

a series of tax provisions that almost every Member of this Senate would like to see passed. These are the tax provisions that expired in 2017 and 2018. We labeled all 25 or 26 of these as tax extenders. These are things that, over the last two decades, have been extended almost automatically after they have sunset, and we need to get those provisions enacted, just like the disaster tax relief provisions.

I encourage the House Democrats to send the Senate a bill that addresses both tax extenders and disaster tax relief provisions. When I say House Democrats, people listening are going to say: He is being partisan.

No, I am being constitutional. The Constitution says that all tax bills have to start in the House of Representatives. The House of Representatives is controlled by the Democrat majority. So that is why I am saying to the House Democrats: Get these bills over here to us so we can help not only the people that benefit from what we call tax extenders but, more importantly, those who with the urgency of the disaster that we are facing.

The importance of passing these bills is because Americans need certainty as they file their taxes in 2018, and they need the tax relief as they recover from these natural disasters. They really need the House Democrats, under the Constitution, to pass a tax bill because we can't act on these tax bills before. The custom around here is that the Constitution says that all tax bills have to start in the House of Representatives. If we pass even a simple tax bill—let's say we pass it as part of an appropriations bill—and we send it over to the House, they don't accept it. That has been the tradition around here for centuries. That is why I am calling on the House Democrats to move that bill.

The disaster relief provisions included in the bill that we have introduced reduce penalties and make it easier to access retirement funds so individuals and families can get back up on their feet and rebuild their lives. In other words, these are retirement funds that people have set aback and that the law doesn't allow them to access for disasters. It is just a simple thing. If somebody is hurt by this disaster and wants to go to their retirement fund and borrow on it for a certain period of time to help them get relief, it is a pretty simple thing. Maybe, momentarily you could say it costs the Federal Government something, but they are still going to owe these taxes regardless of whenever they start drawing for retirement.

These bills also make it easier for disaster victims to claim personal casualty losses, and they suspend certain limitations on charitable contributions to encourage more donations for this disaster relief. For businesses affected by these disasters, this tax relief is available to help them retain employees while businesses get back up and running.

Let's continue the bipartisan tradition of helping our fellow Americans with disasters. When these disasters strike, we ought to do it by enacting this tax relief for both 2018 and 2019, so that disaster victims don't have to wait any longer to access this important assistance and continue to get back on their feet.

It may sound like I am talking about something new. I don't know whether this just started with Hurricane Katrina in 2005 or before, but I remember being chairman of the Finance Committee then. We passed similar legislation to help the victims of hurricanes. So this is really nothing new. Since it is nothing new and we have done it before, what is wrong with doing it now?

The Democrats in the House of Representatives can get this bill over to us so we can get it enacted over here and get it to the President. We want to provide the certainty that taxpayers deserve by enacting extensions of not only those disasters but also the expired tax provisions. I encourage the House Democrats to move swiftly. The Senate and the American people are waiting.

On another point about flooding, generally, not just dealing with this flood, this flood brings to attention something we have to deal with, with the Army Corps of Engineers.

Next week the Environment and Public Works Committee is holding a field hearing in Southwest Iowa to provide oversight on the Army Corps of Engineers management of the 2019 Missouri River flooding. Senator ERNST, my colleague from Iowa, will be chairing this hearing, and I am going to be participating.

Flood control should be the No. 1 priority of the Corps in its management of the Missouri River. I hope that tomorrow, when I get to travel with Vice President PENCE as he views the same area that I viewed 2 weeks ago—the same area covered here—we have the Army Corps of Engineers there so that we can talk to them about the issue of the Missouri River Master Manual authorizing eight purposes as they control the water up and down the Missouri River. They do that through the dams on the Missouri River.

It happens that seven of these can be at cross purposes with the eighth one—flood control. I hope flood control is No. 1 and not No. 8. We need to discuss with them how to prevent massive flooding and how to act to ensure that folks in Nebraska, Iowa, Missouri, and Kansas are not faced with devastation every few years. Eventually, this water ends up in the Gulf of Mexico. So States below Missouri are going to eventually be affected by it.

