



March 26, 2019

United States Senate  
Washington, DC 20510

**Re: Oppose David Bernhardt for Secretary of the Interior**

Dear Senator,

On behalf of our millions of members, the League of Conservation Voters (LCV) works to turn environmental values into national, state, and local priorities. Each year, LCV publishes the *National Environmental Scorecard*, which details the voting records of members of Congress on environmental legislation. The *Scorecard* is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to oppose the nomination of David Bernhardt for Secretary of the Interior. This position is critical to protecting our natural resources for future generations, but Bernhardt's confirmation would put our public lands and oceans, national parks and monuments, clean air and water, and wildlife at risk. With his long history of lobbying for the very industries under the Department of the Interior (DOI)'s purview – creating numerous conflicts of interest – and his proximity to ethics scandals during his current roles as Acting Interior Secretary and Deputy Secretary, Bernhardt's ability to put the public interest first is questionable, if not impossible.

Bernhardt's list of conflicts of interest is extensive and should disqualify him from this position. In fact, Bernhardt is the Trump administration's most conflicted nominee. His conflicts are so expansive that he carries around with him a list of the fossil fuel companies from which he must recuse himself. As a former oil and gas lobbyist, Bernhardt has used his positions at the Interior Department to implement policies that ultimately benefit his former clients. For example, in October 2017, while Bernhardt served as Deputy Secretary, the Bureau of Land Management expedited the approval of a controversial water project for Cadiz, Inc., a former Bernhardt client, that could cause severe ecological harm to the Mojave National Preserve. In all, Bernhardt's long list of ties to industry is incredibly troublesome.

Bernhardt has shown a concerning lack of transparency and public input during his time at DOI. By sanitizing his calendars, rarely communicating by email, and instructing staff to not take notes or send emails during meetings, Bernhardt makes it difficult, if not impossible, for the public to understand who he is meeting with and what issues he is discussing. Under Bernhardt's tenure as Acting Secretary, DOI has also shortened the public input periods for fossil fuel leases and has proposed changes to processing Freedom of Information Act requests that would make it more difficult to scrutinize government records. Bernhardt's actions ultimately cut the public out of information on his own communications and the decisions that impact our nation's lands, waters, and wildlife.

Bernhardt's history of fighting for fossil fuel industries and against federal protections for our natural resources is exactly counter to the person DOI needs in this position. Under his watch during the Bush Administration, scientific reports by the agency were altered to fit a desired policy outcome, including manipulating government findings under the Endangered Species Act. He was the main author on an opinion stating that DOI could not use the Endangered Species Act to protect polar bears from the threat of climate change, and in his testimony before



the Senate Energy and Natural Resources Committee for his Deputy Secretary nomination, Bernhardt made it clear that he still does not recognize the threat that climate change poses to our lands, wildlife, and way of life.

As Deputy Secretary, Bernhardt has been the architect of some of the Trump Administration's most destructive natural resource policies. During his tenure, DOI advanced the largest elimination of protected lands and waters in U.S. history through President Trump's unprecedented attempt to rescind two million acres of Bears Ears and Grand Staircase-Escalante National Monuments, despite widespread public opposition and questions as to whether a president has the authority to shrink national monuments. DOI under Bernhardt has also worked to vastly expand risky offshore drilling, even proposing to open up almost every coastline in the United States in their offshore drilling plan. The Trump Administration has moved as quickly as possible to issue leases for oil and gas drilling in the Arctic National Wildlife Refuge, rushing through the necessary environmental review and underestimating the damage drilling would cause. During Bernhardt's time as Acting Secretary and Deputy Secretary, the Trump Administration has also submitted budget requests that would zero out the widely popular Land and Water Conservation Fund (LWCF), which Congress permanently reauthorized by overwhelming majorities in both the Senate and House of Representatives. Ultimately, DOI's record under Bernhardt's leadership is widely out of step with the public's interests and priorities for an Interior Secretary.

Bernhardt's conflicts of interest and ties to regulated industry, lack of transparency, and disturbing policy record disqualify him from the position of Secretary of the Interior. We urge you to oppose his nomination and will strongly consider including this vote in the 2019 Scorecard. If you need more information, please call my office at (202) 785-8683 and ask to speak with a member of our Government Relations team.

Sincerely,

Gene Karpinski  
President