

## Trump's Interior Department's Ethical Cesspool

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In a recent news story, I saw an outrageous statement from the Department of Interior that its “ethics programs had earned high marks for improvements” (Doyle, Aug. 31, 2020). This report was by the Office of Government Ethics (OGE) which stated Interior had made major improvements in ethics since 2016 and made **NO RECOMMENDATIONS FOR IMPROVEMENT**--“a clean report.” I then read the report and discovered what they considered to be “improvements”: (1) Bernhardt's Interior has hired many more employees and its expenditures have boomed (while the rest of Interior such as conservation were cut); (2) They focused on “checklist items”—procedures such as did ethics training and file financial disclosures take place in a “timely” manner. Like an earlier GAO audit (March 2019), the investigation did not study actual cases of alleged ethical misbehavior—and there have been many during this Administration. GAO's (March 2019, pp. 9-12) report did focus on the need for “timely information on political employees” which is notable since one of the cases below shows how Interior Solicitor's Office officials withheld information from Congress until after he was confirmed! Doyle noted this anomaly between Interior's reputation and their “clean” report in his description of it (Aug. 31, 2020):

The OGE assessment does not address individual controversies, such as those that circulated around Bernhardt's Trump administration predecessor as Interior secretary, Ryan Zinke. Instead, the follow-up to the 2016 ethics program review focused on broader institutional practices that range from ethics training and materials to filing of financial disclosure statements.

Trump's Secretary of Interior, David Bernhardt bragged after the report that he had “done away with Obama style corruption” (Doyle, Aug. 20, 2020):

The rotten stench from the blatant failure of the prior administration [i.e. Obama's] to invest in the ethics program has been replaced with a culture of ethical compliance.

This is highly amusing. I admit that I did not follow the Obama Administration's Interior Department activities as closely as I have Trump's but I do not remember any major scandals. I am sure that corruption is bipartisan but it is also true that the “industries” that Obama Administration Interior Department officials work for when they leave office tend to be not-for-profit environmental organizations whose motivations are protecting wildlife and nature and wildlife do not pay high wages to those lobbying for them! Yes, a few at the top of some NGOs (e.g., The Nature Conservancy) make big dollars but when Trump and Republicans leave office, they join companies in industries such as energy, ranching, development and others that have billions of dollars and great financial incentives to influence rules. Below I document that the “rotten stench” of Interior “ethical compliance” has become been far more putrid than ever in history under Trump including the Teapot Dome era despite their “clean” report by OGE! I question the value of an organization whose mission is supposed to be preventing corruption like OGE that conducts a checklist study that whitewashes a Department that anyone knowledgeable

about government know has been accused of numerous unethical behaviors. Read their whitewash at:

<https://www.oge.gov/web/oge.nsf/Program%20Review%20Reports?OpenView&RestrictToCategory=2020> and compare their “clean report” with the numerous and major misdeeds of officials in the Interior Department that I detail below. As everyone knows, one of Trump’s campaign themes was to “drain the swamp.” These cases prove that his Interior Department has been far bolder in allowing lobbyists to influence policies in an unethical manner and has allowed ex-employees to take jobs where they lobby Interior for matters they directly worked on. Indeed, as Chris D’Angelo and Jimmy Tobias (Dec. 1, 2019) pointed out, Trump’s much ballyhooed restrictions on government employees and lobbyists were “filled with holes” from their very start because they allowed “lobbying on rulemaking” which is the essence of the work that Interior does! They point out that consequently former officials easily found loopholes around these restrictions. Here are 20 cases that definitively prove that Interior’s ethics have been in the sewer throughout the Trump Administration and, indeed, the stench has been getting worse the closer we approach the next election.

This paper is based on the great reporting done by reporters such as Michael Doyle of E&E News, Chis D’Angelo, Jimmy Tobias, Juliet Eilperin, Coral Davenport, and numerous other that I have cited below in the references. However, to my knowledge, nobody has put together an integrated portrait of the degree of corruption that has occurred in Trump’s Interior and it is inexcusable that Bernhardt can get away with blasting Obama’s ethics and brag about his “high marks” based on a lame report. I stopped at 20 cases for this paper, but I have lots more that I will describe in future updates.

