

Congress of the United States
Washington, DC 20515

June 25, 2026

The Honorable Robert J. Conrad, Jr.
Director, Administrative Office of the United States Courts
1 Columbus Circle NE
Washington, DC 20544

Dear Director Conrad:

We write to you in your capacity as Director of the Administrative Office of the United States Courts (the “AO”) to express our serious concerns with several recent actions of the federal judiciary that appear inconsistent with the branch’s core mission of impartial justice and the responsible stewardship of taxpayer resources.

First, it has come to our attention that the AO recently sent an email to all federal court employees and judges announcing the beginning of “Self-Identification Fair Employment Demography Open Season.” As part of this announcement, we understand that the AO is requesting that federal court employees and judges disclose their race and “**gender identity values**” to “**aid the federal judicial branch in collecting, assessing and reporting on equal employment opportunity, diversity, and inclusion.**” This includes asking respondents whether they are “Non Binary,” which is defined as follows:

Nonbinary gender identity is used to describe individuals who may experience a gender identity that is neither exclusively woman or man or is in between or beyond both genders.¹

We are also aware that the AO has recently posted “LGBTQ+ Pride Month Celebration Resources” on its intranet. These resources include a virtual event sponsored by the AO, along with links to websites such as the “Rainbow History Project.” We fail to see how providing such resources or soliciting and processing data on the race and “gender identity” of court employees and judges could possibly be considered a good use of taxpayer resources, much less serve the judiciary’s core mission. Worse still, we are concerned that the AO’s activities threaten confidence in the judiciary’s impartiality when it hears cases involving “gender identity” and related issues.

Second, it has come to our attention that the U.S. District Court for the District of New Jersey will be hosting an event this month titled “**Celebrate LGBTQ+ Pride Month.**” This event will be held in a federal courthouse—a facility funded by taxpayers. And the advertisement indicates that free food will be provided. Also concerning, the event is advertising Robyn B. Gigl, Esq., as its “keynote speaker.” Among other radical entanglements, Gigl—a transgender attorney, author, and activist—has served on the Board of Directors of Garden State Equality, an organization that has **promoted LGBT-inclusive lesson plans for second graders.**² And as an

¹ Also troubling is that the definitions for “male” and “female” in the survey refer to a person’s “sex assigned at birth,” but only if “the person identifies as the same.”

² *Robyn Gigl*, LAURA DAIL LITERARY AGENCY, <https://www.ldlinc.com/robyn-gigl>; Garden State Equality & Make It Better for Youth, *Expanding Character Traits: “Freeda the Frog & the Two Mommas Next Door”*, LGBTQ-INCLUSIVE LESSONS & RES., <https://teach.lgbt/lesson/expanding-character-traits-freeda-the-frog-the-two-mommas-next-door/>.

attorney, one of Gigl’s signature achievements is leading the efforts to secure a settlement with the New Jersey Department of Corrections in which the Department agreed to house biological male inmates alongside female inmates.³ Not long after that settlement was reached, a male inmate housed in a women’s prison impregnated two female inmates and allegedly raped a third.⁴ Needless to say, we also fail to see how the judiciary holding an event like this, particularly with a “keynote speaker” like the one being advertised, is a good use of taxpayer resources or at all relevant to the judiciary’s core mission.

What makes these recent actions even more alarming is that they do not appear to be one-off events; rather, they fit into a developing pattern of the federal judiciary taking sides on hotly debated and divisive political issues—and using taxpayer resources to do so. For example, earlier this year, the Federal Judicial Center (“FJC”) published its Fourth Edition of the Reference Manual on Scientific Evidence (“Reference Manual”). The Reference Manual, which has long served as a resource to assist judges in understanding scientific methods and principles that may arise in their cases, traditionally covered topics like DNA evidence, toxicology reports, estimating economic damages, and survey research. However, in the Fourth Edition, the FJC deviated from its historical practice and chose to include a 91-page chapter titled “**Reference Guide on Climate Science,**” which referenced “**global warming**” dozens of times and invoked the phrase “**climate change**” 420 times. The Reference Manual read more like an advocacy brief than an unbiased discussion on “scientific methods and principles,” which lends credence to the speculation that it was lifted from the work of an attorney known for pushing climate-related lawsuits⁵ and to the argument of a prominent law professor that it could not even meet the standards required for the introduction of scientific evidence in court.⁶ The FJC is an agency of the courts and so must avoid even the appearance of impropriety. It is plainly improper for the FJC to publish a supposedly neutral work that puts a thumb on the scales in climate-related litigation. We were glad to see the FJC withdraw this chapter from the Reference Manual after it received a great deal of well-warranted criticism, but it is troubling that the FJC failed to recognize *on its own* that publishing this chapter—taking sides on a highly divisive topic subject to pending litigation—was inconsistent with an unbiased judiciary.

