United States Senate
WASHINGTON, DC 20510

June 5, 2018

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Secretary Zinke:

We are deeply concerned by the U.S. Department of the Interior's (DOI) ongoing delays and lack of transparency in reviewing and issuing discretionary grants and cooperative agreements. Additional bureaucratic procedures instituted by your office appear to be driving the lack of efficiency and effectiveness in carrying out DOI's statutory responsibility.

In addition to concerns about unnecessary bureaucracy and duplication, we are concerned that your installation of a high-level political appointee to personally review these individual grant and cooperative agreement decisions weakens confidence in the integrity of the DOI review process and at the very least, creates the appearance of improper political interference in program decisions that should always be merit-based.

We recognize that a reasonable degree of oversight of grant activities and priorities is to be expected from the Secretary's office. However, we are disconcerted by both the intensity of this review and the consolidation of the process into, in many cases, review by a single political appointee. DOI administers and issues millions of dollars in discretionary and pass-through grants each year, and these funds are critical for leveraging state and private investment and advancing important initiatives. In many cases, these funds constitute much of the operating budget for non-profit and university partners that conduct critical work in the public interest.

The funding uncertainty and opacity we have seen as a result of these new review and approval processes jeopardize key projects and make it difficult for partners to effectively plan and manage resources. We are concerned that this type of increased political review will result in unnecessary delays, uncertainty for key partners, and, potentially, undue political influence in the evaluation of proposals. To understand your reasoning for instituting this level of political review of grants and cooperative agreements, we ask that you please respond by June 29, 2018 to the following information request and provide:

1. A detailed list of all financial assistance programs administered by the Department, including which are non-discretionary and which are discretionary.

2. The percentage of grants, cooperative agreements, and the total funding subject to this new review process.

3. A detailed timeline for implementing this review process.

4. All information and attachments circulated to DOI staff that are relevant to the development and implementation of this policy.

5. Every grant or cooperative agreement that has been reviewed under this guidance, including the following information for each grant or cooperative agreement: the review category under which it was considered, the names and positions of every official who reviewed it, the dates on which the Department's review began and terminated, the result of the review and the reasoning for the decision, and (if approved) the date on which the funds were disbursed to the grantee.

6. Every grant or cooperative agreement for Fiscal Year 2018 that has been submitted to the Department under this or any previous process but has not yet been approved or denied by the Department, or for which approval was granted but funds have not yet been disbursed to the grantee.

7. An explanation of the meaning and format of "an after-the-fact review process" of "grants and cooperative agreements of any type in any amount." Who would conduct this review? What factors would be considered? What timelines would the review follow? Are any rescissions or modifications to a grant or cooperative agreement contemplated for after a grant has been issued? In addition, please provide a detailed list of any grant or cooperative agreement that has been subject to an "after-the-fact review process," including the reason for the after-the-fact review, the names and positions of every official who reviewed it, the dates on which the Department's review began and terminated, and the results of the review and rationale for the decision.

8. An explanation and justification for the funding level categories outlined in the December 28 memorandum, including the reasoning for a political review threshold of $50,000.

9. An explanation and justification for the grantee or grant-type categories outlined in the December 28 memorandum, including the justification for greater political review of grants or cooperative agreements with non-profits that can legally engage in advocacy, with institutions of higher education, or as part of which funds will be used to acquire land.

10. Details of how pass-through grants are included in this process.

11. An explanation of the process that the Department uses to communicate with stakeholders and affected parties the status of a discretionary grant or cooperative agreement under review before, during, and after a review has been completed.

Thank you for your attention to this important matter. We look forward to your prompt and thorough response.

Sincerely,

Tammy Duckworth
United States Senator

Mazie K. Hirono
United States Senator

Tammy Baldwin
United States Senator

Richard J. Durbin
United States Senator

Jeffrey A. Merkley
United States Senator

Brian Schatz
United States Senator

Margaret Wood Hassan
United States Senator

Debbie Stabenow
United States Senator

Kamala D. Harris
United States Senator

Dianne Feinstein
United States Senator

Bernard Sanders
United States Senator

Ron Wyden
United States Senator