

DAVID VITTER
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United States Senate

WASHINGTON, DC 20510

WASHINGTON, D.C.

Hart Senate Office Building
Suite SH-516
Washington, DC 20510
(202) 224-4623
Fax: (202) 228-5061

BATON ROUGE

858 Convention Street
Baton Rouge, LA 70802
(225) 383-0331
Fax: (225) 383-0952

Website with
E-Mail Access: vitter.senate.gov

October 20, 2015

Senator Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
304 Dirksen Senate Building
Washington, DC 20510

CC: Members of the Senate Energy and Natural Resources Committee

Dear Chairman Murkowski and Members of the Senate Committee on Energy and Natural Resources:

I am writing today to urge you to support transparency within the federal government by opposing the nomination of Mary Kendall to the position of Inspector General (IG) of the Department of Interior (DOI), which is being considered by your committee. Ms. Kendall is currently the Acting IG of DOI, however, allowing her to officially hold this position will jeopardize the legitimacy of government action in the eyes of the constituencies we represent.

Concerns regarding Ms. Kendall's tenure as Acting IG date back to her assuming the role in 2009. Her involvement in the manipulation of facts in a 2010 report in the wake of the British Petroleum oil spill, which led to a moratorium on deep water drilling and permitting, is of the greatest concern.

At the direction of President Obama, then-Interior Secretary Ken Salazar issued a report (30-day report) on May 27, 2010, assessing the events leading up to and taking place during the spill and made recommendations to prevent tragedies, such as this, from reoccurring. Twelve days after issuing the report, eight of the safety experts that the government consulted for the report wrote to the Louisiana delegation objecting to the report's implication that they supported a blanket, six-month moratorium on deep-water drilling and permitting. In their statement responding to the report, the experts made clear that the draft report from DOI that they reviewed, and which recommended a limited moratorium, had been modified after the fact to recommend a more robust and excessive moratorium. Further, the experts stated that the more extensive moratorium would "not measurably reduce risk further and it will have a lasting impact on the nation's economy which may be greater than that of the oil spill." The administration went along with the full moratorium, despite protests from the safety experts, which as predicted

ACADIANA	CENTRAL LOUISIANA	NORTHEAST LOUISIANA	NORTHWEST LOUISIANA	SOUTHEAST LOUISIANA	SOUTHWEST LOUISIANA
2201 KALISTE SALOOM ROAD SUITE 201 LAFAYETTE, LA 70508 (337) 993-9502 FAX: (337) 993-9567	6501 COLISEUM BOULEVARD SUITE 700-A ALEXANDRIA, LA 71303 (318) 448-0169 FAX: (318) 448-0189	1651 LOUISVILLE AVENUE SUITE 148 MONROE, LA 71201 (318) 325-8120 FAX: (318) 325-9165	920 PIERREMONT ROAD SUITE 113 SHREVEPORT, LA 71106 (318) 861-0437 FAX: (318) 861-4865	2800 VETERANS BOULEVARD SUITE 201 METAIRIE, LA 70002 (504) 589-2753 FAX: (504) 589-2607	949 RYAN STREET SUITE E LAKE CHARLES, LA 70601 (337) 436-0453 FAX: (337) 436-3163

resulted in dire economic consequences that are still being felt throughout the Gulf States in 2015.

I believe that in her role as Acting IG, Mary Kendall was at the core of the administration's devastating Gulf drilling moratorium and may have used her authority inappropriately. The moratorium was clearly driven by politics and not based on the scientific and policy recommendations of the experts who objected to it. Since the issuance of the moratorium, and the questioning of the report used to justify it, Ms. Kendall has continually refused to work with the House and Senate to investigate the manipulation of the report's findings. Her participation in the data manipulation and refusal to work with Congress is further highlighted by her involvement with the Outer Continental Shelf Safety Oversight Board; participation in meetings with senior DOI officials leading up to the 30-day report; and employee surveys and emails between high-level career officials at the OIG expressing dwindling confidence in the impartiality of OIG senior officials.

Mary Kendall has a long history of allowing political ideology to influence her decisions, and has made it abundantly clear that she lacks the fortitude to fulfill the duties required of an important position such as this. While I will strenuously object to any consideration of her nomination on the floor of the U.S. Senate, I am urging you to consider her transparency failures and unwillingness to work with Congress when deliberating her nomination at the committee level. Thank you in advance for your consideration of my request.

Sincerely,



David Vitter
United States Senate