As Chairmen of the Senate Judiciary Committee and the Senate Appropriations Committee’s Subcommittee on Financial Services and General Government, we preside over congressional committees with legislative, oversight, and funding jurisdiction over the federal courts. We are deeply concerned with these recent actions taken by the federal judiciary. Not only

³ Jo Yurcaba, *N.J. Will House Transgender Inmates by Gender Identity After Lawsuit*, NBC NEWS (June 30, 2021), <https://www.nbcnews.com/nbc-out/out-news/nj-will-house-transgender-inmates-gender-identity-lawsuit-rcna1295>.

⁴ Sophie Nieto-Munoz, *Lawsuit Pins Blame for Assaults on Transgender Policy in New Jersey Prisons*, N.J. MONITOR (Sep. 11, 2024), <https://newjerseymonitor.com/2024/09/11/lawsuit-pins-blame-for-assaults-on-transgender-policy-in-new-jersey-prisons/>.

⁵ Editorial, *A Judicial Climate Science Scandal*, WALL ST. J. (Mar. 13, 2026), <https://www.wsj.com/opinion/federal-judicial-center-climate-manual-michael-burger-jessica-wentz-marcia-mcnutt-37f3eb86>.

⁶ J.W. Verret, *The Reference Manual Fails Its Own Test; The National Academies Should Withdraw the Climate Chapter*, NAT’L L. REV. (June 18, 2026), <https://natlawreview.com/article/reference-manual-fails-its-own-test-national-academies-should-withdraw-climate>.

do they appear to be a poor use of taxpayer resources; they are also highly divisive and undermine the American people's faith in the judiciary to resolve their legal disputes absent ideological biases.

The American people deserve to know that the taxpayer dollars they have entrusted to the federal judiciary are being used to administer justice, not to advance a political agenda. After all, if combating discrimination is the judiciary's goal, as Chief Justice Roberts famously wrote, "[t]he way to stop discrimination on the basis of race is to stop discriminating on the basis of race."⁷ That doesn't require the judiciary to expend a single taxpayer dollar.

In light of our serious concerns, we ask for your responses to the following questions by Wednesday, July 8, 2026:

1. Why does the AO consider it necessary to collect data on the race and "gender identity" of federal court employees and judges? How will this data be used, and how much taxpayer money do you estimate has been and will be used on the collection and processing of this data?
2. Will race and "gender identity" data be used to inform personnel decisions, resource allocation, or judicial assignments? If so, how does that use comply with federal civil rights laws, as incorporated in documents such as the *Guide to Judiciary Policy*, Vol. 12, Ch. 2?
 - a. If this data is used to address workforce gaps in furtherance of Priority 4 (Maintaining an Exemplary Judiciary Workforce and Workplace) of the *Strategic Plan for the Federal Judiciary*, what authority is the judiciary relying on to make recruitment or hiring decisions based on race and "gender identity"?
 - b. To the extent the federal judiciary has a policy of collecting race and "gender identity" data, we understand that the policy may date back to the Judicial Conference of the United States' 1980 mandate for courts to adopt "affirmative action plan[s]." If that is correct, how is maintaining such a policy consistent with the U.S. Supreme Court's recent decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181 (2023)?
3. From what source did the AO obtain its definitions of "Female," "Male," and "Non Binary" referenced above?
 - a. Does the AO consider there to be more than two genders? If so, how many genders are there and how does the AO define them?

⁷ *Parents Involved in Cmty. Schs. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007); see also *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181 (2023).

4. Does the AO consider it appropriate to host a “Celebrate LGBTQ+ Pride Month” event in a taxpayer funded facility? Will any taxpayer resources be expended on the event beyond providing the space, and if so, how much will be expended and for what purposes? What is the source of the authority to host this event and expend those resources?

5. Was the AO aware that Robyn B. Gigl, Esq., was invited as a keynote speaker at an event in a federal courthouse? If so, is the AO aware of Gigl’s radical activist background? And did the AO take any steps to raise these concerns with the district court in New Jersey?

Thank you for your prompt attention to these matters and for your assistance as our Committees investigate and conduct oversight.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate

A handwritten signature in blue ink that reads "Bill Hagerty". The signature is written in a cursive, flowing style.

Bill Hagerty
Chairman
Subcommittee on Financial Services & General Government
United States Senate

Cc: The Honorable John G. Roberts, Jr.
Chief Justice of the United States