

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

June 28, 2021

The Honorable Tommy Beaudreau  
Deputy Secretary  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Ms. Heather Gottry  
Director and Designated Agency Ethics Official, Departmental Ethics Office  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Deputy Secretary Beaudreau and Ms. Gottry,

On his first day in office, President Biden signed an Executive Order (E.O.) implementing additional ethics commitments for appointees.<sup>1</sup> The E.O. included a two year prohibition on participating in particular matters with former employers or clients.<sup>2</sup> The E.O.'s requirements buttressed the existing ethical standards which require federal employees to act impartially<sup>3</sup> and to avoid even the appearance of acting otherwise.<sup>4</sup> Ethics guidance advises employees that they should not act on a matter if a reasonable person, with knowledge of the circumstances, could legitimately question the employee's impartiality.<sup>5</sup>

Prior to his Senate confirmation, Deputy Secretary Beaudreau signed an ethics agreement,<sup>6</sup> and worked with career ethics staff at the Department of the Interior (DOI) to create procedures to ensure his compliance with ethical obligations.<sup>7</sup> Additionally, Deputy Secretary Beaudreau stated he would "be mindful at all times about complying with ethical obligations."<sup>8</sup> As Deputy Secretary, Mr. Beaudreau joins Secretary Debra Haaland as the primary individuals responsible for overseeing the entirety of DOI.<sup>9</sup>

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<sup>1</sup> Exec. Order 13989, 86 Fed. Reg. 14, 7029 (Jan. 20, 2021).

<sup>2</sup> *Id.*

<sup>3</sup> 5 CFR § 2635.101(b)(8).

<sup>4</sup> 5 CFR § 2635.101(b)(14).

<sup>5</sup> U.S. OFF. OF GOV'T ETHICS, STANDARDS OF ETHICAL CONDUCT: SUMMARY FOR EXEC. BRANCH EMPLOYEES at 12, *available at* [https://www.oge.gov/web/oge.nsf/0/7E9C8E62D239E7C0852585B6005A180E/\\$FILE/Intro%20to%20Standards.pdf](https://www.oge.gov/web/oge.nsf/0/7E9C8E62D239E7C0852585B6005A180E/$FILE/Intro%20to%20Standards.pdf).

<sup>6</sup> Letter from The Honorable Tommy Beaudreau to Ms. Heather Gottry, Designated Agency Ethics Official and Director, Departmental Ethics Office, U.S. Dep't of the Interior (Apr. 16, 2021), *available at* [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/4D599B55F3DB7D62852586BF002EBBBD/\\$FILE/Beaudreau,%20Tommy%20%20finalEA.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/4D599B55F3DB7D62852586BF002EBBBD/$FILE/Beaudreau,%20Tommy%20%20finalEA.pdf).

<sup>7</sup> *Hearing to Consider the Nomination of Tommy P. Beaudreau to be Deputy Sec'y of the Interior: Hearing Before the S. Comm. on Energy and Natural Resources*, 117th Cong. (2021) (Statement of The Honorable Tommy Beaudreau).

<sup>8</sup> *Id.*

<sup>9</sup> Joshua Partlow & Juliet Eilperin, *This Biden Pick has Worked for Top Offshore Wind Firms. Now He's Poised to Help Oversee the Industry*, WASHINGTON POST (May 18, 2021),

That responsibility provides Deputy Secretary Beaudreau the opportunity to participate in a wide array of policy discussions and decision-making processes.

Concerns surrounding Deputy Secretary Beaudreau's potential conflicts of interest arose during his Senate confirmation process. Specifically, Deputy Secretary Beaudreau's prior representation of companies in the wind energy industry raises potential for conflicts of interest. The Biden Administration set a goal of deploying 30 gigawatts of offshore wind energy by 2030.<sup>10</sup> DOI plays a key role in this initiative through the development of renewable energy in federal waters.<sup>11</sup> To meet President Biden's goal, DOI is reviewing 14 applications for permits to build offshore wind turbines, 10 of which are being sought by Deputy Secretary Beaudreau's former clients.<sup>12</sup> According to a chief attorney with a government ethics group, "if there are pending applications, he'll need to stay out of it"<sup>13</sup> to protect the integrity of the decision-making process for the wind farm proposals. It goes without saying, Deputy Secretary Beaudreau should recuse himself from issues benefiting his former clients.