The one point that is clear from evidence in this paper is that currently, there are NO meaningful restrictions on unethical behavior between lobbyists and Trump’s Interior. Both groups have had no trouble at all at finding easy routes around the rules through the “creative” interpretations that so-called ethics officials like Scott de la Vega used to excuse bad behaviors. Truly ethical public officials avoid behaviors that even give the “appearance” of being unethical. Appearances mean nothing to Bernhardt and his crew so long as the Ethics & OIG officials clear them, they do not give a damn what critics say about their corruption. They have no shame—they laugh all the way to their banks and scoff at laws like FOIA, the Hatch Act, the Anti-Deficiency Act, and Inspector Generals—you name a so-called ethical restriction and they can tell you how to circumvent it, ignore it, or get the Ethics and IG officials to forgive you. They are truly a despicable lot. And the saddest thing is that they have gotten away with it and undoubtedly nothing will happen after they leave government—they will go back to their lobbying firms or companies like Westlands, Dow, Shell Oil, etc. and resume their unethical practices.

(Case #1) One of Trump’s major themes was to “drain the swamp” to forbid government officials who left for industry to lobby their agencies for FIVE YEARS! ALL of Zinke & Bernhardt’s top officials who have left government have signed with companies that have close ties to their former jobs! A perfect example is Joe Balash who oversaw the effort to drill ANWR in his job as Asst. Sec. for Land and Minerals Management in BLM. Who did he sign with? An oil company, Oil Search, that wants to drill ANWR and is already drilling Federal reserves. Conflict of Interest, right?! No, Balash explained that he would only be SUPERVISING those lobbying for drilling ANWR—he would not be DIRECTLY lobbying! (Eilperin & Mufson, Sept.

4, 2019). I suspect that Balash was laughing when he explained this creative interpretation of ethical rules. Only in Bernhardt's sewer can it be considered ethical for the BOSS of lobbyists to be free to do this! If you understand and accept Balash's excuse, Bernhardt will hire you as his next Solicitor! Of course, Interior's Ethics Office saw no problem with this though ethics experts such as those from the Project on Government oversight disagreed. In Bernhardt's Interior, "appearances" do not matter—only the technical procedural rules do!

(Case #2) Daniel Jorjani heads Interior's Ethics and FOIA units so he should provide a good model of behavior for accountability, Right? He was in charge of the withholding of FOIA documents ordered by the Court and Senate Committee but when the IG interviewed him about why documents were withheld, his memory suddenly became very bad (Office of the Inspector General, Aug. 11, 2020). He could only confirm what others had told the IG because he did not remember the details himself about withholding documents for his boss's confirmation (Doyle, Aug. 11, 2020). Apparently, refusing to provide court ordered FOIA information to a Senate Committee concerning his boss's confirmation, the most important day of Bernhardt's life, was too trivial for Jorjani to remember! Moreover, neither Jorjani nor the other Interior officials involved could remember "if or when" Bernhardt learned about this withholding of documents! This "little fact" apparently was another crucial point not important enough to be recalled by the feeble minds of Bernhardt's underlings (i.e. accomplices)! Enough said: Jorjani is a liar who heads Interior's Solicitor's Office which oversees both ethics and accountability! Read the text of Greenblatt's OIG "investigation" at [https://www.eenews.net/assets/2020/08/11/document\\_gw\\_01.pdf](https://www.eenews.net/assets/2020/08/11/document_gw_01.pdf) It's a hilarious account of liars trying to explain their unethical actions and one wonders how Greenblatt could keep from laughing at their lies but not only did he do so but he accepted them—they made good sense to him!

