

[Group Requests DOJ To Investigate Scalia and Thomas Involvement With Koch Corporate Fundraisers](#)



The Heritage Foundation's 2009 annual fundraiser featuring Rush Limbaugh. Justice Clarence Thomas is seated in the bottom right of the picture next to a group of Heritage donors and Sen. Jim DeMint (R-SC)

Last

October, ThinkProgress [published](#) a memo from Koch Industries detailing a secret meeting in June of 2010 organized by David and Charles Koch. The event brought together executives from Wall Street, the oil industry, and other large companies along with officials from the U.S. Chamber of Commerce, Glenn Beck, and longtime political operatives like Eric O'Keefe, who organized a network of Tea Party-planning groups. Our post [focused](#) on how these individuals met to take advantage of the *Citizens United* decision and coordinate the funding of fronts used to help elect Republicans in the midterms. The memo we published also [revealed](#) that Supreme Court Justices Clarence Thomas and Antonin Scalia were featured speakers at previous Koch fundraisers.

Yesterday, the good government advocacy group Common Cause [filed a letter, citing](#) ThinkProgress' report, asking that the Justice Department investigate Scalia and Thomas for a potential conflict of interest in supporting the *Citizens United* decision while being involved with the Koch fundraisers. Common Cause is also requesting that the landmark case be reconsidered given the recent revelations. The letter refocuses attention on a series of investigations conducted by ThinkProgress about the Supreme Court's right flank — Justices Samuel Alito, Thomas, and Scalia — and their relationship with the corporate right:

– In November, **ThinkProgress interviewed Justice Alito as he entered the annual fundraising gala for the American Spectator**, attended by then-RNC Chairman Michael Steele and top Republican donors. Alito told us that his attendance to the fundraiser was “[not important](#).” However, as we noted, Alito was the main draw for donors when he headlined the same event in 2008. The American Spectator is nominally a magazine; in the 90s, it served as a slush fund for wealthy donors to pay opponents of

President Clinton, and recently, it organized a lobby group called the “Conservative Action Project” to orchestrate opposition to President Obama.

– In 2009, **while the Supreme Court heard arguments regarding the *Citizens United* case, Justice Thomas was featured at the annual fundraiser for the Heritage Foundation** — and sat at a table for donors with investment banker Thomas Saunders and Sen. Jim DeMint (R-SC). After the *Citizens United* decision, Heritage created a new nonprofit called “Heritage Action” to run [attack ads](#) against Democrats.

– In 2009, **while the Supreme Court heard arguments regarding the *Citizens United* case, Justice Alito headlined a [fundraiser](#) for the Intercollegiate Studies Institute (ISI)** — the same corporate front that funded the rise of Republican dirty trickster James O’Keefe and anti-masturbation activist Christine O’Donnell. According to the sponsorship levels for the event, Alito helped ISI raise \$70,000 or more from law firms like Young Conaway Stargatt & Taylor, LLP. ISI is [run](#) partially by lobbyist James Burnley, who also is on the [board](#) of FreedomWorks.

– Last year, **Justice Thomas helped [headline](#) a fundraiser for the National Association of Broadcasters**, a lobby group [representing](#) News Corp, Cox Media Group, and other media companies. The event [raised](#) hundreds of thousands for NAB’s charity from a host of corporate sponsors, including the U.S. Chamber of Commerce, PhRMA, and CBS Corp.

Notably, litigants in the *Citizens United* decision were also attendees of the Koch meeting. The U.S. Chamber of Commerce, which attended the Koch meeting, [filed](#) a *Citizens United* brief in support of unlimited corporate spending in elections. The Institute for Justice, founded by Charles Koch, and the Cato Institute, also founded by Charles Koch, [filed briefs](#) in support for overturning campaign finance laws. A number of the other groups filing briefs in the *Citizens United* decision, including the Center for Competitive Politics, are [run](#) by Koch meeting participants like Eric O’Keefe.

Earlier this month, we tried to speak to David Koch about the impact of *Citizens United* and his influence. After hearing the question, he [ended](#) the interview.