I appreciate the stamina and determination of Iowans whom I have seen out there, not only in this flood of 2019 but in the flood of 2011. The one of 2019 was much more devastating. I think we have great resiliency. We will come back and pull together to get the job

done, but there is a very long recovery ahead of all of these Iowans affected by it and Nebraskans and, maybe to some extent, Kansas and quite a bit in Missouri.

I will continue to do everything I can at the Federal level to help the State of Iowa, Iowa communities, and, more importantly, in fact, as individual Iowans are affected, I am going to help them to recover and to rebuild.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DAVID BERNHARDT

Mr. GARDNER. Madam President, it is an exciting day for Colorado. I have known David Bernhardt, our nominee for Secretary of the Interior—and the seventh Secretary of the Interior from Colorado should he be confirmed today—personally and professionally for over two decades. His roots are deep on both sides of Colorado—in the High Plains and on the Western Slope.

We share a lot of common interests in rural development and in saving our small towns. My experience stems from growing up in the agricultural community of Yuma, CO, in the Eastern Plains, and Mr. Bernhardt's formative years were spent on the Western Slope of Colorado—an area that is a microcosm of all of the things that we cherish about our great public lands. We both began our public service only 1 year apart when we worked for Colorado State Representative Russell George, who would later go on to become speaker of the Colorado House. That is when I first met David. Mr. Bernhardt worked with Jaime, my wife, at the Department of the Interior during the George W. Bush administration under another Colorado Secretary of the Interior.

His personal background and public and private sector professional experiences prove he is a strong voice for the West and is extremely well-qualified for the nomination to be the Secretary. In fact, there are few others who have the kind of experience that he has that enables him to be qualified to be Secretary. Which Secretary of the Interior has had more experience than David Bernhardt or has been more qualified to become the Secretary of the Interior? He has extensive insight on Western water policy, natural resources policy, and on Indian affairs, just to name a few.

Those who have worked with Mr. Bernhardt commend him for his integrity and wealth of knowledge on the issues under the Department of the Interior's jurisdiction.

In 2008, after the Department of the Interior reached the largest Indian

water rights settlement in our Nation's history, Secretary Kempthorne personally acknowledged Mr. Bernhardt's work as then-Solicitor and stated: "His effective coordination—both within Interior as well as with the local, tribal, state and congressional leaders—was essential to the success we celebrate today."

More recently, he worked to accommodate many Western States' requests for more flexibility under the Greater Sage-Grouse RMP Amendment. John Swartout, who as a senior policy adviser ran point on this issue for Colorado's Democratic Governor John Hickenlooper, had this to say in December 2018 once that process was completed:

David Bernhardt is an honest man who puts all his cards on the table and keeps his word. I have worked with DOI for 25 years, and David is one of the finest people I have ever worked with.

That didn't come from a partisan Republican or a partisan Democrat; that came from a person in the Democratic Governor's office who worked with him on natural resource issues.

Dale Hall, the CEO of Ducks Unlimited, which is hardly a partisan Republican or Democratic organization but is an organization that does more real conservation work on the ground than most of the groups that have the word "conservation" in their names, had this to say when Mr. Bernhardt's nomination for Secretary was announced:

I have known and worked with David Bernhardt for more than a decade, and we are excited to continue to work with him as the new Secretary of the Interior. His integrity in following the law is beyond reproach. David Bernhardt is a champion of conservation and the right person for the job. We urge the Senate to swiftly confirm him.

Colleagues of his from his time spent working for Representative Scott McInnis, who represented Mr. Bernhardt's hometown in Colorado, swore he worked 40 hours a day, 8 days a week. Notably, during Mr. Bernhardt's tenure in his office, Representative McInnis was the House author of the bill that led to the designation of the Great Sand Dunes as being a national park. Having now worked at very senior levels in the Department of the Interior over the course of many years, there is zero question Mr. Bernhardt is qualified to do this job.

Along with Mr. Bernhardt's professional career, I believe it is important to fully understand his background and the foundation of his interest in public lands, which further qualifies him for this role.

