

Congress of the United States
House of Representatives
Washington, DC

June 30, 2026

Hon. John G. Roberts, Jr.
Chief Justice of the United States
U.S. Supreme Court
One First Street NE
Washington, D.C., 20543

Dear Chief Justice Roberts:

I write to express my concern about the conflicts of interest and ethical risks posed by prediction market betting on Supreme Court decisions and Court operations, and urge you to consider adopting a policy to ban the use of prediction markets for all justices, officers, and staff.

Gambling in prediction markets, namely Kalshi and Polymarket, has exploded over the last year, with the total monthly trading volume on these platforms increasing from under \$5 billion in September 2025 to approximately \$24 billion in April 2026.¹ Millions of people can now bet on the outcomes of any number of real-world events, including matters before the Supreme Court.

For example, people can, and have, bet on the outcomes of several monumental Supreme Court cases, including birthright citizenship,² whether states can count mail-in ballots after election day,³ the president's ability to fire members of independent agencies⁴ and the participation of transgender athletes in high school sports.⁵ They can also bet on whether and when justices will retire⁶ and who their successor might be.⁷

According to the Court's current ethics rubric, justices' and employees' participation in prediction markets is a violation of their Codes of Conduct. Canon 4(D)(4) of the justices' Code states, "A Justice should not disclose or use nonpublic information acquired in a judicial capacity for any

¹ See Kaitlyn Radde, "Trading volume on prediction markets has soared in recent months," *Pew Research Center*, May 27, 2026, <https://www.pewresearch.org/short-reads/2026/05/27/trading-volume-on-prediction-markets-has-soared-in-recent-months/>

² *Trump v. Barbara* (25-365); see links to Kalshi contract, <https://kalshi.com/markets/kx14amendcase/trump-birthright-citizenship-case/kx14amendcase-26>; and Polymarket contract, <https://polymarket.com/event/scotus-strikes-down-trumps-birthright-citizenship-eo>. Kalshi and Polymarket are the dominant players in the market, though there are others, and new ones are coming online all the time.

³ *Watson v. RNC* (24-1260); see links to Kalshi contract, <https://kalshi.com/markets/kxwatsonrnc/will-the-supreme-court-prohibit-states-from-counting-postelection-day-mail-ballots/kxwatsonrnc>, and Polymarket contract, <https://polymarket.com/event/scotus-bars-counting-mail-ballots-after-election-day>.

⁴ *Trump v. Slaughter* (25-332); see links to Kalshi contract, <https://kalshi.com/markets/kxtrumpslaughtervote/scotus-vote-in-trump-vs-slaughter/kxtrumpslaughtervote-26>, and Polymarket contract, <https://polymarket.com/event/scotus-lets-trump-fire-ftc-commissioners-in-trump-v-slaughter>.

⁵ *Little v. Hecox* (24-38) and *West Virginia v. B. P. J.* (24-43); see link to Kalshi contract, <https://kalshi.com/markets/kxbantrans/bantrabns/kxbantrans-26>.

⁶ See link to Kalshi contract on potential Supreme Court justice retirements, <https://kalshi.com/markets/kxscotusresign/scotus-members-resigning/kxscotusresign-29>.

⁷ See link to Supreme Court successors contract on Kalshi, <https://kalshi.com/markets/kxscourt/next-scotus-justice/kxscourt-29>.

purpose unrelated to the Justice’s official duties.”⁸ Although a recent version of the Code of Conduct that Supreme Court clerks and other employees are required to sign⁹ is not publicly available, it is believed to be similar to the one judicial employees in the lower courts must abide by. Its Canon 3D states that employees should not “employ [confidential] information for personal gain,”¹⁰ but additional steps must be taken to prevent conflicts of interest.

Many Court employees — justices, law clerks, judicial assistants and other staff — have inside information on critical Supreme Court decisions and operations, whether case-based or personnel-based. Recent leaks at the Court have raised additional concerns about individuals with insider information attempting to use that information to ensure the result of a case or expose what they believe to be an irregular course of action.¹¹

Concerns regarding federal government officials’ participation in prediction markets are not limited to the Supreme Court. The Senate banned participation for its members and staff on April 30, and the House is debating doing so, as well.¹² I strongly support legislation to ban public officials, including Members of Congress, the President and Vice President, Supreme Court Justices, political appointees, senior staff, and others, from participating in prediction markets.¹³

With public trust in all three branches of the federal government at an all-time low¹⁴, I believe it is within the Court’s interest to proactively inform the public that the justices and Court employees are not currently participating in prediction markets, and are forbidden from participating in them during the entirety of their employment. It is my opinion that this prohibition should not only cover gambling on Court-related outcomes but participation in these markets entirely, as it is not always clear when a wager is based on publicly available information, or nonpublic information acquired through government service.¹⁵

⁸ See “Code of Conduct for Justices of the Supreme Court of the United States,” https://www.supremecourt.gov/about/code-of-conduct-for-justices_november_13_2023.pdf.

