

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

January 31, 2023

The Honorable Mark Greenblatt  
Inspector General  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Inspector General Greenblatt,

Information related to political appointees continues to call into question the Department of the Interior's (DOI) safeguarding of an ethical work environment. In August 2022, the DOI Office of the Inspector (OIG) reported that an unnamed Bureau of Land Management (BLM) official violated her federal ethics pledge.<sup>1</sup> Media subsequently identified BLM Deputy Director Nada Culver as the culpable BLM official.<sup>2</sup> I previously raised concerns related to Ms. Culver's compliance with her ethical obligations to you and DOI's Departmental Ethics Office (DEO).<sup>3</sup> As new information comes to light, the need for the OIG to examine the DEO becomes even greater.

The OIG report identified mitigating circumstances in determining that Ms. Culver violated her ethics obligations.<sup>4</sup> Her draft interim ethics guidance listed only the National Audubon Society as a former employer, while excluding The Wilderness Society (TWS).<sup>5</sup> A subsequent iteration of interim ethics guidance issued on July 27, 2021 to Ms. Culver properly

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<sup>1</sup>U.S. DEP'T OF THE INTERIOR, OFFICE OF INSPECTOR GEN., REP. NO.: 21-0728, BUREAU OF LAND MGMT. OFFICIAL DID NOT COMPLY WITH THE FEDERAL ETHICS PLEDGE, (Aug. 18, 2022), *available at*:

[https://www.doi.ig.gov/sites/default/files/2021-migration/WebRedacted\\_BLMethicsPledgeViolation.pdf](https://www.doi.ig.gov/sites/default/files/2021-migration/WebRedacted_BLMethicsPledgeViolation.pdf).

<sup>2</sup> Scott Streater, *Interior IG Finds Senior BLM Official Violated Ethics Rules*, E&E NEWS, Aug. 23, 2021, <https://www.eenews.net/articles/interior-ig-finds-senior-blm-official-violated-ethics-rules/>.

<sup>3</sup> Letter from Rep. Bruce Westerman, Ranking Member, H. Comm. on Nat. Res., to The Hon. Mark Greenblatt, Inspector General, U.S. Dep't of the Interior, (Jan. 24, 2022) (on file with Comm.); *See also*, Letter from Rep. Bruce Westerman, Ranking Member, H. Comm. on Nat. Res., to Ms. Nada Culver, Dep. Dir., Bureau of Land Mgmt. and Ms. Heather Gottry, Dir., Departmental Ethics Off., U.S. Dep't of the Interior, (June 15, 2021) (on file with Comm.).

<sup>4</sup> *Supra* note 1 at 6.

<sup>5</sup> *See* Ethics Memorandum from Heather C. Gottry, Dir., Departmental Ethics Office & Designated Agency Ethics Official, Dep't of the Interior and Monica L. Garcia, Dep'y Dir. for Ethics Law & Policy, Departmental Ethics Office & Alternate Designated Agency Ethics Official, Dep't of the Interior to Nada W. Culver, Senior Advisor to the Sec'y, Dep't of the Interior (Mar. 11, 2021) (on file with Comm.) at 6.

lists TWS.<sup>6</sup> As then-ranking member of the House Committee on Natural Resources, I highlighted this discrepancy in my January 24, 2022, letter to you, urging an audit of the DEO.<sup>7</sup>

The DEO acknowledged an error in the omission of TWS from Ms. Culver's ethics documents.<sup>8</sup> The DEO, however, told investigators it "relies on an employee's review of the guidance to identify any errors or omissions."<sup>9</sup> Prior to the relevant documents being finalized, Ms. Culver reviewed the draft recusal and interim ethics guidance, indicating they "look[ed] good" to her.<sup>10</sup> This revelation compounds concerns surrounding the process through which ethics experts at the DEO provide political appointees ethics guidance while relying on the subjects themselves to approve their own ethical parameters.

Other documents obtained by the Committee further call into question the DEO's thoroughness and efficacy. First, an email dated February 24, 2021, reveals that at least one senior BLM official was aware that Ms. Culver's former employment with TWS would trigger a potential recusal.<sup>11</sup> An attachment in the email specifies that Ms. Culver was employed by TWS from October 2003 to May 2019.<sup>12</sup> BLM's clear awareness of Ms. Culver's potential conflicts of interest due to her former employment at TWS raises significant concerns about the DEO's failure to include the former employer in Ms. Culver's initial interim ethics guidance on March 11, 2021.<sup>13</sup>

Concerningly, another set of emails illustrated both Ms. Culver's continued interactions with her former employer and the DEO's reliance on political appointees for information. After receiving updated interim guidance and listing TWS as a former employer in the context of President Biden's ethics pledge, Ms. Culver continued to interact with TWS.<sup>14</sup> In early September 2021, Ms. Culver consulted with the DEO requesting permission to engage in a fundraiser involving her former employer.<sup>15</sup> DEO summarized the issue in an email dated September 10, 2021:

We understand you have been invited to provide a pre-recorded tribute to be played

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<sup>6</sup> See Ethics Memorandum from Heather C. Gottry, Dir., Departmental Ethics Office & Designated Agency Ethics Official, Dep't of the Interior and Monica L. Garcia, Dep'y Dir. for Ethics Law & Policy, Departmental Ethics Office & Alternate Designated Agency Ethics Official, Dep't of the Interior to Nada W. Culver, Dep'y Dir. of Policy and Programs, Bureau of Land Mgmt., Dep't of the Interior (July 27, 2021) (on file with Comm.) at 8

<sup>7</sup> Letter from Rep. Bruce Westerman, Ranking Member, H. Comm. on Nat. Res., to The Hon. Mark Greenblatt, Inspector General, U.S. Dep't of the Interior, (Jan. 24, 2022) (on file with Comm.).