Mr. Bernhardt is originally from the outskirts of the small town of Rifle, located on Colorado's Western Slope. Few places more fully embody the spirit and mission of the Agency he has been nominated to lead as Secretary with that understanding of this public land. Growing up in rural Colorado has instilled in him Western values and interests, and to this day, Mr. Bernhardt enjoys hunting, recreation, the outdoors, and fishing.

Rifle is located in Garfield County, an area in which about 60 percent of the lands are public lands. Rifle was founded as a ranching community along the Colorado River, and it retains that heritage today, along with tremendous opportunities for outdoor recreation, including fishing, hiking, skiing, rafting, and rock climbing. It also sits at the edge of the Piceance Basin, an area in Colorado that has vast amounts of natural gas.

Mr. Bernhardt grew up in the oil shale boom and bust and has said that the boom and bust "has made [him] more sensitive to the potential benefits and the potential impacts, both environmental and social" of energy development. In the 1980s, Rifle was hit by the State's oil shale crash, and he personally experienced some of the hard times that the Nation's rural communities often face in those boom and bust moments.

Much like the Department of the Interior itself, Rifle is a community that is a product of its public lands and Western heritage. It is centrally located within a few miles of the iconic Grand Mesa—the world's largest flat-topped mountain—the Flat Tops Wilderness, and the Roan Plateau. It represents a home base among these public lands with there being virtually unmatched access to world-class outdoor experiences, which is why Mr. Bernhardt has such a passion for these issues.

His previous experience at the Department of the Interior allowed him to fix a problem for Colorado that I was told for 8 years, under the Obama administration, was simply not fixable. As a result, in 2018, revenue that had been sitting in an account in the Federal Government for over a decade that had been owed to three counties in Colorado were distributed back to these Colorado counties and to the taxpayers who had been owed this money. How did this get solved after a decade of saying it could not be solved? It is because David Bernhardt believes you don't just push the problems that are on your front porch onto somebody else's; you find a solution and you fix it.

Prior to his current position, his previous experience includes being tapped to be the Solicitor of the Department of the Interior. In 2006, by voice vote in the U.S. Senate, Mr. Bernhardt was confirmed to be Solicitor. In the last Congress, he earned bipartisan support during his confirmation process to be Deputy Secretary.

His integrity and ability are assets that should bolster the case for his nomination, not detract from it. Yet, over the course of the last couple of months, the Washington, DC, political smear machine has been working overtime to sully a good man's name. None of what we have seen or heard in the pages of the New York Times and in other places has been new information. I guess the hope is that we will take it more seriously because this time

around, the New York Times is the one writing about it.

Mr. Bernhardt has undergone two separate and extensive FBI reviews for both his nomination to be Deputy Secretary and his nomination to be Secretary. These reviews occurred after the allegations were first raised, and he was cleared for both positions, which is probably something people didn't read in the New York Times. In understanding that these claims had been reviewed previously to the Senate's committee's satisfaction, Mr. Bernhardt's nomination was reported out last week by a bipartisan vote of 14 to 6.

Madam President, I ask unanimous consent to have printed in the RECORD Chairman MURKOWSKI's and Ranking Member MANCHIN's committee statements.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENTS FROM SENATORS MURKOWSKI AND MANCHIN FROM THE BUSINESS MEETING TO CONSIDER PENDING NOMINATIONS (04/04/2019)

SENATOR MURKOWSKI: (21:01)

Good morning everyone. The Committee will come to order. We're meeting this morning to consider three nominations. This is for the nomination of David Bernhardt to be Secretary of Department of Interior; Susan Combs to be assistant Secretary of Interior for Policy, Management and Budget; and Aimee Jorjani to be chair of the Advisory Council on Historic Preservation. I believe that all three of these nominees are well-qualified and encourage all members to vote to report them favorably this morning.

As I noted last week Mr. Bernhardt, I believe, has the right background. He's got the right experience to be an excellent Secretary of the Interior. He has twice been confirmed to positions at Interior with bipartisan support. First, to be Solicitor in 2006 and then to be Deputy Secretary in 2017. He's most recently served as Acting Secretary since January of 2019. I understand that Mr. Bernhardt has the second most prior experience at the Department out of any nominee for secretary, is from the West—I like that—he has great familiarity with issues that will come before him, and he's proven that he can ably lead the Department.