Deputy Secretary Beaudreau's Public Financial Disclosure Report reveals 35 clients, which contributed to his nearly \$2.4 million income within a 14-month period.<sup>14</sup> In comparison, while severely criticized for the number of his potential conflicts of interest, then-Deputy Secretary David Bernhardt under the Trump Administration disclosed 17 clients to contribute to his approximately \$1.1 million income in his initial Public Financial Disclosure Report.<sup>15</sup> Given Deputy Secretary Beaudreau's extensive list of clients, Scott Amey, General Counsel for the Project on Government Oversight, suggested, "full transparency here would be copies of his calendars and meetings that he's having to show his former clients aren't receiving an unfair advantage that isn't available to other competitors in the industry."<sup>16</sup> To avoid the appearance of impropriety, Deputy Secretary Beaudreau should disclose additional details about his participation in policy discussions and decisions to the public.

To maintain the public's trust, compliance with ethical standards is paramount. Given Deputy Secretary Beaudreau's high potential to encounter conflicts of interest, DOI should also share the procedures in place to ensure impartiality in the agency's decision-making process. Therefore, in order to assist with our oversight activities, please provide the following as soon as possible, but no later than 5:00 p.m. on July 12, 2021:

1. A copy of Deputy Secretary Beaudreau's List of Recusals and Quick Reference Chart.
2. All documents referring or relating to the procedures developed by the Departmental Ethics Office or Deputy Secretary Beaudreau, including but not limited to, Deputy Secretary

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<https://www.washingtonpost.com/nation/2021/05/18/this-biden-pick-has-worked-top-offshore-wind-firms-now-hes-poised-help-oversee-industry/>.

<sup>10</sup> Press Release, Dep't of the Interior, Interior Joins Government-Wide Effort to Advance Offshore Wind (Mar. 29, 2021), <https://www.doi.gov/news/interior-joins-government-wide-effort-advance-offshore-wind>.

<sup>11</sup> *Id.*

<sup>12</sup> *Supra* note 9.

<sup>13</sup> *Id.*

<sup>14</sup> Sam Skolnik, *Biden's Deputy Interior Pick Earned \$2.4 Million at Latham*, Bloomberg Law (Apr. 22, 2021), <https://news.bloomberglaw.com/business-and-practice/bidens-deputy-interior-pick-earned-2-4-million-at-latham>.

<sup>15</sup> EXECUTIVE BRANCH PERSONNEL PUBLIC FINANCIAL DISCLOSURE REPORT (OGE FORM 278E) FOR DAVID LONGLY BERNHARDT (2017).

<sup>16</sup> *Supra* note 9.

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Beaudreau's Ethics Recusal and Screening Arrangement, to ensure Deputy Secretary Beaudreau's compliance with his ethical obligations.

3. All documents and communications, including but not limited to emails, referring or relating to Deputy Secretary Beaudreau's involvement or potential involvement in the Biden Administration's goal of deploying 30 gigawatts of offshore wind energy by 2030.
4. A document sufficient to describe DOI's plan to make copies of Deputy Secretary Beaudreau's calendar and meetings available to the public.
5. A document sufficient to describe Deputy Secretary Beaudreau's intentions to file a request for any ethics waivers and Deputy Secretary Beaudreau's intentions to seek or the government's intentions to issue him any impartiality determinations per 5 C.F.R. § 2635.502(d).

Please contact the Oversight and Investigations Subcommittee Minority staff at (202) 225-2761 with any questions about this request, and to coordinate the delivery of your response to room 1329 of the Longworth House Office Building.

An attachment contains additional instructions for responding to this request. Thank you for your prompt attention to this matter.

Sincerely,



Bruce Westerman  
Ranking Member  
Committee on Natural Resources



Paul A. Gosar, D.D.S.  
Ranking Member  
Subcommittee on Oversight and  
Investigations

cc: The Honorable Raúl Grijalva, Chair, House Committee on Natural Resources  
The Honorable Katie Porter, Chair, Subcommittee on Oversight and Investigations

Enclosure