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University of Kansas Case Exposes Koch Campus Strategy

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Documents released last month in the settlement of a lawsuit at the University of Kansas offer a revealing window into an underreported Koch brothers' strategy: targeted, politicized funding on college campuses.

Consider the details of the case:

When, in March, 2014, economist Art Hall testified before the Kansas state senate urging repeal of the state's renewable energy standard, he identified himself -- accurately -- as the executive director of the Center for Applied Economics at the University of Kansas School of Business. As preferred by the university, Hall also noted that he did not speak for the school or the Kansas Board of Regents, claiming the views he expressed were "his alone."

But, as the documents recently released by the university show, Hall left out some pertinent information: The funding for the research on which his testimony was based came from a grant from a foundation controlled by Charles and David Koch; his academic center was founded and endowed by the Kochs; the foundation paid a portion of his salary, and Hall took the position as the Center's first executive director directly after having spent seven years working for a Koch subsidiary as an economist and lobbyist.

Of course, considering that Koch Industries, the second largest

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Privately-held company in the United States, has significant holdings in oil refining, pipelines, gas production, and coal, Hall's testimony disparaging renewable energy standards would likely have been perceived differently had he disclosed his close ties to the Kochs rather than portraying himself as an independent, unaffiliated researcher at a state university.

That's why the case is so noteworthy. The secret funding of Hall's academic work raises questions about the political strings attached to the many millions of dollars the Koch brothers are [known](#) to have spent in the past decade at colleges and universities around the country. Even more broadly, cases such as this one -- with its stark appearance of a conflict of interest -- point to the urgent need for greater transparency about academic funding to ensure that independent scientific and economic analysis is actually independent.

Battle for records

The University of Kansas case drew national attention after Schulyer Kraus, an undergraduate at school and president of the campus group Students for a Sustainable Future, filed an open records request for Hall's emails.

Kraus's group was part of a national student movement at dozens of campuses around the country to "[UnKoch My Campus](#)." But, as she [wrote](#) in a 2014 op-ed in the Lawrence Journal-World, her group worried not just about the Kochs but about any "donors who exercise undue influence in academia and legitimize political agendas with questionable academic credentials."

After Kraus filed the request, Hall filed a lawsuit ([paid for](#) by his Koch-affiliated funders) to block the university from providing the information, citing academic freedom and his right to privacy.

There have been a number of cases in which scientists at universities and research institutions around the country have been [harassed](#) by overly broad open records requests targeting reams of academic correspondence from political opponents seeking to discredit their work. Hall sought to take advantage of attempts by universities in other states to limit the scope of these kinds of records requests to protect academic freedom even though it seems perfectly reasonable to insist that academic funding -- and whether there are strings attached to that funding--should be publicly available information.

The August 28th settlement of the University of Kansas case allows for the release of a limited set of documents and emails pertaining to the center's funding. Tim Caboni, vice chancellor for public affairs at the University of Kansas [said](#) he feels that, while the settlement required "a difficult balancing act," he is "glad to have the matter resolved." As Caboni sees it, the university strongly supports the First Amendment rights of its faculty and their freedom to pursue the independent and uninhibited exchange of ideas. But at the same time, he notes, the university is a state agency, and Kansas open records laws require it to act transparently.

The released documents show that money Hall received from the Fred and Mary Koch Foundation was specifically earmarked to develop "intellectual products" to be used "as a tool in economic policy debates." Hall also [told the press](#) that his [testimony](#) was the only published product he produced on the topic of renewable energy standards based on the "background research" the foundation funded.

Ultimately, the Kansas legislature and Kansas Governor Sam Brownback repealed the standards mandating that 20 percent of the state's energy come from renewable sources, making the standards voluntary this year after failed attempts at repeal in previous years.

A National Campus Strategy

The Koch brothers are well known for political activity at the national level, routinely

spending large sums of money on candidates and causes. They are also known for so-called "information laundering" funneling large sums of money -- often so-called "dark money" donations to nonprofit groups such as the American Legislative Exchange Council (ALEC) and the Heartland Institute -- to disseminate misinformation on climate science and other topics.

But the funding of university scientists and economists has emerged over the past few years as a key part of their political strategy as well.

As John Hardin, director of university relations for the Koch Foundation, [told NPR](#) recently, the Kochs currently support over 350 programs at over 250 colleges and universities across the country.

Their college and university funding is notable both for its scale and for its stipulations. According to a 2012 [investigation](#) of Internal Revenue Service tax filings by the Center for Public Integrity, the Kochs donated more than \$12.7 million in that year alone to some 163 U.S. colleges and universities throughout 41 states and the District of Columbia.

When, for example, the Charles Koch Foundation in 2011 pledged \$1.5 million to Florida State University's economics department, a contract between the foundation and university installed a Koch-appointed board to scrutinize hiring, research funding and academic work. After an uproar, Florida State since [revised](#) its agreement, but the Kochs still retain the right to withdraw their funding if they are not pleased with hiring decisions at the school. Further, in response to the controversy, the Florida legislature exempted university foundation donation agreements from public records requests, making it even more difficult to find out who is funding university research in the state.

Charges of politically motivated strings attached to Koch funding have resulted in criticism at Suffolk University's Beacon Hill Institute, the Mercatus Center at George Mason, and a number of other campuses as well.

The Need for Disclosure

Calls for better disclosure of funding arrangements have led to changes in a number of high profile cases around the country. In one notable case, federal Freedom of Information Act requests revealed that fossil fuel interests including money from the Koch brothers was [secretly funding](#) the climate contrarian Willie Soon for years at the Harvard-Smithsonian Center for Astrophysics. The revelations led the Smithsonian to review its disclosure policies.

Notably, in the University of Kansas case, the American Association of University Professors (AAUP) -- which has been highly critical of the blanket use of open records laws -- supported the students' request and even helped raise the \$1800 the university required to fulfill it. As the AAUP argues, funding relationships should be considered fair game for disclosure.

As Ronald Barrett-Gonzalez, president of the AAUP's Kansas Conference, [explained](#): "If a precedent is set which allows any public employee engaging in scholarly endeavors at a public institution to hide his/her professional communications with agents who are funding the work, then it can call into question all such research at so-funded institutions and thereby damage the reputation of the institution as a whole."

If the University of Kansas case teaches us anything it is that we need sufficient transparency in academia, especially as researchers increasingly turn to private rather than public sources of funding. Scientists and other academics -- and their institutions -- can and should do more to proactively disclose where their funding comes from. And universities and state legislatures should ensure that funders are unable to exert influence over the conduct of research or the conclusions scientists reach.

Disclosure is also vital to maintain public confidence in independent analysis. People trust scientists because they're open and transparent. It's up to scientists and the institutions that employ them to retain -- and never lose -- that trust, especially as the public and policymakers demand more transparency from them.

MORE: [Koch Brothers](#), [David Koch](#), [Charles Koch](#), [American Legislative Exchange Council](#), [University of Kansas](#)

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