

## **CONFIRMING DAVID BERNHARDT AS DEPUTY INTERIOR SECRETARY**

Passed: 53-43

### **SUMMARY:**

The Senate voted to confirm David Bernhardt, a former lobbyist for extractive industries and developers, as deputy secretary of the Department of the Interior (DOI). (*July 24, 2017, Roll Call No. 166*)

### **BACKGROUND:**

On April 28, 2017, President Donald Trump nominated David Bernhardt to serve as deputy secretary of the powerful DOI, which is responsible for managing and conserving the majority of U.S. federal lands and natural resource. DOI oversees the U.S. Fish and Wildlife Service, Bureau of Land Management, National Park Service and other agencies charged with making important decisions concerning wildlife and public lands management and implementing federal conservation laws and regulations.

The confirmation of Bernhardt as deputy secretary of DOI poses serious concerns for the future of wildlife conservation, habitat protection and protecting our natural heritage from harmful industrial uses. Bernhardt's history as a lobbyist for extractive industries and developers calls into question his ability to balance the needs of our wildlife, public lands and scarce water resources with pressure from big polluters for more access and less regulation. His lobbying firm—Brownstein, Hyatt, Farber, and Schreck—has a significant financial stake in the Cadiz water project, which seeks to pump water from an aquifer beneath California's fragile desert and sell it to water agencies in southern California. The project will require permits from DOI, and as deputy secretary Bernhardt will be in position to approve it. While serving as solicitor of DOI under President George W. Bush, Bernhardt authored an opinion stating that the department could not use the Endangered Species Act (ESA) to address the threats of climate change to polar bears, even if the species was protected under the act. During his previous tenure at DOI he was also associated with a series of investigations conducted by the department's inspector general, including a report that concluded that staff within the department were interfering with the scientific integrity of the Endangered Species Act.

Despite Bernhardt's many conflicts of interest and history of disdain for science under the ESA, the Senate confirmed him as the second-highest ranking official at DOI.

### **OUTCOME:**

On July 24, 2017, the Senate voted to confirm Bernhardt as deputy secretary of DOI, 53-43. "No" was the pro-conservation vote.