



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

INVESTIGATIVE REPORT OF ALLEGED ABUSE OF POSITION BY SECRETARY ZINKE

This is a revised version of the report prepared for public release

SYNOPSIS

We initiated this investigation based on information we received while investigating U.S. Department of the Interior (DOI) Secretary Ryan Zinke's use of noncommercial aircraft for U.S. Government travel. During that investigation, we learned that Secretary Zinke allegedly abused his position by having his family members travel with him in Government vehicles, that he asked that his wife, Lolita Zinke, be appointed as a DOI volunteer to legitimize her travel, and that he requested a Government cell phone for her.

In addition, we examined Secretary Zinke's use of his protective service detail, including during a vacation the Zinkes took to Turkey and Greece. We also reviewed the Office of the Secretary's purchase of secretarial challenge coins (small coins bearing an organization's emblem, logo, or insignia, given as tokens of recognition or appreciation), and an allegation that a DOI employee resigned because Secretary Zinke made her walk his dog while at work.

We determined that, despite a DOI policy prohibiting non-Government employees from riding in Government vehicles, the DOI Office of the Solicitor's Division of General Law approved Lolita Zinke and other individuals to ride in Government vehicles with Secretary Zinke. Deputy Secretary David Bernhardt and Deputy Solicitor Edward Keable said Secretary Zinke was not bound by DOI policy, while Principal Deputy Solicitor Daniel Jorjani said he was unsure. We also determined that the Zinkes reimbursed costs associated with Lolita Zinke's travel in DOI vehicles when required. In addition, Lolita Zinke ultimately did not become a volunteer; while Secretary Zinke confirmed that his staff had researched the implications of making her a volunteer, he denied that it was an effort to circumvent the requirement to reimburse the DOI for her travel.

While we found no prohibition against a security detail protecting Secretary Zinke during the Zinkes' vacation, we learned that the U.S. Park Police had no finalized policy governing the detail's activities and that the detail, which was unarmed, cost the DOI over \$25,000. We also determined that Secretary Zinke told his security detail on one occasion to drive a non-Government employee to the airport, but he was later told that this direction was not appropriate, and it has not happened again.

The allegations that Secretary Zinke requested a Government cell phone for his wife, that his staff was procuring challenge coins via split purchases in an effort to avoid submitting competitive contracts, and that he told employees to walk his dog were unfounded.

We provided this report to the Deputy Secretary of the Interior for any action deemed appropriate.

DETAILS OF INVESTIGATION

We initiated this investigation on December 4, 2017, based on information we learned while investigating U.S. Department of the Interior (DOI) Secretary Ryan Zinke's use of noncommercial aircraft for U.S. Government travel. This investigation focused on whether Secretary Zinke abused his position by having his family members travel with him in Government vehicles, whether he asked that his wife, Lolita Zinke, be appointed as a DOI volunteer to legitimize her travel, and whether he requested a Government cell phone for her.

We also examined Secretary Zinke's use of his protective service detail, including during a vacation the Zinkes took to Turkey and Greece in August 2017. In addition, we reviewed his office's purchase of secretarial challenge coins and an allegation that a DOI employee resigned because he made her walk his dog while at work.

Family Members Rode With Secretary Zinke in Government Vehicles

According to the DOI's motor vehicle management handbook, "DOI employees shall not transport family members, friends, or other persons who are not conducting official business in a Government vehicle," and "transporting persons not engaged in official Government business is prohibited." We found that Secretary Zinke's wife and other family members had occasionally ridden with him in Government vehicles. While this was not in compliance with DOI policy, the DOI Office of the Solicitor's Division of General Law approved his immediate family to ride with him in Government vehicles on a case-by-case basis.¹

We interviewed an employee with the Office of the Solicitor, who acknowledged that the motor vehicle policy was "very strict" and that it prohibited unofficial passengers in Government vehicles. The employee said, however, that the policy did not allow for the reality of Secretary Zinke's situation, particularly with respect to his need to use security vehicles for transportation. She explained that other DOI employees could use personal vehicles for Government travel, but because Secretary Zinke had a security detail that used Government vehicles, he did not have that option. She said she generally deferred to a Secretary's security detail to decide who should be allowed in the vehicles.