So, what everybody's talking about this morning. There is—there are accusations about his ethics. We had this conversation last—or two weeks ago when—when his name was before us. I think it's very clear you got some pretty well funded groups that are working very hard, very energetically against his nomination. We saw new allegations last week and then this morning there is—is yet another report. And this is all—this is all coming despite—despite the government scientists involved saying that there was nothing amiss when we had that conversation last week, Senator Gardner, you certainly raised that. This week we're starting to see—we're again seeing new reporting on old allegations. I don't think that this is a coincidence, that we are seeing this kind of a roundup of reporting on old stories—and I think nonstories—just as we're approaching the markup here.

Interior's Inspector General has reviewed the matter as part of its due diligence. It has not opened an investigation. In fact, our staff checked with the Inspector General's office. We were told that there are no open investigations into Mr. Bernhardt. We have had as a committee I believe ample time to review all of these allegations. I am aware of

no substantiation of them whatsoever and frankly I would be—I would be stunned if they were to be substantiated. I would remind members that both the Office of Government Ethics and the Designated Agency Ethics Official have found Mr. Bernhardt to be in good standing.

So, again, there—there will probably be a question this morning, I would imagine, on—the New York Times article that is out there this morning, but I would remind colleagues or ask you to look into these. These allegations again contain no new information. This is recycled. It's been repackaged. They're now focusing on an invoice from Mr. Bernhardt's prior Law Firm. The law firm has said that it was labeled incorrectly. Others have said it was labeled incorrectly. It didn't concern lobbying services. We have known about this previous work that he has had at Westlands. We knew it back in 2017 when we confirmed him as Deputy Secretary. And at that time this work was not deemed lobbying. So, just because it's in the New York Times this morning doesn't mean that it's correct. It's my hope that as a committee we will—will move forward in affirming Mr. Bernhardt to be Secretary of the Interior. And then the full Senate will confirm him coming up here. I think the sooner we have a permanent Secretary at Interior, the better.

SENATOR MANCHIN: (30:50)

Thank you Madam Chairman and I appreciate the committee—ensuring this committee moves forward on important nominations. We have two of those nominations before us this morning that I'm glad that we are reporting from this committee and—the nominations of Susan Combs, Assistant Secretary of Interior of Policy, Management, and Budget and the nomination of Aimee Jorjani to chair The Advisory Council on Historic Preservation. I think Madam Chairman gave a good overview of that. Committee voted to—to report both of these nominations during the last Congress, but unfortunately the Senate didn't vote to confirm them before at adjourned. Each time, the committee approved the nomination by voice vote and I previously supported of both nominations and I intend to do so again this morning.

On David Bernhardt. As a former governor and those who have served in executive positions, that I understand it, we've had to ask our state senators and our Oversight committees about putting in our teams together. And I've always been differential to allowing an executive to put their team together as long as the person is qualified and meets the ethical standards. There's concerns and I respect those concerns. Mr. Bernhardt, in my estimation met the test. He's clearly qualified. I think we all know that. He has the knowledge and experience to serve as Secretary, knows the Interior Department inside and out—that might be a blessing to some, maybe a concern—and he is well-versed in all the issues that come before him.

I spoke with him several times before this business meeting regarding his nomination. I've reviewed his follow-up questions for the record following his hearing. He has answered all of our questions in a timely manner. We received them back and I think it's all been made record. I even talked to him earlier this week by phone again. I questioned him again, extensively, about his willingness to be a good steward of our nation's greatest natural resources, our national parks, our monuments, and all of our historical sites. I questioned him about his responsibility to balance our resource needs with environmental protection in fairness to the owners of our public lands, which is all of the American people. I spoke to him about