⁹ These Codes are different from the NDAs that Supreme Court employees were reportedly asked to sign in 2024; see Jodi Kantor, “How the Supreme Court Secretly Made Itself Even More Secretive,” *New York Times*, Feb. 2, 2026, <https://www.nytimes.com/2026/02/02/us/supreme-court-nondisclosure-agreements.html>. For views on the ethical problems with NDAs in government, please see this June 24, 2026, letter led by Reps. Landsman, Krishnamoorthi, and 42 other Members of Congress to Office of Personnel Management Director Scott Kupor, https://d12t4t5x3vyizu.cloudfront.net/landsman.house.gov/uploads/2026/06/Quill-Letter-L37266-Letter-to-OPM-Re_-NDAs-for-Federal-Employees-Version-2-06-24-2026-@-09-56-AM.pdf

¹⁰ See Judicial Conference Committee on Codes of Conduct and the Federal Judicial Center, “Maintaining the Public Trust: Ethics for Federal Judicial Law Clerks,” 2019 Revised Fourth Edition, p. 5, https://www.cafc.uscourts.gov/wp-content/uploads/HR/Forms/Maintaining-the-Public-Trust_2019-Revised-Fourth-Edition.pdf.

¹¹ See Josh Gerstein and Alexander Ward, “Supreme Court has voted to overturn abortion rights, draft opinion shows,” *Politico*, May 2, 2022, <https://www.politico.com/news/2022/05/02/supreme-court-abortion-draft-opinion-00029473>, and see Jodi Kantor and Adam Liptak, “The Inside Story of Five Days That Remade the Supreme Court,” *New York Times*, Apr. 18, 2026, <https://www.nytimes.com/2026/04/18/us/politics/supreme-court-shadow-docket.html>.

¹² See generally Declan Harty, “House panel advances bill banning lawmakers from political betting markets,” *Politico*, June 24, 2026, <https://www.politico.com/live-updates/2026/06/24/congress/house-ban-political-prediction-markets-00973663>.

¹³ See legislation such as the *Drain the Swamp Act* (H.R.9222) *No Profiting from Public Service Act*, and *PREDICT Act* (H.R.8076)

¹⁴ See “Public Trust in Government, 1959-2025,” *Pew Research Center*, December 4, 2025, <https://www.pewresearch.org/politics/2025/12/04/public-trust-in-government-1958-2025/>

¹⁵ There is also Court precedent for issuing statements that reflect public concern over ethical issues. See *Cf.*, seven justices’ “Statement on Recusal Policy” from Nov. 1, 1993, <https://www.politico.com/f/?id=00000183-8648-d513-a19b-9fdc5acd0000>, the Court’s “Statement on Ethics Principles and Practices” from Apr. 23, 2023, <https://www.judiciary.senate.gov/imo/media/doc/Letter%20to%20Chairman%20Durbin%2004.25.2023.pdf>, and various letters the justices have sent to parties in cases in which they belatedly opted to recuse, e.g., this Dec. 4, 2024, letter from Justice

At this time of year, as the Court is issuing opinions on countless issues of national importance, from immigration to executive power to voting, the focus is on the justices. With a potential case relating to prediction markets hurtling toward the Supreme Court, the public attention on this issue is only likely to increase.¹⁶

I strongly believe that government officials should not be using their positions to profit from nonpublic information. Americans deserve to know that Supreme Court justices and employees, and everyone in the federal government, are abiding by the highest ethical standards. As such, I urge you to consider taking immediate action to ban prediction market participation for all justices and their staff.

I appreciate your full and fair consideration of my concerns, and I look forward to your response.

Sincerely,



Congressman Greg Landsman

Gorsuch, <https://tinyurl.com/GorsuchRecusalLetter>, and this Jan. 8, 2026, letter from Justice Alito, <https://tinyurl.com/AlitoRecusalLetter>.

¹⁶ See Mary Cunningham, “Some states want to regulate prediction markets. Should the feds let them?” *CBS News*, June 24, 2026, <https://www.cbsnews.com/news/prediction-markets-kalshi-polymarket-cftc-kentucky-lawsuit/>