



August 23, 2017

Dear Chairman Grassley and Ranking Member Feinstein:
CC: Members of the U.S. Senate Judiciary Committee

Main Street Alliance of Oregon and Main Street Alliance of Washington, networks of small business owners throughout both states, write in strong opposition of efforts to needlessly split the Ninth Circuit Court of Appeals. We particularly note that S.295, the Circuit Court of Appeals Restructuring and Modernization Act, would explicitly remove Oregon and Washington from the Ninth Circuit and place the states in a new Twelfth Circuit, and under S.296, Washington would be removed and placed in a new Twelfth Circuit.

The attacks on the Ninth Circuit intensified after it struck down the Trump Administration's "travel ban," *Hawaii v. Trump*, 859 F.3d 741 (9th Cir. 2017), and a California district court enjoined the President's order withholding federal funds from cities that failed to enforce immigration laws, *Cnty. of Santa Clara v. Trump*, Nos. 17-cv-00574 & 17-cv-00485, 2017 U.S. Dist. LEXIS 62871 (N.D. Cal. April 25, 2017). President Trump attacked the Ninth Circuit because of its refusal to sacrifice its integrity and independence and bend to his unconstitutional agenda.

Our Main Street businesses see no compelling reason to undermine the current court legal system. It is troubling that Congress would consider creating unnecessary uncertainty for litigants when Ninth Circuit judges, appointed by both Democratic and Republican Presidents, have testified that splitting the Ninth Circuit would be costly, inefficient and would harm the administration of justice in the West. It is particularly disconcerting that many of the advocates for splitting the Ninth Circuit are driven by opposition to specific decisions of the Ninth Circuit, a desire to change particular holdings, and an attempt to manipulate the makeup of judges hearing cases.

We hope you will oppose legislation that would divide the Ninth Circuit.

Sincerely,

Khanh Le, Director, Main Street Alliance of Oregon
Fernando Mejia, Director, Main Street Alliance of Washington