



1201 16th St, N.W. | Washington, DC 20036 | Phone: (202) 833-4000

Rebecca S. Pringle
President

Princess R. Moss
Vice President

Noel Candelaria
Secretary-Treasurer

Kim A. Anderson
Executive Director

July 19, 2023

Committee on the Judiciary
U.S. Senate
Washington, DC 20510

Dear Senator:

On behalf of the 3 million members of the National Education Association, educators who teach and support students across America, we offer these comments concerning the need for ethics reforms for the U.S. Supreme Court.

NEA applauds the members of this committee for your commitment to holding Supreme Court justices accountable. While the justices are subject to statutory requirements regarding financial disclosures and recusal, they are the only members of the federal judiciary who are not covered by a binding code of conduct. Recent media reports have detailed deeply concerning patterns of Supreme Court justices refusing to hold themselves to basic ethical standards, raising questions about the very integrity of our nation's most powerful court. We strongly believe that ethics reform and a binding code of conduct (with an enforcement protocol) are needed.

Our courts are supposed to protect the rights of all of us. For our democracy to work, Americans need to be able to trust that judges and justices make decisions without bias and free from undue influence. This is especially true of the U.S. Supreme Court. But considering the revelations of relationships, financial ties, and other dealings between some of the Supreme Court justices and powerful people with business before the court, it is not surprising that our faith has been shaken. A recent poll by NPR, PBS NewsHour, and Marist Institute for Public Opinion found that [nearly two-thirds of Americans have no confidence in the court](#).

In recent years, longstanding decisions have been overturned not because of changes to the U.S. Constitution or other laws, but because of changes in the composition of the Supreme Court itself. These rulings are especially alarming in light of the reported conflicts of interest and failures to disclose financial transactions as required by law. This behavior is unethical, unacceptable, and undermines the promise engraved above the entrance to the Supreme Court: Equal justice under law. As the Code of Conduct for United States Judges, which applies to lower federal court judges, states, "A judge must avoid all impropriety and appearance of impropriety."

The Biden administration has made remarkable progress in reshaping the federal judiciary to reflect America today. NEA shares the Judiciary Committee's belief that to continue that progress and strengthen faith in the judiciary, Supreme Court justices must be subject to the same scrutiny as other federal judges. Sunlight, as Justice Louis Brandeis said, is "the best of disinfectants."

Sincerely,

A handwritten signature in black ink that reads "Marc Egan". The signature is written in a cursive, flowing style.

Marc Egan
Director of Government Relations
National Education Association