

Response of Judge John Milton Younge
Nominee, United States District Judge for the Eastern District of Pennsylvania
To the Written Questions of Senator Jeff Flake

- 1. What is your approach to statutory interpretation? Under what circumstances, if any, should a judge look to legislative history in construing a statute?**

Response: In interpreting a statute, I would first look to its plain language and then proceed to resolve the issue before me in accordance with established precedent. If the language is unclear or ambiguous, I would consider the manner in which the Supreme Court and the Third Circuit have analyzed similar statutes as persuasive authority. When instructed by such precedents, I would consider legislative history, if necessary, to resolve the issue before me.

- 2. What is the proper scope of the 10th Amendment to the Constitution? In what circumstances should a judge apply it?**

Response: The 10th Amendment to the United States Constitution states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." I would apply Supreme Court and Third Circuit precedents in any case involving the 10th Amendment.

- 3. Does current standing doctrine foster or impede the ability of litigants to obtain relief in our legal system?**

Response: While I am aware that one purpose of the standing doctrine is to ensure the Court utilizes its authority to resolve an active case or controversy and refrains from issuing advisory opinions, I do not have enough expertise or knowledge to express an opinion on this issue.