

HOUSE RESOLUTION NO.144

Reps. Green and Carra offered the following resolution:

1 A resolution to urge the Congress of the United States to
2 submit the Keep Nine Amendment to the states for ratification.

3 Whereas, For over 150 years, there have been nine seats on the
4 Supreme Court of the United States. While the country has grown and
5 changed during that period, the Supreme Court has repeatedly
6 demonstrated its ability to fulfill its constitutional role as the
7 nation's highest court and remain an independent arbiter of the law
8 without additional justices; and

9 Whereas, In recent months, there have been calls to increase
10 the number of justices on the Supreme Court in an effort to gain
11 political advantage, including the Judiciary Act of 2021, H.R. 2584
12 of 2021 and S. 1141 of 2021, which would increase the number of
13 justices to 13. The number of justices on the Supreme Court has

1 been fixed by federal law since 1869 and efforts to expand the size
2 of the Supreme Court in the century and a half since have been met
3 with significant resistance from the American people; and

4 Whereas, The legitimacy of the Supreme Court is its most
5 valuable asset. The Supreme Court's ability to issue rulings which
6 are followed nationwide rests on the American people's respect for
7 the institution's independence and separation from day-to-day
8 politics; and

9 Whereas, The federal judiciary, particularly the Supreme
10 Court, must remain insulated from partisan disputes. Politicizing
11 the Supreme Court by adding seats for the purpose of generating an
12 ideological shift would be enormously detrimental for the public's
13 faith in the judicial branch as an independent and impartial branch
14 of government. The framers of the U.S. Constitution envisioned a
15 system in which Supreme Court justices and federal judges would
16 serve lifetime appointments, ensuring that the judiciary would not
17 experience the kinds of political pressures that are present in the
18 elected branches; and

19 Whereas, Subjecting the Supreme Court to major structural
20 changes as a consequence of shifting partisan control of the
21 executive and legislative branches would bring the judiciary into
22 the political fray in a way that would harm its ability to fulfill
23 its critical role in our system; and

24 Whereas, The President and Congress should refrain from
25 undermining the independence of the Supreme Court by changing the
26 number of justices; and

27 Whereas, Legislation has been introduced in Congress, H.J. Res
28 11 of 2021 and S.J. Res 9 of 2021, to submit the Keep Nine
29 Amendment to the states for ratification; now, therefore, be it

1 Resolved by the House of Representatives, That we urge the
2 Congress of the United States to submit the following
3 constitutional amendment, known as the Keep Nine Amendment, to the
4 states for ratification:

5 The Supreme Court of the United States shall be composed
6 of nine justices.
7 ; and be it further

8 Resolved, That copies of this resolution be transmitted to the
9 President of the United States Senate, the Speaker of the United
10 States House of Representatives, and the members of the Michigan
11 congressional delegation.