

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

May 3, 2022

Ms. Janea Scott
Counselor to the Assistant Secretary for Lands and Minerals Management
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 Mses. Scott and Gottry,

Senior leaders at federal agencies are responsible for fostering cultures of ethical conduct.¹ Employees unable to act impartially are not qualified to perform their role in government.² To ensure appropriate conduct, the U.S. Office of Government Ethics (OGE) issues ethical standards by which all executive branch employees must abide.³ OGE standards require employees to “place loyalty to the Constitution, the laws, and ethical principles above private gain”⁴ and “act impartially and not give preferential treatment to any private organization or individual.”⁵ Transparency is key to ensuring federal employees’ compliance with OGE’s standards.⁶

Prior to joining the Biden Administration’s Department of the Interior (DOI), Janea Scott served as a California Energy Commissioner.⁷ During her tenure, Ms. Scott was involved in several programs to develop renewable energy, including the Electric Program Investment Charge Program and the Clean Transportation Program.⁸ Her previous experience also includes

¹ *Nomination of Emory A. Rounds III Nominated to be Director of U.S. Office of Government Ethics, Kelly A. Higashi Nominated to be an Associate Judge, Superior Court for the District of Columbia, and Frederick M. Nutt Nominated to be Controller, Officer of Federal Financial Management, Office of Management and Budget: Hearing before the S. Comm. on Homeland Security and Governmental Affairs*, 115th Cong. (2018) (statement of Emory A. Rounds III, nominated to be Director of U.S. Office of Government Ethics).

² *Id.*

³ 5 C.F.R. Part 2635 (2017).

⁴ *Id.* at 101(b)(1).

⁵ *Id.* at 101(b)(8).

⁶ U.S. OFFICE OF GOV’T ETHICS, *The Ethics Program, Transparency, and You* (June 7, 2018), <https://www.oge.gov/web/oge.nsf/Resources/The+Ethics+Program,+Transparency,+and+You>.

⁷ Press Release, CAL. ENERGY COMM’N, *Vice Chair Janea A. Scott Departs CEC and Joins Interior Dep’t* (Feb. 3, 2021), <http://calenergycommission.blogspot.com/2021/02/vice-chair-janea-scott-departs-cec-and.html>.

⁸ *Id.*

work on the Western Interconnection Regional Advisory Body and as a senior attorney at the Environmental Defense Fund.⁹

At a November 16, 2021, House Committee on Natural Resources (Committee) hearing, Subcommittee on Energy and Mineral Resources Ranking Member Pete Stauber inquired about Ms. Scott's compliance with ethical obligations. A partial transcript of the exchange between Ranking Member Stauber and Ms. Scott follows:

Ranking Member Stauber: Ms. Scott thank you for joining us today. As a former employee of the Environment Defense Fund, would you commit to recusing yourself from any lawsuits filed against transmission projects under Interior's jurisdiction by EDF?

Ms. Scott: I would need to spend some time talking with the conflicts of interest attorneys and get their best advice on what to do there.

Ranking Member Stauber: And then will you provide this Committee with your recusal list?

Ms. Scott: Yes, I would be happy to provide the Committee the recusal list. I will work with the Department to get you a response.¹⁰

Subsequent to the hearing, questions submitted for the record repeated the request for Ms. Scott's recusal list. Several months later, Ms. Scott continues to fail to produce her recusal list. In order to honor Ms. Scott's commitment and assist with our oversight activities, please produce Ms. Scott's recusal list as soon as possible, but no later than 5:00 p.m., May 17, 2022.

Additionally, please provide the following documents as soon as possible, but no later than 5:00 p.m., May 17, 2022:

1. A copy of Ms. Scott's signed ethics pledge.
2. A copy of Ms. Scott's Ethics Guidance and Recusal Obligations and all related attachments, including, but not limited to, her List of Recusals and Quick Reference Chart.
3. A copy of Ms. Scott's Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e).
4. A document sufficient to describe all ethics waivers granted to Ms. Scott.

⁹ Press Release, Dep't of the Interior, *Interior Dep't Announces Members of Biden-Harris Leadership Team* (Jan. 20, 2021), <https://www.doi.gov/pressreleases/interior-department-announces-members-biden-harris-leadership-team>.

¹⁰ *Plugging in Public Lands: Transmission Infrastructure for Renewable Energy: Hearing Before the Subcomm. on Energy and Minerals of the H. Comm. on Nat. Res.*, 117th Cong. (2021) (Statement of Ms. Janea Scott, Senior Counselor to the Assistant Secretary for Land and Minerals, U.S. Dep't of the Interior).

Mses. Scott and Gottry

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Please contact the Oversight and Investigations Subcommittee Minority staff at HNRR.Oversight@mail.house.gov with any questions about this request, and to coordinate 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.

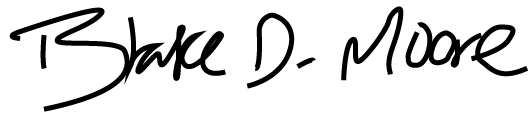
Sincerely,



Bruce Westerman
Ranking Member
Committee on Natural Resources



Pete Stauber
Ranking Member
Subcommittee on Energy and
Mineral Resources



Blake Moore
Ranking Member
Subcommittee on Oversight and
Investigations

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

Enclosure