(Case #3) Assistant Interior Secretary for Insular and International Affairs Doug Domenech met with his former employer, Texas Public Policy Foundation (TPPF) that broke his ethics pledge—but nothing was done other than watch some Powerpoint slides! De la Vega excused him because he had not signed an "ethics pledge" yet (Doyle, Feb. 20, 2019)! Apparently, the presence of three times as many ethics officials in Interior as existed two years ago was not enough to get Domenech to sign the pledge (OGE investigators missed this one!) They are not supposed to talk about projects they worked on while employed but they are free to give favors to their former employers about any new projects they have! After meeting with his former employer, Domenech emailed them and told them "Keep fighting!" concerning the matters he had discussed with them (Tobias, July 16, 2019). De la Vega said, "this could be a violation of ethical rules but "he would need more context to make a legal opinion about it"! Domenech said he was going to be "more sensitive now!" (See the next case below to see how "sensitive" he became!) Tobias' article shows that Domenech's dirty work was successful—it helped win a lawsuit for TPPF (Tobias, July 16, 2019). Why didn't Interior's de la Vega act against this bozo? The answer is: Bernhardt personally recommended Domenech to lead the Trump administration's Department of the Interior landing team" and he's a bigwig with lots of power—not the kind of employee ethics officials like de la Vega punish. No wonder de la Vega subsequently was promoted to Asst. Solicitor for Interior: Bernhardt shows his appreciation to

guys who sweep dirt under the rug. The Texas Public Policy Foundation. deserves dishonorable mention for some of the ethical misdeeds of Bernhardt's Interior. It is funded by the Koch Brothers.

(Case #4) Interior Asst Sec Domenech was found guilty in another case of violating ethics rules of trying to help relatives get hired by EPA! What was Interior's response to his second violation in months? Here is what Interior's IG Report said: "Domenech's actions in this matter implicate a variety of Federal ethics regulations," the report states (Doyle & Yachnin, May 29, 2020). "At the time of these events Domenech was not new to Government service; to the contrary, Domenech has more than 10 years of Federal service, a significant portion of which was at a senior level." So Interior fired Domenech since this was his second confirmed breach of ethics? Right? No, in fact, he has had no significant penalty other than taking an ethics course. For bigwigs, ethics training courses are the biggest "penalty" assigned. What has Interior to say about this repeated offender of ethics rules? They say, "they consider the matter closed." Interior brags that they have tripled the number of Ethics employees! Too bad none of them has the guts to act against bigwigs

(Case #5) Bernhardt praised Jorjani's reinterpretation of the Migratory Bird Treaty saying that he did a "good job." (Doyle, April 15, 2019). However, Bernhardt said he was "**unaware**" of ***MBTA-related meetings between Interior officials and the Independent Petroleum Assoc., a former client of his***, until he "saw references to such meetings" in news accounts! This statement is made by Bernhardt who has made millions from his lobby partners and whom he cherishes! ***If an Interior official had met with a former client of Bernhardt's without letting Bernhardt know about it beforehand, you can be sure (s)he would be headed for the exit.*** But, of course, slimy Bernhardt would not leave any paperwork or phone trail for accountability concerning his communications with his Interior underlings or lobby partners—it would all be by word of mouth or untracked phone calls.

(Case #6): Bernhardt ONLY HIRES top staff who are lobbyists, violating Trump's pledge to "drain the swamp. "Who did he hire to head the U.S. Fish and Wildlife Service (FWS)? Aurelia Skipwith had no professional background in conservation that *was supposed to be required for the job*. Her experience was working for Dow! At the time she was nominated, she was engaged to Leo Giacometto, a "lobbyist who worked on behalf of Westlands from 2005 to 2010 in his role as the founder of Gage International" and she admitted that she was an 'unpaid adviser' for Gage starting in 2013" (Tobias & Holden, Sept. 25, 2019). However, she did not have to "disclose any information about her fiancé's financial ties or involvement" to Congress because they were not married. Since she took over, FWS has taken several steps that have pleased Dow, Westlands & other companies such as weakening the Migratory Bird Treaty, shrinking protections for critical habitat under the ESA, & approving slob hunting in Alaska's National Wildlife Refuges.

(Case #7) Bernhardt's Interior broke the law when they used funds collected under the Federal Lands Recreation Enhancement Act that are supposed to be used only for maintenance and future projects in order to keep parks open during the government shutdown. GAO's Thomas Armstrong, GAO's general counsel, advised lawmakers stated that "Instead of carrying out the law, Interior improperly imposed its own will" However, Interior's IG, Mark David Greenblatt,

said that Interior’s illegal use was okay because they followed certain PROCEDURES but he ignored the SUBSTANCE of the law. GAO’s 15-page letter provides detailed explanation of how Interior broke the law in contrast to the weak review of IG Greenblatt (USGAO, Sept. 5, 2019):

As discussed above, Interior violated the purpose statute, and incurred an Antideficiency Act violation, when it obligated FLREA fees during the shutdown for activities like trash collection and maintenance of restrooms and sanitation at national parks. Interior must adjust its accounts to correct the violation. Although Interior can correct the violation, it must report the violation, explain the correction, identify officials responsible for the violating obligations, and explain actions taken to preclude such violations in the future.

