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From: **Secretary, Deputy** <[deputy\\_secretary@ios.doi.gov](mailto:deputy_secretary@ios.doi.gov)>

Date: Mon, Apr 9, 2018 at 12:52 PM

Subject: Strengthening and Expanding the Department of the Interior's Ethics Program

To:

On my first day in office, I sent a message to all of you emphasizing my belief that each of us who chooses to work at the Department of the Interior does so because we believe in serving the American people, love the Department's mission, and want to make it better. Since that time, the correctness of my view has been demonstrated over and over by our employees' actions.

At the same time, since I arrived to serve as Chief Operating Officer of the Department, I have also seen far too many reports from the Office of Inspector General of specific instances where employees have made decisions that were unethical and in some cases illegal. As I said on my day of arrival, such conduct reflects on all who work at the Department, whether we like that this is the case or not.

In addition, we currently operate in a world where hyperbole and false allegations now can pass for fact in public discourse. Such comments denigrate even lawful and appropriate conduct that is mischaracterized outside of the Department as unlawful or unethical.

Therefore, when confronted with a moment that creates a questionable issue, we can—and should—remember the ethical principles I have previously shared with you AND consult with the appropriate ethics official. Contact information for Bureau ethics officials can be found at <https://www.doi.gov/ethics/bem> and for the Departmental Ethics Office at <https://www.doi.gov/ethics/contact-information>.

It is important to remember that, in terms of the Standards of Ethical Conduct for Employees of the Executive Branch, you are operating in safe harbor if: you communicate with your ethics official, you provide them with the totality of the circumstances you are aware of, and they provide you guidance that you follow. No one else in the Department can give you a safe harbor—not your supervisor, not a lawyer in the Office of the Solicitor, not me.

One way the Secretary and I can assist you in this effort to foster ethical conduct is to help ensure that we have more people in place to address questions and develop sound ethical practices throughout the Department. That is why I am extremely pleased to announce two major additions to the Departmental Ethics Office: Scott de la Vega and Heather Gottry.

Scott de la Vega will serve as both Director of the Departmental Ethics Office and Designated Agency Ethics Official. Heather Gottry will serve as a Deputy Director of the Departmental Ethics Office. Both of these individuals bring decades of subject-matter expertise and real-world experience in establishing and implementing robust ethics programs fully compliant with all laws, rules, and regulations. Both Scott and Heather start on April 16.

Prior to joining the Department, Scott de la Vega served for several years in various senior

legal positions at the White House, including as Ethics Counsel to the Vice President and in the Office of the White House Counsel as well as Managing Counsel for Operations in the Executive Office of the President. In these roles, he oversaw the ethics review and financial disclosure clearance process for all White House officials; directly counseled senior White House staff, Cabinet officials, and nominees seeking Senate confirmation; formulated Administration policy on ethics issues; and recruited the best ethics lawyers from across the Government while increasing diversity. In his White House role, he also worked directly with senior leadership across the Executive Branch, including the Office of Government Ethics and the Office of Special Counsel. Prior to the White House, Scott served in leadership positions at other Federal agencies, as Vice President and Senior Counsel at two Fortune 500 corporations, and as both a trial and appellate criminal litigator in the U.S. Army's Judge Advocate General's Corps.

Immediately prior to joining the Department, Heather Gottry held senior ethics roles at the U.S. International Trade Commission and the U.S. Commodity Futures Trading Commission. From 2009 through 2012, she worked in the Office of White House Counsel as Associate Counsel to the President and as an ethics advisor. In her White House roles, she created highly regarded trainings for White House officials on a wide variety of ethics-related issues, including misuse of Government position, travel, gifts, entertainment, political activities, outside employment, and post-Government employment; successfully resolved difficult, complex, and novel ethics issues for Cabinet Secretaries; and developed innovative public-private partnerships that were also completely compliant with all applicable laws, rules, and regulations.

In addition, Ed McDonnell will continue to serve as a Deputy Director of the Departmental Ethics Office and as Alternate Designated Agency Ethics Official. The Executive Resources Board recently elevated this role to the rank of Senior Level, and I greatly appreciate Ed's willingness to continue advancing the highest ethical standards throughout the Department. I would also like to take this opportunity to thank Ed for serving honorably in an acting capacity as Designated Agency Ethics Official since the retirement of former Director and former Designated Agency Ethics Official Melinda Loftin.

From my perspective, each of these individuals embody the best and brightest in ethics. Hiring and promoting them to their respective new roles is part of our real commitment to make a meaningful contribution to incorporating the highest ethical standards into the Department's practices.

Let's never forget that public service is a public trust and that the 14 basic principles of ethical conduct bind us all. You can find these principles at the website of the Departmental Ethics Office: <https://www.doi.gov/ethics/basic-obligations-of-public-service>.

Thank you,  
Deputy Secretary David Bernhardt