ROB BISHOP OF UTAH
CHAIRMAN

CODY STEWART
STAFF DIRECTOR

RAÚL GRIJALVA OF ARIZONA
RANKING MEMBER

DAVID WATKINS
DEMOCRATIC STAFF DIRECTOR

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

April 12, 2018

The Honorable Rob Bishop
Chairman, House Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Bishop:

I am writing to request a hearing on the disturbing findings in the report from the Department of the Interior Office of the Inspector General (OIG), entitled, "Reassignment of Senior Executives at the U. S. Department of the Interior." Though the OIG was unable to determine whether the law was violated, the report is highly critical of the way the reassignments were carried out and rationalized, and the facts in the report strongly point to a conclusion that the reassignments were for purely political reasons, often to punish employees that work on climate change or conservation. The report also casts a huge shadow of doubt over one of Secretary Zinke's repeated arguments in favor of his proposed reorganization of the Department: that he is trying to get more employees "onto the front lines." With so few answers being provided by Department of the Interior (DOI) officials, this matter clearly demands strong and immediate oversight from the Natural Resources Committee.

The facts in the OIG report are damning. The OIG found that DOI ensured that the decisions about which members of the Senior Executive Service (SES) would be reassigned were made by an Executive Review Board (ERB) consisting entirely of political appointees, in contravention of Office of Personnel Management (OPM) guidance to include a mix of political and career personnel. The ERB avoided documenting any of its processes, and there was no evidence that the selection of personnel to be reassigned followed from a considered analysis of the benefits to the Department or the public interest. For example, the OIG found, "no documented evidence – nor were we provided a methodology or record of discussion – that the ERB reviewed the senior executives' qualifications before proposing reassignments." In addition, neither the personnel to be reassigned, nor "the supervisor, acting Bureau director, nor assistant secretary were aware of the reassignment until hours before the ERB sent the reassignment notifications."

When asked why personnel were selected for reassignment, the members of the ERB provided three reasons, yet the OIG, "found no evidence that the ERB evaluated the proposed reassignments against the three stated reasons." Two of the reasons – time spent in the position and an interest in getting more executives into the field – are directly contradicted by the facts. For example, while four SES employees were reassigned from Washington, D.C., to field offices, four were reassigned from field offices to Washington, D.C., and as the OIG report puts it, this has the impact of "effectively negating" this rationale.

The reassigned employees had their own perspectives as to why they were moved. Seventeen out of thirty-one employees that were interviewed believed that their reassignments were political or punitive, based on prior conflict with DOI leadership, or due to prior work assignments on climate change, energy, or conservation. Seven believed their reassignments were age or retirement related. None of these are legitimate reasons to unilaterally reassign someone from their job, and even if DOI contested the perceived reasons, the OIG found incontrovertible evidence of major failures in communication that exacerbated distrust and encouraged perceptions of retribution. In addition, at least one separate report has indicated that nearly half of those proposed for reassignment were people of color, which is highly disturbing, particularly given reports of Secretary Zinke's views on diversity.[1]

Though the OIG was unable to determine the exact reasons behind the selection of the personnel to be reassigned, they were able to rule out the reasons stated by the ERB. The report also makes it clear that the Department provided untruthful explanations about the SES reassignments shortly after they were made public. In June 2017, the Departmental press secretary said, "personnel moves are being conducted to better serve the taxpayer and the Department's operations through matching Senior Executive skill sets with mission and operational requirements."[2] As the OIG report makes clear, and the ERB members don't attempt to deny, "skill sets" and "mission and operational requirements" were not considered in making the reassignments.

The Natural Resources Committee needs to exercise its oversight responsibilities and request that Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason are called to testify. This could shed light on the real reasons for the reassignments and resolve unanswered questions raised by the OIG report. I look forward to working together to ensure such important decisions at DOI are made transparently, are grounded in fact, and are in the best interests of the American people.

Sincerely,

Raúl M. Grijalva
Ranking Member
House Committee on Natural Resources

---

[1] https://www.cnn.com/2018/03/26/politics/ryan-zinke-diversity/index.html

[2] C. Hiar, *Former FWS director says shake-up will 'intimidate' staff*, Energy and Environment Publishing, June 16, 2017.