The Solicitor's Office employee said her approval of unofficial passengers traveling with Secretary Zinke in Government vehicles was based on whether the DOI would incur any costs. If there was no cost, she said, she would approve it.

When asked why she did not adhere to the policy and prohibit Lolita Zinke (who was the most frequent nongovernmental passenger in the vehicles) from riding with her husband altogether, the employee said that she routinely advised Secretary Zinke's schedulers that DOI policy

¹ After being made of aware of our investigation, DOI updated its Fleet Management Handbook on July 27, 2018 to allow the Secretary and Deputy to transport family members in government vehicles. Specifically, the handbook asserts: "Given their particular responsibilities as constitutional officers leading the Department of the Interior, the Secretary and Deputy Secretary may transport their family members in government vehicles in those circumstances where" they "are acting in their official capacity and a family member is reasonably expected to accompany the government representative to an official function or the inclusion of the family member adds no additional incremental cost to the United States."

prohibited his wife's presence in Government vehicles and that it would be "cleanest" and "lowest risk" if she did not ride with him, but she also told schedulers that she could justify Lolita Zinke riding in a Government vehicle because Secretary Zinke could not use a personal vehicle for travel. She said that the schedulers and Secretary Zinke "want her in the car."

Deputy Solicitor Edward Keable, General Law, acknowledged that allowing Lolita Zinke in Government vehicles was "not in conformance with the language" of the policy but added that in his opinion, Secretary Zinke was not beholden to DOI policy as long as this latitude did not violate statutory or regulatory provisions. This was also the opinion of Deputy Interior Secretary David Bernhardt, who said the policy applied to DOI employees but not necessarily to a Secretary. He also said this was a policy a Secretary could change "with the stroke of a pen."

Principal Deputy Solicitor Daniel Jorjani said he was unsure whether a DOI Secretary could violate DOI policy, but he said he did not consider a Secretary's spouse riding in Government vehicles to be in violation of or opposition to the DOI's motor vehicle policy because Secretary Zinke was required to use Government-owned security vehicles and did not have the option of using his private vehicle if he wanted to take his wife on a trip with him.

Secretary Zinke said that requests for his wife to travel with him went through an ethics review and approval process. He said the policy and procedures that governed this had been longstanding in the Government and that he was allowed to have his wife, "direct family," and any other guests accompany him in security detail vehicles as long as they went through the approval process. He said this was consistent with all Cabinet Secretaries and that his wife had never been in a security vehicle without him.

When asked whether he had known that this practice violated the DOI's motor vehicle policy prohibiting unofficial passengers, Secretary Zinke said it was consistent with Government travel regulations.

Costs for Unofficial Travelers Reimbursed to the Government

We reviewed four official trips during which Lolita Zinke, and on one occasion Lolita Zinke and a second relative, accompanied Secretary Zinke and incurred travel costs and other expenses. We confirmed that the Zinkes reimbursed the Government for Lolita Zinke's travel expenses involving DOI vehicles. We also found that the DOI received a reimbursement agreement from the White House for \$15,000 for an *Air Force One* flight that Lolita Zinke took with her husband at the invitation of the President, but we could not determine whether this cost included her presence on the flight as well as Secretary Zinke's.

Channel Islands and New York City

We reviewed two occasions in fiscal year 2017, during which Lolita Zinke accompanied her husband on official travel and was a passenger on DOI-owned boats, that resulted in reimbursement to the Government: an April trip to the Channel Islands in California, where she rode on a National Park Service (NPS) boat, and a September trip to the Statue of Liberty, where she rode on a U.S. Park Police (USPP) boat.

In both instances, General Law Division employees, ethics officials, and Secretary Zinke's scheduling office met in advance to discuss the trips' itineraries. These discussions included the issue of whether Lolita Zinke could be allowed to ride on DOI-owned boats while accompanying her husband on these trips.

Two Solicitor's Office employees confirmed that they had determined Lolita Zinke could ride in DOI-owned boats as long as space was available and any costs to the Government were reimbursed at fair market value. They said they applied the authority from Office of Management and Budget Circular A-126, which permits family members to fly on flights if space is available and if they reimburse the cost of the fare and extended that to allow Lolita Zinke to ride in Government vehicles.

One of these employees said that during a meeting to discuss the itinerary for the Channel Islands trip, she learned that Lolita Zinke and another relative would be accompanying Secretary Zinke on NPS boats. She advised the scheduling office staff that Lolita Zinke and the other relative should reimburse the NPS for their travel on the boats.

