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THOM TILLIS, NORTH CAROLINA
MARSHA BLACKBURN, TENNESSEE

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

May 8, 2023

Lisa Johnston, Operations Director
Carey Commercial Ltd.
Registered Agent
Rochelle Marine Ltd.
1st & 2nd Floors, Elizabeth House
Les Ruettes Brayes, St. Peter Port, Guernsey
Channel Islands GY1 1EW

Dear Ms. Johnston:

We write to request information regarding the other passengers who traveled with Supreme Court Justice Clarence Thomas on trips Rochelle Marine Ltd. provided on its private yacht, the *Michaela Rose*, over the past two decades.

According to recent reports, individuals who may have had business interests or other interests before the Supreme Court have been able to gain personal and private access to Justices during occasions where Justices have accepted gifts of transportation or travel.¹ These revelations include the transportation Rochelle Marine Ltd. gifted² Justice Thomas on the *Michaela Rose*. Regardless of the intentions behind this travel, if these gifts enabled those with interests before the Court to have private access to a Justice, it is a matter of significant public concern. Furthermore, Justice Thomas's repeated failure to disclose such gifts allowed those with interests before the Court access without public scrutiny.

The appearance of special access to the Justices—that is not available to all Americans—is corrosive to the legitimacy of the Court because, at minimum, it creates an appearance of undue influence that undermines the public's trust in the Court's impartiality. These revelations come at a time when public confidence in the Court is already at an all-time low, with only 37 percent of Americans reporting confidence in the Court.³

¹ See, e.g., Joshua Kaplan, Justin Elliott, & Alex Mierjeski, *Clarence Thomas and the Billionaire*, PROPUBLICA (Apr. 6, 2023).

² Because this private yacht is owned by Rochelle Marine Ltd., a corporate entity, it is explicitly ineligible for the “personal hospitality” exception under the Ethics in Government Act (EIGA). See 16 U.S.C. § 13101(14) (defining “personal hospitality” as “hospitality extended for a nonbusiness purpose by an individual, **not a corporation or organization**, at the personal residence of that individual or the individual's family or on property owned by that individual or the individual's family”) (emphasis added).

³ See Marist, *Poll National Adults, Interviews conducted April 17th through April 19th* (Apr. 24, 2023), available at <https://maristpoll.marist.edu/polls/medication-abortion-and-the-u-s-supreme-court/>.

Maintaining faith in the impartiality of the federal judiciary is a necessary prerequisite for preserving the rule of law. In the absence of action by the Supreme Court to address shortcomings in its ethical standards and practices, Congress must act to restore faith in the Court by passing legislation that addresses those shortcomings. The Senate Judiciary Committee has jurisdiction over such legislation, and the information requested by this letter will help clarify the full scope of ethical concerns that the legislation must address. For these reasons, please provide the following information as soon as possible, but no later than May 22, 2023:

1. Please identify the full itinerary for all travel Justice Thomas, or any other Justice of the Supreme Court, took on the *Michaela Rose*, including the points of origins and the final destinations if the Justice did not travel on the initial or final segment of the itinerary.
2. For each itinerary responsive to Question 1, please identify the full name of every passenger who also traveled on the *Michaela Rose* with a Justice. For passengers who were under the age of 18 at the time of their travel, their names may be redacted.
3. For each passenger identified in response to Question 2, please identify whether the passenger paid for travel on the *Michaela Rose* or if the travel was provided to the passenger as a gift from Rochelle Marine Ltd.

Thank you for your attention to this important matter. We look forward to your prompt reply.

Sincerely,



Richard J. Durbin
Chair



Dianne Feinstein
United States Senator



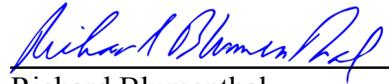
Sheldon Whitehouse
United States Senator



Amy Klobuchar
United States Senator



Christopher A. Coons
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator



Cory A. Booker
United States Senator



Alex Padilla
United States Senator



Jon Ossoff
United States Senator



Peter Welch
United States Senator

cc: The Honorable Lindsey O. Graham
Ranking Member