has successfully worked with the Second and Ninth Circuit Courts of Appeals to cover their proceedings in a respectful and unobtrusive manner, as you can see from our coverage of this case (<https://www.c-span.org/video/?c4840634/ninth-circuit>). We're prepared to work with the staff of the DC Circuit on the technical arrangements necessary to televise your proceedings. If approved, we would make our video available to all other credentialed media. Thank you for your consideration and feel free to reach out if you have any questions.

Sincerely,

Terence Murphy
Vice President of Programming

cc: Judge Karen Henderson
Judge Judith Rogers
Judge Thomas Griffith
Judge Neomi Rao