Interior’s assertion, in its February 6 letter, of a “simple, two-step approach” demonstrates a misunderstanding and misapplication of both the purpose statute, and the Antideficiency Act, and it tears at the very fabric of Congress’s constitutional power of the purse. We will consider any future application of this “two-step approach” to be a knowing and willful violation of the Act, subjecting Interior officials to penalties.

Congress has expressed its prerogatives through laws that it enacted through the process set forth in the Constitution. Interior disregarded not only the laws themselves but also the congressional prerogatives that underlie them. Instead of carrying out the law, Interior improperly imposed its own will. Interior cannot select which restraints apply to its appropriations and when these restraints apply. Congress provided Interior extraordinary authority with the enactment of FLREA, permitting Interior, without further congressional action, to collect and use fees. The “simple, two-step approach” is an abuse of the trust Congress placed in Interior with the enactment of FLREA (USGAO, Sept. 5, 2019).

The full letter is available at:

<https://mccollum.house.gov/sites/mccollum.house.gov/files/documents/B-330776%20Parks%20in%20Shutdown%20-%20Final%20Signed%20Opinion%20-%20PDF.PDF> This Greenblatt decision shows how IGs and Ethics officials avoid holding powerful officials accountable for breaking the law by maintaining they followed the “procedures”—just like Eichmann! The substance of the law means nothing to them.

(Case #8) The Department of Interior has given Trump’s White House use of National Monuments and the National Park Service for his political campaign gratis—that is the public, not Trump or the Republican party pays. Here is what they did: The National Park produced a video touting President Trump. The video shows Trump saluting at Mount Rushmore National Memorial in South Dakota and speaking at the Lincoln Memorial in Washington. It also includes footage of first lady Melania Trump and Interior Secretary David Bernhardt from their visit to Grand Teton National Park in Wyoming last October, along with shots of Yellowstone, the Grand Canyon and the Martin Luther King Jr. Memorial in West Potomac Park, next to the National Mall. Amid the scenic shots, the video opens with the capitalized words: "PRESIDENT TRUMP CALLED ON CONGRESS TO PROTECT OUR NATIONAL PARKS AND FEDERAL LANDS FOR OUR CHILDREN AND GRANDCHILDREN. The video, which the

Interior Department posted on Facebook, clearly violates the federal Antideficiency Act, which prohibits the use of federal funds for purposes other than those approved by Congress but the Park Service refused to say how much they spent on the video and they stated that the *video had been approved by "career ethics and general law officials"* before it was posted. Informally, ethics officials said the Hatch Act was a local Washington, D.C. "thing" and nobody cared about it. Undoubtedly Interior's IG and Ethics staff will come up with some creative lying to justify these illegal actions!

(Case #9) Reporter Coral Davenport (Feb. 12, 2019) of the New York Times reported that "As a lobbyist and lawyer, David Bernhardt fought for years on behalf of a group of California farmers to weaken Endangered Species Act protections for the delta smelt, to gain access to irrigation water. As a top official since 2017 at the Interior Department, Mr. Bernhardt has been continuing to "lobby for them" albeit internal lobbying. He worked to get rid "of rules the farmers had hired him to oppose." Later, Bernhardt admitted that "four months after joining the Interior Department, he told a "senior water-resources official for the mid-Pacific region, to begin the process of weakening protections for the smelt and another fish, the winter-run Chinook salmon, to free up river water for agriculture" (Davenport, Feb. 12, 2019). Davenport spoke with a professor who teaches courses on ethics and lobbying at American University and he stated: "This is a clear case of violating the ethics code, and a clear conflict of interest." The professor, James Thurber, said: "He was appointed and, in less than a one-year period, then he started advocating for what he had lobbied for. It's not a gray area" (Davenport, Feb. 12, 2019). Bernhardt's lobbying was for the Westlands Water District which paid him \$1.3 Million for 5 years of lobbying. So how did Bernhardt get away with doing this? (1) "Bernhardt received verbal approval from an Interior Department ethics official before initiating the rollback of protections for the smelt;" (2) The Ethics Office lawyer told Bernhardt, that he had lobbied on a broad water bill — one with many provisions, not just smelt rollbacks. So, he was within the ethics rules?? But independent experts that Davenport spoke with disagreed: "That argument is a real reach," said Virginia Canter, the chief ethics counsel for Citizens for Responsibility and Ethics in Washington, a nonprofit, nonpartisan watchdog group."