the need to make sure that those who are granted the privilege of using our public lands leave them in better condition than what they found them in, which is not always the case and we've got to change that. And I had extensive conversation with Mr. Bernhardt regarding compliance and ethics—ethics laws and regulations, as well as his potential conflict of interest. I was very much concerned about that. Based on my extensive discussions with Mr. Bernhardt and the assurances that he has given me, I'm prepared to vote for him this morning, but I will note that I expect him and the Department, now I've put them on notice, hold them—hold them to the highest ethical standards. And I've told him that. I said because I surely will. I surely will hold him to be accountable for his actions. He must work to ensure committee and a commitment to ethical and scientific integrity and I intend to work with him and his staff persistently to ensure that this is the case. Our parks and public lands, our scenic beauty, our fish and wildlife resources are important to all of us here, to the people we represent, and my state, and in your states. And West Virginians count on the Secretary of Interior, as they do in your States also, as the guardian of our public lands. . . . I intend to work with Mr. Bernhardt these important issues. I've made it clear to him that I expect him to put his extensive experience and knowledge of these issues to work for the American people and not to people used to work for. And to execute his responsibilities in the manner that ensures that our public lands are not just being maintained, but improved. Improved for the benefit of generations to come. Thank you Madam Chair.

Mr. GARDNER. Madam President, let's talk about that story and ethics for a second.

Mr. Bernhardt has spent more than 15 years of a 25-year career in public service, and most of that time has been spent at the Department of the Interior. While in his private law practice, he never lobbied the Department of the Interior—not once. During his time as Deputy Secretary, he has focused on the fundamental transformation of the Department and Bureau-level ethics programs to ingrain a culture of ethical compliance and reduce workplace misconduct.

The reality is that the ethics program throughout the Department of the Interior had been, sadly, neglected by the previous administration. The Office of Inspector General and the Departmental Ethics Office had recommended significant resource changes that had fallen on deaf ears under the previous administration. Under Mr. Bernhardt's direction, the Department has hired a total of 42 career professional ethics advisers. By the end of fiscal year 2019, they will have doubled the number of career ethics officials that the previous administration had hired in its entire 8 years.

The record shows that he has actively sought and consulted with the Department's designated Agency ethics officials regarding compliance with his ethics obligations recusals.

In addition, he has installed a robust screening process to ensure that he does not meet with or engage in particular matters benefiting the former clients from which he is recused. Every

proposed meeting is reviewed by career professionals to ensure compliance with not only his ethics agreement but ethics laws and to make sure his ethics pledge to the President is upheld.

His work in natural resources law prior to joining the administration and related ethics agreements are very similar in scope and substance to the private work and ethics agreements of senior Interior officials who came before him in previous administrations. Let me say that again. The same kinds of ethics agreements and obligations that basically he is doing are what previous administrations did as well.

I ask unanimous consent to have printed in the RECORD a letter from the Department of the Interior Designated Agency Ethics Official dated March 25, 2019.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF
THE INTERIOR, OFFICE OF
THE SOLICITOR,
Washington, DC, March 25, 2019.

Hon. ELIZABETH WARREN,

U.S. Senate,
Washington, DC.

Hon. RICHARD BLUMENTHAL,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARREN AND SENATOR BLUMENTHAL: Thank you for your letter of February 26, 2019 regarding your expressed concerns of the actions of the Acting Secretary of the Department of the Interior (Department or DOI). Your letter references an article published by the New York Times on February 12, 2019 discussing the Acting Secretary's legal practice prior to joining the Department as Deputy Secretary in August 2017. Specifically, you asked about the Acting Secretary's involvement with the Central Valley Project (CVP) in California and whether his actions, "violated his ethics pledge and federal conflict of interest regulations by participating in decisions that directly affect a former client." As discussed below, we have found the Acting Secretary's actions have complied with all applicable ethics laws, rules and other obligations, including the requirements of President Trump's Executive Order 13770 entitled, "Ethics Commitments by Executive Branch Appointees" (Jan. 28, 2017) (Ethics Pledge).

As an initial matter, I would like to take this opportunity to inform you and your colleagues of recent developments and improvements with the DOI ethics program that will enhance our ability to prevent conflicts of interest at all levels of the Department. Since our arrival at the Department in April 2018, Deputy Director Heather Gottry and I have overhauled an ethics office that was previously characterized by both DOI employees and numerous Inspector General reports as passive and ineffectual. With the strong support of the Acting Secretary, we have spearheaded a long-overdue build-out of the Departmental Ethics Office (DEO) as well as the ethics programs of the various Bureaus and Offices throughout the Department.

