



May 2, 2023

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

Dear Senator:

On behalf of our 3 million members and the 50 million students they serve, we are pleased to submit the following comments for the record of today's hearing on Supreme Court Ethics Reform.

NEA supports a judicial code of conduct for Supreme Court justices. We expect their ethics to be beyond reproach. We expect them to be impartial. And we expect them to rule based on factual and legal analysis—not wealth, power, or politics. When those expectations are unmet, we have little recourse because, alone among judicial bodies, the Supreme Court oversees itself.

In recent years, we have witnessed the overturning of longstanding decisions not because of new evidence, but because of changes in the composition of the court itself. Such rulings are even more alarming in light of reported conflicts of interest, efforts to buy access, and failure 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 federal judges says, "A judge should avoid impropriety and the appearance of impropriety in all activities."

The Biden administration has made remarkable progress in reshaping the federal judiciary to reflect America today. To continue that progress, Supreme Court justices need to be subject to the same scrutiny as other federal judges. As Justice Louis Brandeis said, sunlight is the best disinfectant.

We thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Egan". The signature is fluid and cursive, written in a professional style.

Marc Egan  
Director of Government Relations  
National Education Association