(Case #10) In 2019, GAO (GAO-19-249, March) issued a report in which they criticized the Interior Department for its ethics program but unfortunately, they focused mainly on vacant positions in Ethics. So, Bernhardt happily agreed to increase greatly the number of employees (he cut Interior's conservation programs to do this). But who did he put in charge? Scott Cameron who had been president of an organization called the "Reduce Risks from Invasive Species Coalition," which has received money from a pesticide company that lobbies the Interior Department (Department of Influence; ProPublica). He also worked for Dawson and Associates that lobbies on behalf of extractive companies like Marcellus Shale Coalition and Shell Oil. In other words, their reform effort was headed by an official with loads of ethical conflicts himself. This demonstrates that assessments of ethical programs in government need to look at the actual behaviors of the employees and not simply count positions and check procedures. Bernhardt and his so-called Ethics officials use adherence to procedures to get away with misdeeds.

(Case #11) Huffpost (D'Angelo & Vardi, May 2, 2018) reported that, as Deputy Secretary of Interior to Ryan Zinke, Bernhardt met with lobbyists for MGM Resorts who opposed a tribal casino. Interior then backed off approving that casino. Bernhardt was "barred from

participating in matters involving his former employer, lobbying firm Brownstein Hyatt Farber & Schreck due to the ethics agreement he signed.” But, his calendar shows a Dec. 19 meeting with a “Florida lobbyist who raised millions of dollars for President Donald Trump’s campaign and was hired by MGM in March 2017 to lobby the Department of the Interior” on Indian gaming issues. Sneaky Bernhardt’s lobby partners defended his behavior insisting that they did not talk about MGM and said the meeting was about a “different tribal casino.” But a watchdog group noted that his “frequent meetings with lobbyists who are deeply entangled in the turf war between MGM and the tribal casinos...*gives every appearance* that Bernhardt is personally involved in negotiating public policies.” Furthermore, they point out that his meetings with Norton, a lobbyist, who SOLELY represents MGM in its battle with tribal casinos” shows that he was guilty of breaking his ethics pledge. Of course, Bernhardt does not give a damn about “appearances” of unethical behavior. He and his lobby chums will deny and obfuscate endlessly and would have to be prosecuted in a court of law and found guilty by a jury to punish him.

(Case #12) BLM is waiving royalties on oil despite fact that states like Texas are trying to LIMIT drilling. BLM’s using COVID as excuse but even oil industry lobbyist Sgamma president of the Western Energy Alliance says problem is too much oil, NOT COVID. These new BLM policies were enacted by “highest levels” (that is by Bernhardt & Pendley) without the usual consultation. Time for Interior’s Ethics Office to get ready to forgive Bernhardt for violating ethics again! See article by Nick Bowlin (May 21, 2020).

(Case #13) Republicans on two House committees admitted in a report that Bernhardt had met with a former client of his, Louisiana Mid-Continent Oil and Gas Assoc. which violated his ethics agreement but sneaky Davy kept the meeting secret from his formal calendar. He practiced keeping a “personal itinerary” separate from the public calendar and it was regularly deleted! This meeting violated his pledge, right? No, according to Scott de la Vega, Interior’s Ethics head, he forgave the meeting. De la Vega’s explanation: “LMOGA appears to have an association to an entity on Bernhardt’s recusal list, U.S. Oil and Gas Association, but it does not appear that this association would require a recusal in all circumstances...” If you can understand de la Vega’s logic, Bernhardt would be glad to add you to his “Ethics” staff! The hiding of his calendars shows why even FOIA requests may not prove his misdeeds because he has a reputation for not leaving a paper or electronic trail (Holzman, Aug. 23, 2019). Bernhardt has effectively stonewalled Congress, sending them thousands of irrelevant documents when they demand the details on alleged misdeeds. I hope that if there is a new Administration in 2021, they do a careful study for documents deleted from Interior’s computer system. I am sure that Bernhardt will do everything possible to cover his tracks.

