

# [***Clarence Thomas Repeatedly Went To Koch Fundraisers And Mingled With Donors As Network Brings Supreme Court Cases, Report Says***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:697H-17Y1-DXVP-500R-00000-00&context=1516831)

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**Byline:** Alison Durkee, Forbes Staff

**Highlight:** The Koch network and its attorneys are behind a number of Supreme Court cases including one coming up this term.

**Body**

**Topline**

Supreme Court Justice Clarence Thomas has participated in at least two donor events for the influential Koch network without disclosing it, ProPublicareports and hung out with the Koch brothers at a private retreat for the wealthy the latest in a string of ethics scandals over Thomas association with wealthy friends, which also raises questions about his participation in an upcoming court case.

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<figcaption>

Charles Koch, chief executive officer of Koch Industries, at The Broadmoor Resort in Colorado Springs, Colorado, on June 29, 2019.

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**Key Facts**

Thomas has attended donor summits in 2018 and 2008 for the Koch network, ProPublica reports, referring to the overlapping nonprofits founded by billionaire brothersCharlesandDavid Kochthat have exerted broad influence over Republican ***politics*** (the network is also known as Stand Together).

Thomas attended a private dinner at a 2018 summit for high-level donors, which ProPublica reports was part of a fundraising strategy by the organization to court donors using access to high-profile guests like the justice which could floutethics guidelinesthat discourage justices from taking part in fundraising activities.

The justice did not disclose his attendance on his financial disclosure form, and also did not note private jet flights he took to and from the summit which the Koch network denied paying for, and ProPublica notes it is unclear who financed those flights.

Thomas 2008 attendance has been previously reported, with a court spokespersonsayingin 2011 that he made a brief drop-by at the summit but did not participate, and gave a speech at a Federalist Society dinner sponsored by Charles Koch that was separate from the donor event.

In addition to his donor summit appearances, Thomas also cultivated a personal relationship with the Koch brothers through repeated trips to a private summer retreat known as the Bohemian Grove, ProPublica reports, citing unnamed attendees at the retreat, where he and the Kochs have been part of the same small camp with Thomas attendance arranged through his friend real estate magnateHarlan Crow.

The Koch network has been behind Supreme Court cases before Thomas, including a2021 caseon donor disclosure rules, in which Thomas sided with the Koch network s Americans for Prosperity Foundation, and a case the court will hear in its upcoming term.

**Chief Critic**

Charles Koch did not respond to a request for comment from ProPublica (David Kochdiedin 2019), but a spokesperson for the Koch network told ProPublica in astatementtheir reporting is advocacy journalism intended to discredit and undermine the Supreme Court. The idea that attending a couple events to promote a book or give dinner remarks, as all the justices do, could somehow be undue influence just doesn t hold water, the spokesperson said of Thomas attendance at the donor summits.

**Crucial Quote**

I can t imagine it takes my breath away, frankly that [Thomas] would go to a Koch network event for donors, retired U.S. District Judge John E. Jones III, who was appointed by President George W. Bush, told ProPublica. I d have gotten a letter that would ve commenced a disciplinary proceeding if he had gone to a similar event, Jones said, adding, What you re seeing is a slow creep toward unethical behavior. Do it if you can get away with it.

**What To Watch For**

The Supreme Court will hear arguments inLoper Bright Enterprises v. Raimondoin its upcoming term, in which staff attorneys for the Koch network will represent the plaintiffs. The case will determine whether the court should overturn its precedent inChevron v. National Resources Defense Council, which gave broad power to federal agencies to interpret laws and craft policies. Thomas has openly opposed the ruling after previously initially supporting it and ProPublica notes the Koch network has spent years trying to fight the decision. The Supreme Court took up the case following an internal meeting at the Koch network in which staff said the high court was primed to change its ruling and looked for cases in which the court could take the issue up, ProPublica reports.

**Forbes Valuation**

$54.5 billion. That sCharles Kochand his family s estimated net worth as of Friday morning, according to**Forbes** real-time tracker, ranking him as the 24th-richest person in the world. The billionaire holds a 42% stake in his company, Koch Industries, which is the second-largest private company in the U.S. by revenue, making an estimated $125 billion. David Koch had an estimated net worth of$50.5 billionat the time of his death in 2019.

**Tangent**

Thomas appearances at the Koch network summit in 2018 have been arranged through Federalist Society founder Leonard Leo, who has spent billions to exert influence on the judiciary and Supreme Court, ProPublica reports, and Thomas and Leo jointly held a talk during one summit. In astatementto ProPublica, Leo said the justice has been a dear friend, and I would never pass up an opportunity to help him share, in his own words, his lifetime of accomplishment and judicial philosophy with new audiences. All the necessary due diligence was performed to ensure the justice s attendance at the events was compliant with all ethics requirements.

**Key Background**

ProPublica s report on Thomas association with the Koch network is part of astring of reportsthe publication has released on the justice s friendships with the wealthy particularly Crow, who ProPublica reports has treated Thomas to scores ofluxury vacations, financed his grand-nephew stuitionand boughtreal estatefrom the justice. The reports have fueled an already-brewingethics controversyat the Supreme Court, with Democrats and other ethics advocates pushing for the justices to be bound by a code of ethics as lower federal judges are. Those efforts still remain a long shot: Republicans have heavilyopposed effortsby Democratic lawmakers to impose a code of ethics on the court, and while justices have said they re considering coming up with a code themselves, that so far hasn t come to fruition. Thomas has opposed the reports about his and Crow s friendship, saying he was instructed he did not have to disclose the hospitality he received from the real estate magnate, but more recently diddisclosetrips taken on Crow s private jet on his most recent financial disclosure released in August.

**Further Reading**

Clarence Thomas Secretly Participated in Koch Network Donor Events(ProPublica)

Clarence Thomas Discloses More Trips From GOP Megadonor Harlan Crow(Forbes)

Clarence Thomas: Here Are All The Ethics Scandals Involving The Supreme Court Justice Amid Latest ProPublica Revelations(Forbes)

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