

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

October 23, 2023

The Honorable Deb Haaland
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.
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Dear Secretary Haaland and Ms. Gottry:

As you know, on June 5, 2023, the House Committee on Natural Resources (the Committee) sent you a letter regarding oversight of Secretary Haaland's ethical compliance and potential conflicts of interest (the June 5th Letter). On August 9, 2023, Director Gottry, on behalf of Secretary Haaland and the Department of the Interior (DOI), responded to some of the concerns in the June 5th Letter and the DOI made an initial production. We thank you for the response and appreciate the work from DOI staff to fulfill some of the requests.

However, the Committee's ongoing oversight activity and additional information raises significant questions regarding Secretary Haaland's potential lack of impartiality and misuse of her position, particularly for the benefit of a nonprofit organization and family members.

As a basic obligation to public service, executive branch officials are required to act impartially and must "avoid an appearance of loss of impartiality" in the performance of their duties.¹ In doing so, executive branch officials must "not give preferential treatment to any private organization or individual."² Hence, executive branch officials "should not act on a matter if a reasonable person who knew the circumstances of the situation could legitimately question" the fairness of the situation.³ Indeed, according to the DOI's own Ethics Guide, DOI employees "must take appropriate steps to avoid any appearance of loss of impartiality."⁴

¹ 5 C.F.R. § 2635.101(a).

² 5 C.F.R. § 2635.101(b)(8).

³ Office of the Chief Human Capital Officer, *Ethics - Impartiality in Performing Official Duties*, DEP'T OF ENERGY, <https://www.energy.gov/hc/ethics-impartiality-performing-official-duties> (last visited Oct. 4, 2023).

⁴ Dep't Ethics Office, *Ethics Guide for DOI Employees*, DEP'T OF THE INTERIOR (2022), <https://d9-wret.s3.us-west-2.amazonaws.com/assets/palladium/production/s3fs->

Executive branch employees are also barred from misusing their position for the private gain of nonprofit, friends, relatives, associates, and/or family members.⁵ This includes a prohibition on using or permitting the use of one’s government position, title, or any authority associated with the office “in a manner that could reasonably be construed to imply” that the agency or the federal government “sanctions or endorses” the activities of another person or a nonprofit.⁶ The DOI Ethics Guide states, “you may not use or permit the use of your Government position, title or any authority associated with your public office in a manner that could reasonably be construed to imply that your agency or the Government sanctions or endorses your personal activities or those of another.”⁷ Relatedly, executive employees must ensure that the performance of their official duties does not give rise to the appearance of use of public office for private gain or of giving preferential treatment to affect the financial interests of a friend, relative, or person with whom the executive official is affiliated with in a nongovernment capacity.⁸

Finally, executive employees must not allow the improper use of nonpublic information to further their own private interest or that of another—whether through advice, recommendation, or unauthorized disclosure.⁹ Nonpublic information ranges from information protected from disclosure by law, to information not authorized for public availability or consumption.¹⁰

The Committee believes there is evidence that Secretary Haaland may have not acted impartially and did not avoid the appearance of a loss of impartiality in the performance of her duties. More alarmingly, there is evidence that Secretary Haaland misused her position for the potential benefit of a nonprofit, the Pueblo Action Alliance (PAA), and used her position—or at the very least permitted the use of her position, title, and authority—to endorse PAA and PAA’s work.

PAA is a New Mexico based environmental and social justice organization that frequently engages in advocacy, protests, and lobbying throughout the United States.¹¹ PAA’s work includes collaborations with (a) the All-African People’s Revolutionary Party,¹² a group fighting for the “unification of Africa under an All-African Socialist Government,” and (b) the Venceremos Brigade, a group that advocates for policies in “solidarity with the Cuban Revolution”¹³ to fight

[public/media/files/Ethics%20Guide%20for%20DOI%20Employees%20%282022%29.pdf](https://www.doi.gov/public/media/files/Ethics%20Guide%20for%20DOI%20Employees%20%282022%29.pdf) [hereinafter DOI Ethics Guide].

⁵ 5 C.F.R. § 2635.702.

⁶ 5 C.F.R. § 2635.702(b).

⁷ DOI Ethics Guide, *supra* note 4.

⁸ 5 C.F.R. § 2635.702(d).