(Case #14) Bernhardt intervened in Oct. 2017 to block release of the report on two pesticides, malathion and chlorpyrifos, that were so toxic that they “[jeopardize the continued existence](#)” of more than 1,200 endangered species (Lipton, March 26, 2019). Scientists had planned to release the report in November but Bernhardt intervened in the last days to change the standard about their risks so they would not be banned. One of the companies involved was a large donor to the Trump inauguration fund. Bernhardt was assisted by Rebekah Adcock who had represented the pesticide industry and then was hired by the Agriculture Dept. and was not supposed to be involved in any issues concerning her company for one year. The new standard is that farmers

do not intend to use the pesticide to kill species so the government has to have high evidence of harm before they can act even if their scientists say these pesticides are dangerous. Bernhardt then blocked release of the reports about the pesticide dangers until a FOIA request forced them to release it! Interior's (then) Ethics Chief, Scott de la Vega, investigated and he conceded that Bernhardt's intervention was highly unusual, but did not find anything wrong with it! Here is Bernhardt's explanation of why he changed the decision (Lipton, March 26, 2019):

"I was troubled because, as I read it, a massive amount of work had gone into a process that I looked at and thought, 'This is completely and *totally against our regulatory paradigm*, and what a pathetic waste of our energy, effort and resources without legal intervention,'" Bernhardt said.

He is speaking about blocking a report about dangerous pesticides based on science as being a "waste."! The Times conclusion is that "The documents provide a case study of how the Trump administration has been using its power to second-guess or push aside conclusions reached by career professionals, particularly in the area of public health and the environment." Bernhardt's statement is correct in one sense: The report and its recommendations were totally against Bernhardt's regulatory paradigm which is to never rule against industry—forget the science! Eric Lipton (March 26, 2019) of the New York Times has written a detailed account of this ethical scandal. As usual, neither Interior's IGs nor their numerous ethical staff like de la Vega ever are willing to find Bernhardt & his political appointees guilty of wrongdoing.

Case (#15) There are many other high-level employees who have committed unethical acts which should have been punished but who have been excused by Interior and its Ethics unit. For example, Vincent DeVito, who was counselor for energy policy and an advisor to Bernhardt worked for a company (Eversource Energy) before being hired by Interior and then met with them in August of the year he was hired (2017) concerning a project had had been involved with before joining Interior (Doyle, Feb. 20, 2019). When DeVito left Interior in 2018, he joining Cox Oil Offshore as their counsel! Trump has created a "super" revolving door!

(Case #16) During Ryan Zinke's regime, Todd Wynn, Director of Interior's Office of Intergovernmental and External Affairs, after working for the Koch-funded, conservative American Legislative Exchange Council, joined the utility trade group Edison Electric Institute and "participated in the ALEC task force he previously led. He then had video calls with ALEC staff, though ALEC denied the meeting had occurred" (Kaufman, June 15, 2018). On Oct. 27, he planned a 30-minute call with Jennifer Butler, a senior policy adviser at the ALEC-linked State Policy Network, based on calendars released under a FOIA request. On Dec. 19, he scheduled another call with Grant Kidwell, the ALEC director in charge of his former task force. ALEC denied that the meeting occurred. Interior said Wynn's employment with ALEC was more than 2 years before his Interior job but apparently his appearances did matter for Wynn (unlike Bernhardt) since he subsequently resigned from Interior.

(Case #17) Interior intervened to stop an Office of Surface Mining Reclamation and Enforcement study of mountaintop mining that was being done by the National Academies of Sciences, Engineering and Medicine which had convened a panel of experts. Interior then set up a political review to cancel any scientific studies like this one that do not conform to Trump's

energy dominance mania (Doyle, May 14, 2020). Note: One of Bernhardt's written promises in his confirmation hearing was to base his decisions on science only!

