



June 24, 2019

The Honorable Ron Johnson
Chairman, U.S. Senate Committee on Homeland Security & Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC, 20510

The Honorable Gary C. Peters
Ranking Member, U.S. Senate Committee on Homeland Security & Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC, 20510

Dear Chairman Johnson and Ranking Member Peters:

The Trump administration is defying basic checks and balances that were set up to cut down on corruption. We believe your committee must turn its attention toward a series of potential violations of the Federal Vacancies Reform Act of 1998 (Vacancies Act) taking place within the current administration. Your committee's dedication to overseeing government agencies on behalf of the American people is key to ensuring the proper investigation of twelve potential violations of the Vacancies Act that we have uncovered.

As you know, the Vacancies Act mandates an acting official can only remain in their position for 210 days before the office must be vacated. Despite this clear law, there are several Trump appointees that continue to serve in acting capacities past the 210-day limit. At issue is the concern that by sidestepping the Senate's political appointment confirmation process, acting officials are not being held accountable for possible ethical breaches.

One example where this problem is evident is the naming of Dr. Andrea Travnicsek to Acting Assistant Secretary for Fish, Wildlife and Parks. In August 2018, Dr. Travnicsek, a former energy lobbyist, was tapped to serve as Acting Assistant Secretary within the Interior Department without proper scrutiny or Senate confirmation. Dr. Travnicsek previously served as a lobbyist for Allele, the corporate parent of a lignite mine, BNI Coal, LTD. in North Dakota. Less than one month later, following the request of BNI Energy, the Bureau Of Land Management offered coal leases on 160 acres of federal land in North Dakota, making available about 2.4 million tons of mineable federal coal. It's up to you to determine whether this is just a coincidence.

The Senate has the authority to determine whether Dr. Travnicsek's history poses a conflict of interest great enough to disqualify her to serve in this public position. Furthering our concern is a [memo](#) the Interior Secretary released attempting to circumvent the Vacancies Act by creating his own rules and ignoring anti-corruption laws thus attempting to undermine the Senate.

Preserving the integrity of our checks and balances system is essential to thwart corruption at all levels of government. We urge your committee to investigate whether the administration is weaponizing temporary roles within government. There are potentially twelve Trump administration officials in violation of this act including:

1. Dr. Andrea Travnicsek, *Acting Assistant Secretary for Fish, Wildlife and Parks, Interior Department*
2. Jill M. Matthews, *Acting Inspector General, Tennessee Valley Authority*
3. Norbert E. Vint, *Acting Inspector General, Office of Personnel Management*

4. Henry R. Darwin, *Acting Deputy Administrator, Environmental Protection Agency*
5. Monique Y.S. Rollins, *Acting Assistant Secretary for Financial Markets, Treasury Department*
6. Jerold L. Gidner, *Acting Special Trustee for American Indians, Interior Department*
7. Glenda H. Owens, *Acting Director, Office of Surface Mining Reclamation and Enforcement, Interior Department*
8. Lana T. Hurdle, *Acting Chief Financial Officer and Assistant Secretary for Budget and Programs, Transportation Department*
9. Patricia K. Cushwa, *Acting Chairman, U.S. Parole Commission, Justice Department*
10. Uttam A. Dhillon, *Acting Administrator, Drug Enforcement Administration, Justice Department*
11. Matt Michael Dummermuth, *Acting Assistant Attorney General for the Justice Programs Division, Justice Department*
12. Glenn A. Fine, *Acting Inspector General of Office of the Inspector General, Defense Department*

American taxpayers have a right to know that their government is acting within the law and not enriching some at the expense of many. We also believe in Congress' obligation to implement bipartisan oversight when necessary. These possible violations of the Vacancies Act must be examined by your committee.

Accompanying this letter, you will find Restore Public Trust's latest research on potential Vacancies Act violations. We appreciate your attentiveness to this issue and look forward to your committee's continued dedication to ensuring the administration's proper adherence to the law.

Sincerely,

Lizzy Price
Acting Director
Restore Public Trust