⁹ 5 C.F.R. § 2635.703.

¹⁰ *The 14 General Principles of Ethical Conduct*, DEP’T OF JUSTICE, <https://www.justice.gov/archives/ncfs/page/file/761076/download> (last visited Oct. 4, 2023).

¹¹ See generally PUEBLO ACTION ALLIANCE, <https://www.puebloactionalliance.org/> (last visited Oct 4, 2023).

¹² *Local Solidarity*, PUEBLO ACTION ALLIANCE, <https://www.puebloactionalliance.org/local> (last visited Oct. 4, 2023).

¹³ *New Mexico Regional Committee*, PUEBLO ACTION ALLIANCE, <https://www.puebloactionalliance.org/new-page> (last visited Oct. 4, 2023).

what it describes as American attempts to “overthrow” the Cuban revolution that resulted in communist Cuba.¹⁴

According to the FBI, the intelligence agency of the Cuban government helped established the Venceremos Brigade to recruit “individuals who are politically oriented and who someday may obtain a position, elective or appointive, somewhere in the U.S. Government, which would provide the Cuban Government with access to political, economic and military intelligence.”¹⁵ Venceremos Brigade’s efforts to cultivate politically-minded Americans continues and, in July 2019, the Venceremos Brigade and the Cuban Institute of Friendship with the Peoples (ICAP) hosted members of PAA for a trip to Cuba.¹⁶ ICAP is currently led by Fernando González Llort, a Cuban spy who served nearly 16 years in American prison for espionage and is an ongoing evangelist for the Communist Party of Cuba.¹⁷ Since the July 2019 trip to Cuba, the All-African People’s Revolutionary Party, the Venceremos Brigade, and PAA have continued to work together on shared projects and goals, including the creation of a New Mexico-based chapter of the Venceremos Brigade.¹⁸

In addition to its partnerships with international-minded socialist organizations, PAA’s domestic work includes efforts to restrict domestic energy production in America.¹⁹

As previously mentioned in the Committee’s June 5th Letter, prior to joining the Biden administration as Secretary of the Interior, Secretary Haaland was evidently involved with the beginnings, and potential origin, of PAA.²⁰ Additionally, there is evidence that, since becoming Secretary of the Interior, Secretary Haaland has maintained her close relationship with PAA. Evidence of Secretary Haaland’s ongoing relationship with PAA includes, but is not limited to:

¹⁴ *About the Venceremos Brigade*, VENCEREMOS BRIGADE, <https://vb4cuba.com/about-the-venceremos-brigade/> (last visited Oct. 4, 2023).

¹⁵ Nicholas M. Horrock, *F.B.I. Asserts Cuba Aided Weathermen*, N.Y. TIMES (Oct. 9, 1977), <https://www.nytimes.com/1977/10/09/archives/fbi-asserts-cuba-aided-weathermen-secret-data-on-war-protest-years.html>.

¹⁶ Sheldon Tenorio, *Solidarity with Cuba*, PUEBLO ACTION ALLIANCE (Feb. 26, 2021), <https://www.puebloactionalliance.org/blog/solidarity-with-cuba>.

¹⁷ Araceli Guede, Fernando González, *Cuban prisoner in the US: “The years in prison made my revolutionary ideas stronger”*, 20MINUTOS (June 20, 2019), <https://www.20minutos.es/noticia/3676716/0/fernando-gonzalez-presos-cubano-eeuu-anos-prision-hicieron-mas-fuertes-mis-ideas-revolucionarias/>.

¹⁸ Press Release, *For Immediate Release*, PUEBLO ACTION ALLIANCE (Dec. 6, 2019), <https://puebloalliance.wordpress.com/2019/12/07/for-immediate-release/>.

¹⁹ See Julia Bernal, *Capitalist Solutions WON’T Solve Climate Change: Carbon Pricing is a FALSE solution and not for NM*, PUEBLO ACTION ALLIANCE (July 7, 2021), <https://www.puebloactionalliance.org/blog/capitalist-solutions-wont-solve-climate-change-carbon-pricing-is-a-false-solution-and-not-for-nm>.