This Solicitor's Office employee said that during this same meeting, the scheduling office identified a group of non-DOI "invitational travelers" to be on the boat to provide a "direct service" to the mission. The employee said the scheduling office identified them as "stakeholders" who were going to give Secretary Zinke information about the islands, and they were therefore not required to reimburse the Government for their passage.

We determined that two of these invitational travelers had hosted a fundraiser for Secretary Zinke's congressional campaign in 2014, and that the family of one of the invitational travelers used to own property on one of the islands. The Solicitor's Office employee and Ethics Attorney Melinda Loftin said that when they were reviewing the trip's itinerary they did not know that those individuals had hosted the fundraiser.

Secretary Zinke also identified the two invitational travelers as "stakeholders," stating that they were subject matter experts on the land and its use. He explained that the family of one had once owned land on one of the islands and that the other was an outfitter and a member of a foundation. He said he also invited fishermen who knew the local waterways. According to a senior Channel Islands employee, however, who was with Secretary Zinke for both days of the trip, it was never clear what purpose the invitational travelers served. This employee said he could have provided the same information as they did, although he did not say this to Secretary Zinke at the time.

Secretary Zinke said the boat's "guest list" came from speaking with Congressman Robert Lagomarsino (R – CA), but he added that he had known the family of one of the invitational travelers "for a long time" and that he was friends with the other. He acknowledged that the two had held a fundraiser for his congressional campaign and said that he was sure this information had been shared with the Ethics Office when their names were presented for review. He said he could not recall whether he had personally informed anyone that they had held a fundraiser for him but considered that fact "immaterial."

After the trips, Secretary Zinke submitted reimbursements for Lolita Zinke and the other relative for their passage on the boat at the Channel Islands (\$142 total) and for his wife's passage on the USPP boat in New York (\$21.50). He also remitted \$21.68 to a charitable environmental organization for their passage on one of the organization's vehicle while on the islands.

Norway and Alaska

In May 2017, Lolita Zinke accompanied her husband on a congressional delegation trip to Norway and Alaska but incurred no costs to the DOI for any unofficial transportation. Secretary Zinke remitted payment for expenses associated with his wife's attendance, including payment for a bus ride provided by Alyeska Pipeline Service (\$17.89), delegation travel expenses (\$106.92), and a dinner with Alaska Governor Bill Walker (\$164.94).

Atlanta, GA

In April 2017, Lolita Zinke traveled with her husband on *Air Force One* to Atlanta, GA. The DOI's cost for the flight, according to a reimbursement agreement from the White House, was not to exceed \$15,000, but the White House, as a practice, does not provide an invoice to show cost breakdown and no one at the DOI could confirm whether any of the costs were associated with her passage on the flight. According to Secretary Zinke, his wife had been personally invited by the President.

DOI Employees Researched Whether Lolita Zinke Could Become a Volunteer

We determined that Secretary Zinke asked DOI employees to research the legal and ethical implications of making Lolita Zinke an official DOI volunteer. He denied that his intention in making this request was so that his wife could travel with him in an official capacity, which would have eliminated the requirement to reimburse the Government for her travel. Ultimately, the employees advised him that making her a volunteer could be perceived negatively, and she did not become one.

According to Ed McDonnell, Alternate Designated Agency Ethics Official, Keable told both Loftin and him that Secretary Zinke wanted to make his wife a DOI volunteer. McDonnell said Keable asked him to review a memorandum designating her as a volunteer ombudsman for service members and that he and Loftin were tasked with researching the ethical implications of such an appointment.

McDonnell said he had a similar discussion with Jorjani about this and gave us notes from a June 14, 2017 meeting with Jorjani and Loftin. McDonnell's notes said that in response to a news article about Lolita Zinke's traveling with her husband, Secretary Zinke had told Jorjani to tell the media that his wife was an ombudsman for the DOI, but Jorjani responded that they could not say that. McDonnell said he felt appointing Lolita Zinke as a volunteer would be a way to legitimize her travel with Secretary Zinke. He said that during a meeting with Jorjani, he expressed concern that it was "wrong" to spend so much time trying to accommodate Lolita Zinke. "We're spending taxpayer dollars trying to figure out if she can be a volunteer so that he

[Zinke] doesn't have to pay [reimbursement for her riding in Government vehicles]," McDonnell said.