(Case #18) Interior's Inspector General (IG): Mark David Greenblatt: At the same time that several IGs were displaying courage in speaking "truth to power" to President Trump and being fired as a result, Greenblatt has been busy kowtowing to Bernhardt and displaying cowardice. The Washington Post (Blake, May 16, 2020) provided a detailed account of the massacre of courageous IGs. I have shown by way of contrast how Greenblatt's lack of actions in the following cases: (1) GAO provided substantive evidence of breaking the law on illegal spending during shutdown but Greenblatt says they just followed procedures; (2) He investigated Domenech and found him guilty of breach of ethics with NO GOOD EXCUSE but Domenech continues in office and Greenblatt does nothing—certainly not resign in protest! (3) He investigated withholding of FOIA documents described above & accepted Interior's argument that they could withhold court ordered FOIA documents from Congress. One would hope that the IG would make up for the cowardice of other ethics officials like Scott de la Vega but Greenblatt will never be fired by Trump due to a courageous action! Greenblatt's treatment of Domenech and Bernhardt is quite different from that of lower-level employees. He focused on "blunders" like wasteful purchase of a \$3000 mountain bike while major ethical breeches by powerful political appointees were ignored! Indeed, if Trump wins reelection, he will undoubtedly be promoted by Bernhardt as happened to Scott de la Vega.

(Case #19) When Jorjani was interviewed by the Senate for confirmation as Solicitor, he lied to Sen. King about not having contact with Koch Brothers (whom he had worked for) though he used "TO BEST OF MY RECOLLECTION" phrase repeatedly that is employed by other liars. Jorjani has a terrible memory when it comes to issues involving his own or Bernhardt's misconduct! How brazen is Jorjani? Jorjani sent an email in March of 2017 to Interior colleagues in which he boasted that he had "successfully protected" Interior political appointees facing investigations and that "at the end of the day, our job is to protect the Secretary" from ethics probes" (D'Angelo, Jan. 17, 2020). Jorjani also lied to Senators about not reviewing public information requests. He used his contacts with the Koch network which he had been part of. In short, he showed that he deserved to head Bernhardt's version of an Ethics and Accountability Office! He has absolutely no respect for ethical principles, oaths of office, or laws imposing restrictions on lobbyists.

(Case #20) Interior brags about its ethics program because its budget increased from \$67 to \$87 Million while Interior's other programs were cut 13% (Doyle, Feb. 11, 2020). Who most directly benefitted from this increase? Daniel Jorjani—he heads the Ethics Office unit as well as FOIA! Indeed, as I have noted, its Ethics Office received "high marks" for its excellence due in large part to the filling of vacancies. However, as I have shown, the increase in staff had absolutely no impact on improving unethical behavior which continued to flourish. Bottom line: Interior Ethics Budget Way Up, Morality, Absent!

These twenty cases just scratch the surface of what has happened in Trump's Interior and I will be adding more later but wanted to share these now well before the election to demonstrate the ridiculous extent to which the Trump Administration has **escalated** unethical lobbying between

government and the private sector. Not only have his promises been violated but the boldness and vulgarity with which it is now occurring with no opposition from ethics officials is truly an outrage. All the Interior's Ethics team should be immediately fired and their behaviors should be checked to see if they can be convicted of violating the law because they surely violated their oaths of office. I now realize that it is impossible for an agency like OGE or even GAO to investigate major ethical breaches and that is why they focus on checklists and procedures. These breaches are inherently political and embarrassing to one party and thus courts would have to be the long-term solution but they can take years to act while the unethical behavior continues. It is possible that if IGs were really protected from political revenge and if they have moral courage, they could have an impact. The lesson of this paper: There are no meaningful and enforced rules against unethical behaviors by lobbyists and government administrators in Trump's Interior—at least those who are powerful.

This paper is just one chapter in a book that I am preparing that will explore in great detail all aspects of Interior under Trump. If you have comments on this chapter or are interested in reviewing the book, email me at [brucerocheleau@gmail.com](mailto:brucerocheleau@gmail.com)

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