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September 21, 2007

The Honorable Gordon Smith
United States Senate
Washington, DC 20510

Re: Support for Federal Judicial Salary Restoration Act (S. 1638)

Dear Senator Smith:

I write on behalf of your constituents as members of the Oregon Chapter of the Federal Bar Association. The Federal Bar Association is the foremost professional organization of attorneys engaged in the practice of law before federal courts and administrative agencies. Sixteen thousand members of the legal profession belong to the Federal Bar Association, belonging to over one-hundred chapters throughout the nation.

Because of our Chapter's deep interest in the health and vitality of the federal courts and our legal system, we urge your support for the Federal Judicial Salary Restoration Act (S. 1638). This bipartisan legislation honors the intent of the framers of the Constitution and responds to the erosion in pay suffered by the Federal Judiciary by providing a substantial pay increase to all federal judges.

The independence and quality of our nation's judiciary depends critically upon its ability to recruit and retain high-caliber judges, ones with strong intellect, personal independence and high professional standards. The signers of the Constitution sought to protect these qualities by providing lifetime appointment for federal judges and forbidding a reduction in their compensation.

Since 1969, the salaries of federal judges have fallen well behind those of the American labor force in keeping up with inflation. Over the past 18 years, the national average for all wages rose

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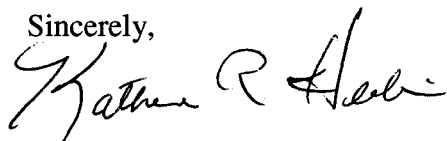
by 18.5 percent, while a judge's pay declined by nearly 25 percent, when adjusted for inflation. It is not coincidental that federal judges are leaving the bench at an unprecedented and alarming rate. In the past six years, 38 judges have left the federal bench, including 17 in the last two years. Many of them have acknowledged publicly that their departures stemmed from financial needs that have been compounded by the erosion of their salaries.

By statute, the salary of a federal judge is \$165,200 a year. While we recognize that figure may seem high to some Americans, the fact remains that the last time that federal judges received a substantial pay raise was nearly twenty years ago in 1989. Eight years ago, in 1999, the President's salary was doubled to \$400,000 a year. The Federal Judicial Salary Restoration Act (S. 1638) does not propose to increase judges' salaries by 100 percent, but by half that, by 50 percent.

An increase in the salary of federal judges is an important step in preserving the independence of the judiciary. Judicial independence is critical for recruiting and retaining the best and the brightest, as well as ensuring our system of government and protecting the rights of all Americans. Federal judges play a critical constitutional role in administering justice, interpreting our laws, and providing the ultimate check and balance in our system of government.

Please join the bipartisan group of Senators who already are cosponsors of S. 1638. President Bush and the leaders of both parties in Congress support a significant pay raise for judges, as do a number of business, legal, environmental and consumer groups. Thank you for consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Katherine R. Heekin".

Katherine R. Heekin

President

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