Loftin said Keable told both McDonnell and her that Secretary Zinke was upset because his wife had to pay for her portion of transportation when she traveled with him. Loftin said Keable and Jorjani later notified McDonnell and her that Lolita Zinke was interested in becoming a volunteer at the DOI to help veterans. Loftin also recalled being told that if Lolita Zinke was a volunteer, she could get "free trips," meaning the Government would pay for her travel; Loftin could not recall whether she heard this from Keable or Jorjani. Loftin said she had concerns about the ethical nature of having Lolita Zinke serve the DOI in a volunteer capacity and had voiced these concerns to Jorjani, but he continued to "pressure" her about the issue.

Keable said Jorjani asked him to review the legality of making Lolita Zinke a volunteer because she was interested in helping veterans. Keable said he had no recollection of discussions with McDonnell and Loftin about making her a volunteer so that she could travel with her husband. Jorjani said he did not recall who asked him to pursue making Lolita Zinke a volunteer.

Secretary Zinke said he and his wife had discussed the possibility of her becoming an ombudsman for DOI veterans and that he "probably" spoke with Jorjani about it. He said the Ethics Office conducted a review and determined that even though making her a volunteer was legal and ethical, the optics were not good, so they decided against it. He denied that his intention in making her a volunteer was to circumvent having to reimburse the Government for her travel in Government vehicles.

Lolita Zinke Did Not Receive a Government Cell Phone

A DOI employee said that another employee asked her on Secretary Zinke's behalf whether the DOI could issue Lolita Zinke a cell phone. The employee said she denied this request but that sometime later Secretary Zinke requested a second cell phone for himself.

We interviewed a DOI IT employee who said that Secretary Zinke had one standard Government-issued cell phone and a secondary phone that was used for international travel. At the time of his interview, the employee said the phone had not been activated in a long time. He said no one had ever requested a cell phone for Lolita Zinke, nor did Secretary Zinke have more than one Government cell phone for domestic use.

Cell phone records of both phone numbers corroborated the IT employee's statement; it appeared that one number was used solely for international calls.

We also interviewed the DOI employee who allegedly made the request for the second phone. The employee, who has left the DOI, said that she was not asked to inquire about a cell phone for Lolita Zinke, but had heard about the matter from someone else at the DOI and had only mentioned it to the other employee.

Secretary Zinke said he never requested a Government cell phone for his wife, nor did she ever receive one.

Secretary Zinke Had His Security Detail Take an Individual to the Airport

Following a March 2017 dinner, Secretary Zinke told his security detail to drive a non-Government employee to the airport. According to a USPP supervisor, Secretary Zinke had been aware that they could not transport individuals without him being present.

On Sunday, March 5, 2017, two USPP employees provided security for Secretary Zinke. They said they picked Secretary Zinke up at his home in a security vehicle and took him to a restaurant in Washington, DC, for a dinner meeting with a non-Government employee, whom we later identified as a member of a DOI-affiliated foundation. The USPP employees said that when the dinner was over, they drove Secretary Zinke and the non-Government employee back to Secretary Zinke's home. The Secretary then got out of the vehicle and told them to drive the non-Government employee to Reagan National Airport in Arlington, VA, which they did.

One of the USPP employees said that afterwards she discussed the matter with her supervisor, who then spoke to someone in Secretary Zinke's office about it—possibly Chief of Staff Scott Hommel. The employee said that it had not happened again.

Secretary Zinke acknowledged that he told his detail to take the non-Government employee to Reagan National Airport. He said he had asked this as a matter of convenience, but he was later told not to make such requests and he has not done so since.

DOI Security Detail Used on Zinkes' Vacation

We confirmed that an unarmed DOI security detail accompanied Secretary Zinke and his wife on their August 2017 vacation to Turkey and Greece. The decision to provide protection was made by the USPP supervisor; Secretary Zinke did not specifically request a detail. While we found no prohibition against the detail providing protection to Secretary Zinke during the Zinkes' vacation, we learned that the protection cost the DOI over \$25,000.

