

New Watchdog Complaint Outlines ‘Pattern Of Ethical Misconduct’ At Interior Department

Six senior agency officials are named in a complaint filed Wednesday with Interior’s Office of Inspector General.

By **Chris D’Angelo**, **Huffington Post** 2/20/19 https://www.huffpost.com/entry/ethics-complaint-interior-department_n_5c6d6e09e4b0e2f4d8a1851c

A government ethics watchdog has called for the Interior Department’s Office of Inspector General to launch a formal investigation into violations of federal ethics rules by six high-ranking agency officials who maintained close ties to former employers.

The 19-page complaint from the D.C.-based nonpartisan nonprofit Campaign Legal Center, which cites two HuffPost reports, comes two weeks after President Donald Trump nominated David Bernhardt, Interior’s acting secretary and a former oil lobbyist, as the department’s permanent chief. He would replace Ryan Zinke, who resigned in January under a cloud of ethics scandals.

The CLC wrote in its complaint Wednesday that the senior employees’ violations “suggest a disturbing pattern of misconduct” across the agency.

“It appears that former Secretary Zinke’s disregard for ethical norms has sent a signal to Interior employees that skirting ethical rules, including violating a signed ethics pledge, is tolerated at the Department of the Interior,” the group wrote in its letter, addressed to Deputy Inspector General Mary Kendall.

There have been numerous instances of apparent conflicts of interest among top Interior officials — many of which the agency has brushed off or ignored entirely. Bernhardt will likely face questions about the allegations outlined in the CLC’s complaint during his upcoming Senate confirmation hearing.

One of the appointees named in the CLC’s complaint is Lori Mashburn, the agency’s White House liaison, who attended two private events hosted by her former employer, the right-wing Heritage Foundation. She joined Zinke at an Oct. 16, 2017, foundation

affair that it described as “an exclusive briefing for members who support Heritage with gifts of \$10,000+ annually or legacy commitments of \$200,000+.” She worked as an associate director at Heritage from October 2011 to January 2017.

There’s also Ben Cassidy, the department’s senior deputy director for intergovernmental and external affairs last year. A longtime lobbyist for the National Rifle Association, he participated in several agency meetings dealing with issues that he had lobbied Interior on while still with the NRA, including trophy hunting and national monument designations. He also served as a point person for members of a hunting advisory council, including one of his former NRA colleagues.

President Donald Trump’s ethics pledge bars political appointees in the executive branch from participating in certain matters involving former employers or clients for two years. It also prohibits former lobbyists from participating in any particular matters they lobbied on in the two years before being appointed.

In addition to citing HuffPost’s reporting on Cassidy’s and Mashburn’s ethics troubles, the CLC’s complaint highlights previously unreported emails between Cassidy and NRA lobbyist Susan Recce, his former employer, regarding recreational shooting on public lands in Arizona and Utah.

Another agency official named in the complaint is Doug Domenech, the assistant secretary for insular and international affairs at Interior and a longtime Republican operative who served in George W. Bush’s administration. For nearly two years before joining the agency, Domenech worked as the director for the Fueling Freedom Project at the Texas Public Policy Foundation, a conservative think tank linked to Charles and David Koch. Official agency calendars show that in April, while still an adviser to Zinke, Domenech met twice with representatives of the Texas Public Policy Foundation to discuss issues about which his former employer had ongoing litigation against Interior, as Pacific Standard first reported in May. Six months after those meetings, Interior settled one of those lawsuits in what the TPPF called a “major win for private property rights.”

Vincent DeVito, a former energy counselor to Zinke, participated in an August 2017 meeting with a former client, Boston-based Eversource Energy. DeVito left the agency in August and quickly took a job at an independent offshore oil and gas company.

Timothy Williams, the deputy director of Interior's Office of Intergovernmental and External Affairs, participated in a video call in June 2017 — three months after his appointment — with his former employer Chrissy Harbin, a vice president of the advocacy group American for Prosperity, which is funded by the Koch brothers. Williams' resume shows he worked as a field director for Americans for Prosperity from March 2015 to January 2016. The purpose of the meeting was "to discuss partnering on shared priorities," according to his official calendar.

Finally, the complaint names Todd Wynn, the director of Interior's external affairs office. In December 2017 he had a phone call with Rich Lindsey, who leads the energy and environment committee at the oil-funded Council of State Governments, as HuffPost first reported. Wynn served as a committee member of the council from June 2015 until he joined the Interior Department.

Interior did not immediately respond to a request for comment Wednesday.

Despite his own ethical woes and a slew of potential conflicts of interest stemming from his days as a lobbyist, Bernhardt has prioritized repairing the scandal-plagued agency's battered image.

A few days before he was nominated as the new chief, he sent a memo to the agency's 70,000 staffers, touting his efforts to improve the agency's "badly neglected" ethics infrastructure. As deputy secretary, he announced last April that the agency hired two new ethics officials, arguing that there have been "far too many reports from the Office of Inspector General of specific instances where employees have made decisions that were unethical and in some cases illegal." The new hires, he said, were part of the agency's "real commitment to make a meaningful contribution to incorporating the highest ethical standards."

One year ago, the CLC requested that the agency's internal watchdog probe Zinke's alleged misconduct, including meeting with executives of a Montana-based firearms company in which he maintained undisclosed stocks. That complaint has yet to be resolved, according to the CLC.