<sup>8</sup> *Supra* note 1 at 4.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 3.

<sup>11</sup> See Email to Merry Gamper and Michael Nedd, Bureau of Land Mgmt., U.S. Dep't of the Interior (Feb. 24, 2021, 2:22 P.M.) (on file with H. Comm. on Natural Resources).

<sup>12</sup> *Id.*

<sup>13</sup> *Supra* note 6.

<sup>14</sup> Compare *supra* note 6 with Email from Nada Culver, Deputy Dir., Policy and Programs, Bureau of Land Mgmt., to Monica Garcia, U.S. Dep't of the Interior (Sept. 1, 2021 4:53 P.M.) (on file with H. Comm. on Natural Resources).

<sup>15</sup> See Email from Monica Garcia, U.S. Dep't of the Interior, to Nada Culver, Deputy Dir., Policy and Programs, Bureau of Land Mgmt. (Sept. 9, 2021 3:13 P.M.) (on filed with H. Comm. on Natural Resources).

at the Wilderness Chic, a virtual celebration to be held on the evening of October 9, 2021, benefitting the Megan Dickie Wilderness Leadership Endowment Fund (Endowment Fund) and The Wilderness Society, hosted by The Wilderness Society. You would like to participate in this activity and also potentially participate in fundraising related to this Endowment Fund.<sup>16</sup>

Further, the DEO acknowledged that Ms. Culver was on the Advisory Committee for the Fund.<sup>17</sup> While the DEO ultimately found no legal objection to Ms. Culver's description of her proposed participation,<sup>18</sup> their explanation is concerning. In a nearly four-page email, DEO's response to Ms. Culver's request to participate was caveated seven times as being provided on "the limited facts presented" or "the limited information provided" or "as stated [by Ms. Culver]."<sup>19</sup> Ultimately, a video encouraging continued support for the Fund and bearing TWS's logo is linked to TWS's donations webpage with Ms. Culver's appearance with a statement in the video.<sup>20</sup> The DEO's reliance on limited facts and information in issuing its advice three weeks before the fundraising event is disconcerting.

Additionally, it remains unclear whether or not Ms. Culver spent "a significant amount of time devoted to coordinating fundraising efforts to The Wilderness Society's fundraising activities for the Endowment Fund," which would trigger recusal requirements under 5 C.F.R. § 2635.502.<sup>21</sup> Notably, the Wilderness Chic event is described on the invitation as a "week-long fundraising campaign . . ."<sup>22</sup> As stated by the DEO, Ms. Culver was already participating on an Advisory Committee for the Fund,<sup>23</sup> but there is no mention of any inquiry into how much time Ms. Culver was likely to spend on fundraising, nor did the DEO advise Ms. Culver of any parameters regarding how much time would qualify as "significant."

The questions surrounding Ms. Culver's compliance with her ethical obligations are indicative of potential systemic inadequacies at the DEO. Until an audit of DEO is completed, questions remain as to whether the DEO is creating complete, accurate ethics guidance or providing clear advice to DOI employees. Finally, these emails compound the need for the OIG to determine the steps the DEO takes to independently verify information provided by political appointees, if any are taken at all.

Therefore, I again strongly urge you to conduct an audit of the DEO. Until the OIG

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<sup>16</sup> See Email from Constance Genter, Supervisory Atty., Departmental Ethics Off., Office of the Solicitor, U.S. Dep't of the Interior, to Nada Culver, Deputy Dir., Policy and Programs, Bureau of Land Mgmt. (Sept. 10, 2021 5:20 P.M.) (on file with H. Comm. on Natural Resources).

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> THE WILDERNESS SOCIETY, *The Megan Dickie Wilderness Leadership Endowment Fund*, <https://act.wilderness.org/a/megan-dickie-tribute> (last visited Jan. 25, 2023).

<sup>21</sup> *Supra* note 16.

<sup>22</sup> THE WILDERNESS SOCIETY, *Wilderness Chic Fundraiser*, <https://my.onecause.com/event/organizations/6afd98a6-60fe-47ed-9f92-fbf1ac7dd691/events/vevt:03a38119-0f53-41e6-ba53-6b54c22093fb/home/story> (last visited Jan. 25, 2023).

<sup>23</sup> *Supra* note 16.

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determines whether the DEO is operating effectively and efficiently, doubts remain about the DEO's ability to ensure ethics compliance. In addition to considering the questions posed in my January 24, 2022, and July 28, 2022, letters, the OIG should examine the following:

1. Is it the DEO's standard practice to rely on "limited" information when providing situation-specific ethics advice?
2. What is the DEO's process for determining whether a "covered relationship" per 5 C.F.R. § 2635.502 exists between a political appointee and an outside organization?
3. Are political appointees provided adequate instruction regarding their own roles and responsibilities to ensure the DEO can provide them with complete, accurate ethics guidance?

Please contact the House Committee on Natural Resources Majority staff at [HNRR.Oversight@mail.house.gov](mailto:HNRR.Oversight@mail.house.gov) with any questions about this request.

Thank you for your prompt attention to these matters and I look forward to the outcome of your audit.

Sincerely,



Bruce Westerman  
Chairman  
Committee on Natural Resources