²⁰ *Secretary of the Department of the Interior: Official Statement from Pueblo Action Alliance on Representative Deb Haaland’s Nomination*, PUEBLO ACTION ALLIANCE (Mar. 15, 2021), <https://www.puebloactionalliance.org/blog/secretary-of-the-department-of-the-interior-official-statement-from-pueblo-action-alliance-on-the-vote-to-confirm-deb-haaland-nomination> [hereinafter PAA Statement on Haaland Nomination].

- Several meetings between Secretary Haaland and PAA’s executive director during Secretary Haaland’s tenure as Secretary of the Interior, including to discuss PAA’s opposition to oil and gas production on federal lands.²¹
- Secretary Haaland promoting PAA by using personal items adorned with the PAA’s insignia in public photographs, including on her first day in office as Secretary of the Interior.²²
- Allowing PAA to leverage Secretary’s Haaland’s support for the organization for PAA’s benefit.²³
- Allowing organizers to promote Secretary Haaland’s involvement²⁴ in a film produced by the Director of PAA²⁵ regarding the withdrawal of oil, gas, and mineral leasing outside of Chaco Culture National Historical Park, a matter Secretary Haaland subsequently ruled on as Secretary of the Interior.²⁶
- PAA employing Secretary Haaland’s adult child, Somah Haaland²⁷ (Somah), including as the nonprofit’s Media Coordinator.²⁸
- Somah’s ongoing advocacy work for PAA.²⁹

While a close relationship between Biden cabinet officials and nonprofits is not unique, Secretary Haaland’s longstanding and ongoing intimacy with PAA is. Thus, the Committee is concerned with Secretary Haaland’s lack of impartiality with matters concerning PAA, as well as the potential for the Secretary to misuse her position for the benefit of PAA. The Committee is also concerned that Secretary Haaland may have conveyed nonpublic information to PAA, whether intentionally or not, given the unrivaled access PAA officials and staff have to Secretary Haaland.

²¹ *Hot and Dry Podcast: Water Back & Pueblo Action Alliance* (Sep. 13, 2021), <https://podcasts.apple.com/us/podcast/water-back-the-pueblo-action-alliance/id1449804910?i=1000535198752>; Pueblo Action Alliance (@puebloactionalliance), INSTAGRAM (July 30, 2021), https://www.instagram.com/p/CR-SBG-LjGY/?img_index=2; Pueblo Action Alliance (@puebloactionalliance), INSTAGRAM (July 31, 2021), <https://www.instagram.com/p/CSAUf0qrmPu/>.

²² Pueblo Action Alliance (@puebloactionalliance), INSTAGRAM (Mar. 18, 2021), <https://www.instagram.com/p/CMkPS-MFGZc/>.

²³ *Id.*; see also Pueblo Action Alliance (@puebloactionalliance), INSTAGRAM (Jan. 7, 2021), <https://www.instagram.com/p/CJwfQ9Wlkvg/>.

²⁴ *Our Story: The Indigenous Led Fight to Protect Greater Chaco Debuts in Albuquerque to Sold-Out Crowd!*, FRACK OFF GREATER CHACO (July 20, 2022), <https://www.frackoffchaco.org/blog/ourstorydebut>.

²⁵ *About, OUR STORY: THE INDIGENOUS LED FIGHT TO PROTECT GREATER CHACO*, <https://www.wearegreaterchaco.com/about> (last visited Oct. 4, 2023).

²⁶ Press Release, Dep’t of the Interior, *Biden-Harris Administration Protects Chaco Region, Tribal Cultural Sites from Development* (June 2, 2023), <https://www.doi.gov/pressreleases/biden-harris-administration-protects-chaco-region-tribal-cultural-sites-development> (describing how Secretary of the Interior Deb Haaland withdrew land around Chaco Culture National Historical Park from “oil and gas leasing and mining claims”).

²⁷ Kate Mazade, *Somah Haaland: ‘We Have a Lot to Say’*, AMERICAN THEATER (July 6, 2020), <https://www.americatheatre.org/2020/07/06/somah-haaland-we-have-a-lot-to-say/>.

²⁸ Pueblo Action Alliance (@puebloactionalliance), INSTAGRAM (May 20, 2023), https://www.instagram.com/p/CsfRdzwu-8l/?img_index=1.

²⁹ @Tim400000, TWITTER, (Jan. 20, 2023, 6:23 PM), <https://twitter.com/Tim400000/status/1616577221392584704>.

