



June 29, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
Washington, D.C. 20500

Dear President Biden,

As Governors, we oppose any attempt to increase the number of Justices on the Supreme Court of the United States. In short, “court packing”—or increasing the number of Justices to manipulate the Court’s decisions—would be unprecedented, unproductive, and unpredictable. The highest court in our land has seated nine justices for more than 150 years and has persisted throughout our nation’s history, dispensing justice even when faced with landmark, controversial decisions.

The American form of government is one that depends on the sovereignty and cooperation of states. Each term, the Supreme Court hears criminal and civil matters that are critically important to our states and to the people we represent. Historically, cases before the Supreme Court have served as the last legal defense of state sovereignty, protecting states and our citizens from federal overreach. As Governors, we have a vested interest in ensuring that our nation’s highest court remains independent and free from political pressure or partisan power grabs.

In April, you signed an Executive Order to form the Presidential Commission on the Supreme Court of the United States to explore reforming the Court, specifically including the consideration of court packing. Opposition to the composition or past decisions of our Court should not be the impetus for radical change to a bedrock branch of our nation’s government.

We urge you to withdraw this proposal from consideration. Legal scholars from across the country and on both sides of the political aisle agree that court packing will breed perpetual court packing—it will never be enough. Each partisan shift will result in seats added to the Court until the Court has lost not only its independence but its authority. The end result of court packing would lead to inconsistent rulings that undermine the legitimacy of the Court and fail to guide our nation and serve our states.

The Court’s decisions dramatically impact the citizens of our states every day. As governors, we stand united to preserve a system that has served us well for over a century and a half, contributing to a just society that is the envy of the free world. As your Commission issues reports in the coming months, we

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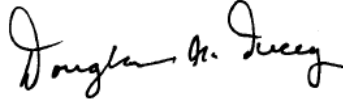
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call on you to rebuke any attempts to pack the Supreme Court for political gain and to protect the integrity of the judiciary as a coequal branch of government.

Sincerely,



Governor Kay Ivey
State of Alabama



Governor Doug Ducey
State of Arizona



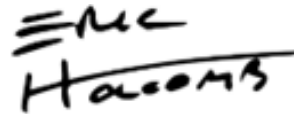
Governor Ron DeSantis
State of Florida



Governor Brian Kemp
State of Georgia



Governor Brad Little
State of Idaho



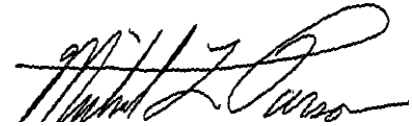
Governor Eric Holcomb
State of Indiana



Governor Kim Reynolds
State of Iowa



Governor Tate Reeves
State of Mississippi



Governor Mike Parson
State of Missouri



Governor Greg Gianforte
State of Montana



Governor Pete Ricketts
State of Nebraska



Governor Chris Sununu
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State of North Dakota



Governor Mike DeWine
State of Ohio



Governor Kevin Stitt
State of Oklahoma



Governor Henry McMaster
State of South Carolina



Governor Bill Lee
State of Tennessee



Governor Greg Abbott
State of Texas



Governor Spencer Cox
State of Utah



Governor Mark Gordon
State of Wyoming