Our top priority as non-partisan, career ethics officials, is to prevent conflicts of interest at the DOI and ensure that DOI employees are aware of and comply with all applicable ethics laws and standards. We understand the importance of our program in helping the American people have trust and confidence in the lawful and proper administration of the Department.

Please know that my office takes all credible allegations of potential ethics violations by any DOI employee very seriously and allegations against senior officials are an extremely high priority. Consequently, when the New York Times published its article, I immediately sought to understand the facts and carefully analyzed the applicable legal authorities. We note that the Acting Secretary also immediately requested that my office look into this matter and to examine the prior ethics advice and counsel he had received.

Of critical importance, we note that the Acting Secretary does not have any financial conflicts of interest related to either his former client, Westlands Water District, or the CVP generally. As reflected in his Ethics Agreement, dated May 1, 2017, and his Ethics Recusal memorandum, dated August 15, 2017, the Acting Secretary was required under 5 C.F.R. § 2635.502 to recuse for one year (until August 3, 2018) from participating personally and substantially in any “particular matters involving specific parties” in which Westlands Water District was a party or represented a party. Because Westlands Water District is an agency or entity of a state or local government it is excluded from the requirements of paragraph 6 of the Ethics Pledge. Additionally, consistent with U.S. Office of Government Ethics (OGE) guidance, it was determined that the law the Acting Secretary had lobbied on for Westlands Water District, Public Law 114-322, should not be categorized as a “particular matter” because the law addressed a broad range of issues and topics. Therefore, because he did not lobby on a “particular matter” for Westlands Water District, he was not required to recuse himself under paragraph 7 of the Ethics Pledge either from “particular matters” or “specific issue areas” related to Public Law 114-322. Accordingly, the Acting Secretary’s recusal related to Westlands Water District ended on August 3, 2018, and was limited in scope to “particular matters involving specific parties” under 5 C.F.R. § 2635.502.

I have enclosed the transmittal e-mail from me to the Acting Secretary with a detailed memorandum attached wherein the DEO consolidates and memorializes prior ethics advice and guidance on certain issues involving the CVP. Of particular importance for a legal analysis of the scope of the Acting Secretary’s recusals related to Westlands Water District, the memorandum analyzed and categorized certain issues involving the CVP and related State Water Project as “matters,” “particular matters of general applicability,” and “particular matters involving specific parties.” As I state in the transmittal e-mail, these legal categorizations are critical in determining whether an official complies with the various ethics rules. As reflected in the memorandum, we determined that both the Notice of Intent to Prepare a Draft EIS and the development of a 2019 Biological Assessment are appropriately categorized as “matters,” not “particular matters.” Our determinations are supported by Federal law and OGE opinions and though the matters involved may sound like “particular matters” or “specific issue areas,” they are legally broad matters outside the scope of 5 C.F.R. § 2635.502. As noted above, the Acting Secretary’s lobbying on behalf of Westlands Water District on Public Law 114-322 was not categorized as a “particular matter” and did not require an additional recusal under paragraph 7 of the Ethics Pledge. Therefore, the Acting Secretary was not required under either 5 C.F.R. § 2635.502 or the Ethics Pledge to recuse from participation in either the Notice of Intent to Prepare a Draft EIS or the development of a 2019 Biological Assessment. Attached, for

your convenience, please find the legal reference materials addressed in the memorandum—I believe our interpretation and application of the relevant legal authorities is both reasonable and prudent.

I have advised the Acting Secretary, at his request, that he and his staff should continue to consult with the DEO prior to participating in any matter that is potentially within the scope of his Ethics Agreement, Ethics Recusal memorandum, the Ethics Pledge, or any other ethics law or regulation. Additionally, to eliminate any potential for miscommunication, I have instructed my staff that all ethics guidance to the Acting Secretary be in writing prior to his participation in a decision or action that reasonably appears to come within the purview of his legal ethics obligations.

