

**Before the
U.S. House of Representatives Judiciary Committee
Subcommittee on Courts, Intellectual Property, and the Internet**

Hearing on H.R. 917: Sunshine in the Courtroom Act of 2013

December 3, 2014

Statement of C-SPAN¹

C-SPAN has long been an advocate for greater public access to government proceedings, including access to the federal courts. Although we have urged televised coverage of the courts for nearly 30 years, including the Supreme Court, we have never taken a position on legislation compelling such coverage. H.R. 917, like the several similar bills before it, addresses administrative and policy matters related to televising the federal courts that we believe are subjects more properly addressed by others.

However, C-SPAN believes the Supreme Court's oral arguments should be open to televised coverage.

We have been on record with Chief Justices Rehnquist and Roberts and with other congressional committees that if, by whatever means, TV cameras were allowed in the Supreme Court, then C-SPAN would give the Court the same quality and extent of coverage we now give the daily legislative sessions of the House and Senate. This means we would televise each argument on a gavel-to-gavel basis without interruption, commentary, or analysis. The arguments would not always be televised on a live basis (due to our commitment to televise the House and Senate), but every minute of every argument would be televised on either C-SPAN, C-SPAN2 or C-SPAN3 on a timely basis. We would also be able to broadcast the arguments on our local broadcast radio station, WCSP-FM, which is also distributed nation wide on satellite as C-SPAN Radio. Finally, we would also make each argument available in full, and forever online as part of the C-SPAN Video Library, which would also mean that educators, students, Court observers, and of course the general public would be able to research and get a better understanding of how the judicial branch works.

C-SPAN has already started to honor this promise. Since the Supreme Court began to release audio-only tapes of its oral arguments, we have broadcast many of them on C-SPAN Radio. We have also added pictures of the attorneys and the justices to the audio-only files to create an approximation of televised coverage. Since 2000 when

¹ C-SPAN is the trade name of the National Cable Satellite Corporation, a tax-exempt and non-profit District of Columbia corporation. It was created by America's cable companies in 1979 as a public service and produces three public affairs television networks: C-SPAN, C-SPAN2 and C-SPAN3; C-SPAN Radio, a Washington, D.C. public affairs broadcast radio station that is also distributed nationally by Sirius/XM Satellite Radio; and the C-SPAN Video Library containing over 200,000 hours of searchable video, available at www.c-span.org.

audio-only tapes of the Court first became available to us, C-SPAN has provided 270 hours of such 'television' coverage of the oral arguments. It is far from ideal, but these efforts are also a demonstration of our commitment to providing our audience with more information about the nation's highest court despite the lack of camera coverage.

We have also devoted significant resources to coverage of the Supreme Court nominees and then to their appearances as justices outside of the Court chamber. Since 1981, C-SPAN has produced 1,073 hours of the Senate confirmation hearings of 14 nominees to the Court. Then, to the extent the incumbent justices permit video coverage of their public appearances, we provide it. Our Video Library contains 982 hours of coverage of justices in such settings as interviews, debates, ceremonies, formal speeches, congressional testimony, etc.

Our efforts also include our coverage of several circuit courts of appeals oral arguments that were made possible when the Judicial Conference experimented with allowing cameras in some federal courts starting in 1991. Since then we have covered 101 hours of federal appellate oral arguments that were, in our news judgement, of broad national interest. We have also given attention to the lower federal courts by covering 27 Senate confirmation hearings for their nominees.

C-SPAN invests its resources into coverage of the judiciary because our public affairs mission can not be met by ignoring an entire branch of government. No matter how much video we produce about judges, justices and attorneys, the ban on Supreme Court television leaves a gaping hole in our coverage of the American government. At a time when most Americans get most of their information about their government from television (or, more accurately, video), it is unacceptable for the Supreme Court to shield itself from the public by keeping the cameras out. If the cameras are let in, the public will finally be able to see the judicial branch in the same way C-SPAN now allows them to see the executive and legislative branches of their government.