



United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240

August 9, 2023

The Honorable Bruce Westerman
Chairman
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Westerman:

Thank you for your letter dated June 5, 2023, signed by you and Republican Members of the Committee, regarding Secretary of the Interior Deb Haaland's compliance with her ethics obligations. In addition to a response from the Department of the Interior (Department) providing documents under separate cover, Secretary Haaland asked that I also respond on her behalf and provide further information about the Departmental Ethical Office (DEO) and her efforts to comply with her personal ethics obligations.

Within the Department, the DEO in the Office of the Solicitor undertakes important work to enhance ethics compliance and prevent conflicts of interest throughout the Department. The DEO provides ethics guidance to all Department employees through ethics training, the collection and review of financial disclosure reports, and the provision of advice and counsel to employees on questions related to their ethics obligations under applicable laws and regulations.

In one of her first actions, Secretary Haaland sent a message to all Department employees highlighting her participation in ethics training, noting that the Department's ethics officials serve as a valued resource, and encouraging employees to consult with the DEO regarding their own ethics obligations. As the DEO's staffing has increased in recent years, a more robust DEO is helping the Department to ensure personnel, programs, and operations comply with critically important ethics laws and regulations. The DEO's goal is to build one of the finest ethics programs in the Federal government and to ensure the personnel, policies, and resources are firmly in place to maintain it for future generations of the Department's employees.

As a nominee to a Presidentially appointed, Senate-confirmed (PAS) position, Secretary Haaland worked closely with the Biden/Harris Transition Team, the DEO, and the U.S. Office of Government Ethics to complete her nominee ethics materials, including a Nominee OGE Form 278e, Public Financial Disclosure Report, and an ethics agreement. After being confirmed by

the Senate on March 15, 2021, Secretary Haaland signed the Ethics Pledge implemented by Executive Order No. 13989, titled "Executive Order on Ethics Commitments by Executive Branch Personnel," on March 17, 2021.

Also on March 17, 2021, Secretary Haaland attended an initial ethics training and a senior leader ethics briefing required for PAS officials. The goal of this training was to provide Secretary Haaland with an overview of applicable ethics laws and regulations and to provide a foundation for her to use when assessing her ethics obligations. In addition to formal ethics trainings, Secretary Haaland regularly meets with senior ethics officials in the Department to discuss ethics issues and questions.

On April 14, 2021, Secretary Haaland signed an Ethics Recusals & Screening Arrangement memorandum. This memorandum documented the steps that she agreed to undertake to meet her personal ethics obligations and formally identified both staff and a process to assist her in meeting those obligations. A second Ethics Recusals & Screening Agreement memorandum was signed on October 26, 2021, following her marriage to Mr. Skip Sayre. After the submission of her annual OGE Form 278e, Public Financial Disclosure Report, Secretary Haaland signed a third Ethics Recusals & Screening Arrangement memorandum on May 18, 2022. Secretary Haaland has neither sought nor been granted any waivers of her ethics obligations.

After the Secretary married Mr. Sayre, Mr. Sayre provided the DEO with information regarding his employment, other positions, and investments. The DEO used this information to determine the scope of the Secretary's new recusals under applicable ethics laws. Mr. Sayre has also provided information to the DEO for the Secretary's annual OGE Form 278e, Public Financial Disclosure Reports, and on his potential new employment or clients.

Although your letter requested information about the Secretary's disclosures regarding Somah Haaland, it is important to note that Somah is the adult non-dependent child of Secretary Haaland. Somah is not employed by the Department and is not otherwise a federal employee and is thus not covered by the ethics laws and rules which govern Executive Branch employees. Nevertheless, when the DEO was made aware of Somah's employment by the Pueblo Action Alliance, the DEO considered that information as part of the ethics review of any meeting, event, or travel attended or completed by the Secretary where the Pueblo Action Alliance was identified as a participant and when appropriate provided specific guidance.

Based on the information provided to the DEO, the Secretary does not have any direct or imputed financial interests under 18 U.S.C. § 208 with her child or her child's employer. Accordingly, Secretary Haaland was not required to disclose her child's employment and other business relationships on her Nominee OGE Form 278e, Public Financial Disclosure Report, or on her subsequent annual OGE Form 278e, Public Financial Disclosure Reports. Additionally, it is the understanding of the DEO that the Secretary's child is not currently a member of her household and the Secretary therefore does not have a "covered relationship" as defined in 5 C.F.R. § 2635.502(b) with the Pueblo Action Alliance.

Although the DEO determined that the Secretary's child's employment with the Pueblo Action Alliance does not trigger the recusal requirements in 18 U.S.C. § 208 or 5 C.F.R. § 2635.502(a), the Secretary – like all other employees of the Department – is tasked by the Standards of Ethical Conduct for Employees of the Executive Branch with considering whether she believes that her participation in any particular matter would raise questions regarding her impartiality even when there is not a required recusal. In making such a consideration, as reflected in 5 C.F.R. § 2635.502, if the Secretary personally determines that a reasonable person with knowledge of the relevant facts would not question her impartiality in performing her official duties in the particular matter, then she may participate in the particular matter as part of her official duties. To date, it is my understanding that the Secretary has not determined that a recusal under 5 C.F.R. § 2635.502 is appropriate as a result of her child's employment.

I hope that the information above, as well as the documents produced by the Department under separate cover, provide the requested information on the steps that Secretary Haaland has taken to comply with her personal ethics obligations, and the ways that the DEO has worked to support her in those efforts. Our goal in the DEO is to ensure that all employees have the information and resources that they need to comply with all applicable ethics laws and regulations. The DEO, through its committed staff of career ethics professionals, stand ready to assist employees with questions about how to best meet their personal ethics obligations.

Thank you for contacting me and I appreciate your interest in the work of the Departmental Ethics Office. Should you have additional questions, please feel free to contact Perrin Cooke in the Office of Congressional and Legislative Affairs at perrin_cooke@ios.doi.gov.

Sincerely,



Heather C. Gottry
Director, Departmental Ethics Office
& Designated Agency Ethics Official

cc: The Honorable Raúl Grijalva, Ranking Member
Committee on Natural Resources

The Honorable Melanie Stansbury, Ranking Member
Subcommittee on Oversight and Investigations