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Moreover, as reflected in Secretary Haaland's annual public financial disclosure report³⁰ and the subsequent production in response to the June 5th Letter, Secretary Haaland's husband, Skip Sayre, consults for the Laguna Development Corporation, the "business arm" for the Pueblo of Laguna.³¹ Skip Sayre was previously employed in a leadership sales and marketing role for the Laguna Development Corporation.³² The Committee seeks additional information regarding the nature of Skip Sayre's work to ensure Secretary Haaland did not participate in a decision relating to her household's financial interest in activities that benefit the Pueblo of Laguna,³³ a federally recognized tribe, that is eligible to receive funding and services from the DOI's Bureau of Indian Affairs.³⁴

To ensure Secretary Haaland's compliance with ethical obligations and to assist with the Committee's oversight activities, please provide the following documents and information—covering the timeframe of March 16, 2021, to the present—by November 9, 2023:

1. All documents and communications regarding PAA.
2. All documents and communications regarding meetings between PAA officers, directors, staff, or members and DOI officials and employees, including, but not limited to, Secretary Haaland.
3. All documents and communications exchanged between PAA officers, directors, staff, or members and DOI officials and employees, including, but not limited to, Secretary Haaland.
4. All documents and communications regarding Secretary Haaland's relationship with PAA.
5. All documents and communications regarding disclosures Secretary Haaland has made to DOI ethics officials regarding her association with PAA.
6. All documents and communications from DOI ethics officials regarding Secretary Haaland's relationship with PAA.

³⁰ Debra A. Haaland, *Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)*, U.S. OFFICE OF GOV'T ETHICS, 5 C.F.R. Part 2634 (May 24, 2022), [https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/50E0AC10459338938525884C002EC3EE/\\$FILE/Debra-A-Haaland-2022-278.pdf](https://extapps2.oge.gov/201/Presiden.nsf/PAS+Index/50E0AC10459338938525884C002EC3EE/$FILE/Debra-A-Haaland-2022-278.pdf).

³¹ Deborah Baker, *Dems choose Haaland as state party chair*, ALBUQUERQUE JOURNAL (Apr. 25, 2015), <https://www.abqjournal.com/575074/dems-choose-haaland-as-state-party-chair.html>.

³² Charles D. Brunt, *Proposed Navajo Nation gaming compact raises concerns*, ALBUQUERQUE JOURNAL (Dec. 8, 2013), <https://www.abqjournal.com/316241/navajo-gaming-compact-plan-raises-concerns.html>.

³³ See 18 U.S.C. § 208 (limiting a federal employee from participating on matters in which he or she has a financial interest).

³⁴ *Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs*, BUREAU OF INDIAN AFFAIRS, 86 Fed. Reg. 7554 (Jan. 29, 2021), <https://www.federalregister.gov/documents/2021/01/29/2021-01606/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>.

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7. All documents and communications regarding any DOI activities that would impact the business activities of the Pueblo of Laguna.
8. All documents and communications regarding the DOI decisions that Secretary Haaland was involved in regarding the Pueblo of Laguna.

Finally, as of this writing, the DOI has not produced any documents or information in response to several requests from the June 5th Letter. Most notably, the DOI has not produced documents or communications from requests number 4, 5, and 6 in the June 5th Letter. The Committee recognizes that the outstanding requests from the June 5th Letter largely pertain to Somah's work for PAA, Skip Sayre's work for the Pueblo of Laguna, and Secretary Haaland's communications with Somah and Skip Sayre regarding Secretary Haaland's work at the DOI. The Committee expects to receive documents and information responsive to those requests, and all other outstanding requests from the June 5th Letter, as soon as possible, but no later than November 2, 2023.

An attachment to this letter provides additional instructions for responding to the requests from the Committee on Natural Resources. Please contact the Majority staff for the Oversight and Investigations Subcommittee at (202) 225-2761 or HNRR.Oversight@mail.house.gov with any questions. Under House Rule X, the Committee on Natural Resources has "general oversight" of any matter relating to its jurisdiction, including tribal affairs and the management of America's natural resources.

Sincerely,



Bruce Westerman
Chairman
Committee on Natural Resources



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

Enclosure