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January 19, 2024

Senator Ron Wyden
Chairman, Committee on Finance
Senator Sheldon Whitehouse
Chairman, Subcommittee on Federal Courts, Oversight, Agency Action,
and Federal Rights
United States Senate
Washington, DC 20510

Dear Senators Wyden and Whitehouse:

I am in receipt of your letter dated December 19, 2023, in which you raised questions regarding a loan my client Justice Clarence Thomas entered with his friend Anthony Welters. As I stated publicly on October 26, 2023, the Thomases made all payments to Mr. Welters on a regular basis until the terms of the agreement were satisfied in full. Justice Thomas has fully complied with all judicial disclosure rules on this matter.

In your letter, you extended me the opportunity to provide additional information regarding the loan. I write to you today to respectfully decline such an opportunity due to the separation of powers concerns it raises and the importance of preserving the independence of our federal judiciary.

Very truly yours,



Elliot S. Berke