The USPP supervisor said she learned about the Zinkes' vacation when Secretary Zinke approached her and asked whether she felt it would be safe for him to travel through Istanbul. She said she spoke with an employee of the DOI's Office of Law Enforcement and Security (OLES), who gave her a briefing sheet and said it was his opinion that Turkey posed a potential security risk. The USPP supervisor was aware of past incidents that had occurred in Turkey, including a terrorist bombing of the airport in 2016 and a general terrorist threat in the city, and determined that a protective detail was warranted.

The supervisor said she also contacted the U.S. Department of State (DOS) at the U.S. Consulate in Istanbul and the U.S. Embassy in Athens, Greece, to identify what support the DOS could provide. She said the DOS staff expressed concerns because this was not an official trip; they did not want to commit consulate resources to the travel in Istanbul, she said, but they recommended the use of a specific car service.

The supervisor said that based on the information the DOS and the OLES provided, she decided that the detail would travel with Secretary Zinke through Turkey and into Greece but would not stay with him in Greece.

The supervisor confirmed that the detail was unarmed in Turkey and explained that this was not unusual during overseas travel because a detail's ability to carry firearms in a foreign country depended on getting that country's authorization. She explained that the detail coordinated with the DOS to determine whether they could carry firearms, but they were not authorized to do so in Turkey or Greece.

The OLES employee confirmed that he discussed the trip with the USPP supervisor. He said he gave her a counterintelligence threat assessment for Turkey and Greece, and his review identified threats in Turkey that, in his opinion, would warrant the use of a security detail. He said he believed that an unarmed security detail overseas would still be beneficial. The OLES employee's supervisor stated that the OLES did not make recommendations about whether someone should travel to a particular country. He explained that the OLES only provided information to travelers so they could make their own decisions.

Our interviews and review of documentation revealed that four USPP employees provided protection to Secretary Zinke during his vacation and that the total cost of their presence on the trip, as well as additional support to be reimbursed to the DOS, was \$25,077.54. A review of relevant documents in the DOI's Financial Business Management System showed an additional \$7,500 reimbursement obligated to the DOS but included no supporting paperwork showing what this cost was for; at the time of this investigation, the DOS had not claimed that money.

Secretary Zinke said he did not ask his security detail to travel with him. He said he spoke with the USPP supervisor about the trip and she decided to provide security. "They're paid to do the threat assessment," he said. "I tend not to tell them what to do." He said he had not known at the time of the trip that the detail was unarmed but added that, in his experience, "oftentimes you don't need a gun."

No Evidence of Split-Purchasing Secretarial Challenge Coins

According to the DOI employee we interviewed, Secretary Zinke's staff purchased new challenge coins (small coins or medallions bearing an organization's emblem, logo, or insignia, which are generally presented as tokens of recognition or appreciation by members of the organization) when he came to the DOI in the spring of 2017. The employee said she thought they split the costs of the coins by putting increments of \$500 on various purchase cards in order to keep the purchase amount below \$3,000, which at that time was the limit that could be put on a purchase card without issuing a contract.

According to invoices provided by the Office of the Secretary, Secretary Zinke's staff placed five orders for challenge coins between April 2017 and May 2018, for a total amount of \$13,576.50. In analyzing whether any of these purchases constituted a split purchase, we reviewed the proximity of these orders and found that three were placed in July, August, and

September 2017, each one a month apart. Each of the three orders was with a different vendor, however, and did not appear to be an attempt to bypass procurement regulations.

Interviews with DOI employees who paid for the coins with their purchase cards revealed that the Secretary's Office was unhappy with the quality of the coins, prompting them to change companies.

DOI Employee Did Not Resign Over Walking Secretary Zinke's Dog

The DOI employee said that a former DOI employee had resigned from the DOI because the former employee said she was "worth more than walking a dog," insinuating that Secretary Zinke used the former employee only to walk his dog whenever the dog was at the office.

According to the former employee, however, Secretary Zinke never told her to walk his dog at work. She said she often volunteered for the task and was happy to do it because she liked the dog. When asked, the former employee explained that she left the DOI after she did not receive a position she wanted.

Secretary Zinke said that he occasionally brought his dog to the office and that employees volunteered to walk the dog, although he typically walked the dog himself.

SUBJECT

Ryan Zinke, Secretary, U.S. Department of the Interior.

DISPOSITION

We provided this report to the Deputy Secretary of the Interior for any action deemed appropriate.

