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Letter to the House

Demand Ethics Legislation & Inquiry into SCOTUS Gift Disclosure Violations

Tactic: Congressional Correspondence
Drive Folder: 01-Congressional Correspondence

Issue: Supreme Court Ethics — Gift Disclosure Failures
Source: Fix the Court / ProPublica, June 2024

Peaceful · Lawful · Persistent · Collective

TEMPLATE — HOUSE OF REPRESENTATIVES

Use this letter to contact your U.S. House Representative. Personalize the bracketed placeholders before sending.

[Today's Date]

The Honorable [Representative Name]

[Congressional District]

United States House of Representatives

Washington, DC 20515

Dear Representative [Last Name],

THE ISSUE

A documented analysis by the judicial reform organization Fix the Court, drawing on ProPublica's investigative reporting, found that Justice Clarence Thomas received 103 confirmed gifts valued at more than $2.4 million between 2004 and 2023 — nearly ten times the value of all gifts received by his fellow justices combined over the same period. Including 101 additional probable gifts — primarily luxury travel to Bohemian Grove and private resorts — Thomas's two-decade total reaches approximately $4.2 million. Of those gifts, Thomas reported only 27 on his mandatory financial disclosures.

Justice Samuel Alito accepted gifts valued at over $170,000, including private flights from hedge fund billionaire Paul Singer — a Republican megadonor with active cases before the Court. Alito did not recuse himself from those cases.

In November 2023, the Supreme Court adopted a formal ethics code. It is unenforceable. It designates no external body to receive complaints, establishes no investigative mechanism, and imposes no sanction for violations. The Court answers to no one.

THE LEGAL FRAMEWORK

- 5 U.S.C. § 13106 requires the Judicial Conference to refer to the Attorney General any judge it has reasonable cause to believe willfully filed false financial disclosures. Civil penalties reach $50,000 per violation. The Judicial Conference has not made this referral.
- 28 U.S.C. § 455 mandates recusal — the word is 'shall,' not 'may' — whenever a justice's impartiality might reasonably be questioned, or when a justice or spouse has a financial interest that could be affected by a case's outcome.
- 18 U.S.C. § 1001 makes it a federal felony to knowingly falsify a material fact on a document submitted to the federal government. There is no exception for sitting justices.

WHAT I AM ASKING

- Cosponsor and advance binding Supreme Court ethics legislation that designates an external enforcement body with genuine investigative authority — not another internal code the justices police themselves.
- Support the Supreme Court Ethics, Recusal, and Transparency (SCERT) Act or equivalent legislation requiring enforceable financial disclosure and mandatory external recusal review.
- Call on the Judicial Conference to fulfill its statutory obligation under 5 U.S.C. § 13106 and refer the documented disclosure record of Justices Thomas and Alito to the Attorney General.
- Hold the House Judiciary Committee to a hearing on SCOTUS gift ethics and the disclosure failures documented by Fix the Court and ProPublica.

The Supreme Court is the only court in the federal system that sets its own ethics rules, investigates itself, and answers to no external authority. That is not independence. It is exemption. Every other federal judge operates under binding disclosure requirements and external review. There is no constitutional reason the justices should be different — and no democratic justification for letting them remain so.

The House has both the standing and the responsibility to act. I am asking you to use it.

[Your Name]
[Your City, State]
[Your Email (optional)]
[Your Phone (optional)]

SUBMISSION GUIDANCE

- Find your House Representative: house.gov/representatives/find-your-representative
- Submit via the contact form on your representative's official website, or mail to their district office.
- Personalize the opening paragraph with a sentence about why this issue matters to you.
- You may also copy your state and local officials.
- Log your action at the Actions_log.xlsx in the project Drive folder.

Source: Fix the Court, 'A Staggering Tally,' June 6, 2024 (fixthecourt.com) | ProPublica SCOTUS investigation (propublica.org)