In closing, and to be responsive to your final requests, the DEO has not issued any authorizations or ethics waivers to the Acting Secretary or other Interior officials on the topics you raised, nor have we referred any matters to the IG on these topics. It is worth noting that the Acting Secretary meets with me and my senior staff frequently and that I have a standing meeting with him once a week to discuss any significant ethics issues at the DOI. Pursuant to the Acting Secretary’s direction, my senior staff also meets with his scheduling staff and other top officials twice a week, at a minimum, to ensure we are aware of who the Acting Secretary is meeting with and the issues he will be discussing. These efforts, supported by the Acting Secretary and his staff, are designed to ensure his compliance with applicable ethics rules and protect the integrity of the Department’s programs and operations. My experience has been that the Acting Secretary is very diligent about his ethics obligations and he has made ethics compliance and the creation of an ethical culture a top priority at the Department.

If you have any other questions or concerns, please do not hesitate to contact me.

Sincerely,

SCOTT A. DE LA VEGA,

Director, Departmental Ethics

Office and Designated Agency Ethics Official.

Enclosure.

Mr. GARDNER. This letter is in response to a letter from Senators WARREN and BLUMENTHAL and states that the Ethics Office has found that Mr. Bernhardt’s actions as Deputy Secretary and Acting Secretary “have complied with all applicable ethics laws, rules, and other obligations, including the requirements of President Trump’s executive order 13770, entitled ‘Ethics Commitments by Executive Branch Appointees.’”

This letter from the career head of the Department of Interior ethics professionals who served at the White House during the previous administration goes on to say:

My experience has been that the Acting Secretary is very diligent about his ethics obligations and he has made ethics compliance and the creation of an ethical culture a top priority at the Department.

That wasn’t in the New York Times, either, but I think it should be.

This is not about Mr. Bernhardt’s ethics or his integrity or his qualifications; it is about the fact that he has been and will be effective at implementing an agenda that the other side doesn’t agree with because they know he will be effective in protecting our great outdoors and our public lands.

I am thankful there are qualified people out there like Mr. Bernhardt and his family who are still willing to wade through the muck and serve the people of the United States, knowing that they will be called a liar in front of their children at a U.S. Senate committee hearing despite letters from top officers in charge of our ethics laws at the Department of Interior saying otherwise.

I am thankful for David, and I look forward to working with him and his team at the Department of the Interior. I hope my colleagues will see through the partisan rancor, see through the lens of blue or red, of party politics, and confirm a man who—if you go back to Colorado and talk to people like Russell George, you will learn that he has the greatest respect not only for our public lands but for the people of Colorado, and for that, I am grateful for him and my colleagues who will confirm him today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

HONORING STATE PATROL CORPORAL DANIEL HOWARD GROVES

Mr. GARDNER. Madam President, I rise today to honor an officer of the Colorado State Patrol who was killed in the line of duty on March 13.

As other Members of this Chamber know, many parts of the country were hit hard by a bomb cyclone storm system last month. Again today, we are going through another spring storm. That storm caused flooding in much of the Midwest, as we have seen across the national news, and extremely hazardous road conditions in my State, which led to thousands of stranded drivers.

State Patrol Corporal Daniel Howard Groves, like many first responders that day, was attempting to aid a driver in the Eastern Plains of Colorado on I-76 who had slid off the road, and he was struck by a passing vehicle.

Corporal Groves was 52 years old. He leaves behind a large and loving family, including his parents, his partner Eddie, his four siblings, and many more. We know that his family will continue to honor his sacrifice and ensure that his legacy lives on.

Corporal Groves joined the Colorado State Patrol in 2007 after leaving a career in the technology services industry in Chicago. His family and friends remember him as a man with a tremendous capacity to love and care for others. He was a man of humor who wasn’t afraid to crack a joke just to make people smile. According to a fellow officer, he once arrived at training wearing pajamas instead of the required police sweats.

At a memorial service honoring his life, a longtime friend spoke about the encouragement and advice that Dan was known for. He always encouraged others to follow their dreams, no matter how big. He often spoke of the importance of family and friendship and the need to make time to enjoy life with others.