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**Conflict of Interest: How Billionaire Philip Anschutz Stands to Profit from Justice Neil Gorsuch's Supreme Court Ruling in Seven County Infrastructure Coalition v. Eagle County**

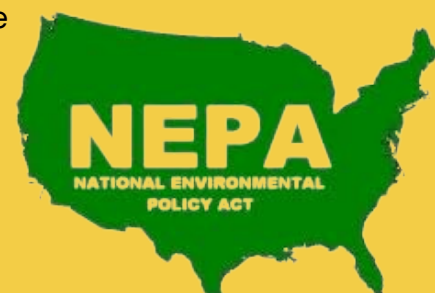
## SUMMARY

Supreme Court Justice **Neil Gorsuch's** [close personal ties](#) to **Philip F. Anschutz**, a Colorado billionaire with significant oil and gas holdings, undermines the justice's impartiality in ***Seven County Infrastructure Coalition v. Eagle County, Colo.***, a looming [case](#) in which the nation's highest court will [rule on](#) whether environmental reviews of public lands projects—including oil and gas drilling operations—must consider and publicly disclose “indirect” and “cumulative” environmental effects, such as climate change and the potential for oil spills. On September 4, 2024, the **Anschutz Exploration Corporation** filed an [amicus brief](#) urging the Supreme Court, including Justice Gorsuch, to establish “appropriate limits on the scope of NEPA's ‘effects’ analysis.”

Gorsuch's relationship with Anschutz has [spanned decades](#). Initially serving as outside counsel to the **Anschutz Corporation**, Gorsuch was recommended by Anschutz to the George W. Bush Administration as a judicial appointee when a seat on the 10th Circuit became available. While on the bench, Gorsuch [recused](#) himself from dozens of cases involving Anschutz or his companies. Gorsuch also acquired an [investment property](#) alongside Anschutz's business associates, including a director at **Anschutz Exploration Corporation**.

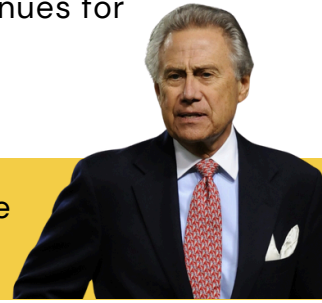
Since his ascendance to the Supreme Court, Gorsuch has [become a “semiregular” speaker](#) at Anschutz's annual dove-hunting retreats, where he has enjoyed access to the lavish lifestyle perks and personal connections afforded to Anschutz's close associates.

In the upcoming case, the Supreme Court will [review](#) the scope of the **National Environmental Policy Act (NEPA)**, a bedrock environmental law that requires federal agencies to review and disclose the possible environmental effects of public lands projects prior to their approval. While NEPA has been conventionally understood as demanding a review of all effects with a “reasonably close causal relationship” to the action, in 2020, the Trump Administration issued an [unprecedented rule change](#) ordering agencies to exclude climate change considerations from their reviews. This has [emboldened](#) fossil fuel and infrastructure special interests to call for judicial guidance that would make this lower standard of environmental review permanent, barring Congressional legislation.



Importantly, a lower standard of review would weaken one of the few avenues for challenging industry-backed projects with environmentally devastating consequences.

**Phil Anschutz** stands to materially and significantly benefit from the case currently before the Supreme Court:



- Anschutz is the sole owner of the **Anschutz Exploration Corporation**, a major oil and gas company whose drilling proposals have required Environmental Assessments at least [86 times](#). Weakening NEPA would speed up approval and remove burdensome costs for the Anschutz Corporation's projects, reduce the risk of legal challenges, and help obscure its projects' environmental impacts.
- **Seven County Infrastructure Coalition v. Eagle County, Colo.**, was brought by the backers of a proposed 88-mile [railway](#) that would connect Utah's oil-rich Uinta Basin to the national rail network and facilitate the sale of crude oil produced there to refineries on the Gulf Coast. As of May 2024, the **Anschutz Exploration Corporation** was the 13th largest oil producer in the **Uinta Basin**, where it operated dozens active oil and natural gas wells. The approval of the **Uinta Basin Railway** would [unlock](#) the drilling potential of Anschutz's oil and gas leases in Utah and could make it lucrative for the company, which holds the [12th most fossil fuel drilling leases](#) of any producer in the U.S., to expand its operations in Utah.

When the Biden Administration released additional [NEPA guidance](#) in 2023, the **Anschutz Exploration Corporation** submitted a [lengthy statement](#) arguing that "the proposed rule will adversely affect Anschutz's interests" and demanding that the Council on Environmental Quality, the body responsible for administering NEPA, "must effectuate NEPA's procedural mandates but go no further," allegedly spurning climate change considerations. That these positions would advance Anschutz's interests is similarly apparent from his corporation's [lobbying activities](#) and from the editorial choices made by numerous media outlets he owns, which have criticized the environmental review process heavily and gone as far as to claim that "[NEPA should be repealed entirely](#)." Meanwhile, trade associations affiliated with the Anschutz Exploration Corporation have [thrown](#) their [weight](#) behind the **Uinta Basin Railway**.