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ENDANGERED SPECIES: Political influence may be wider than MacDonald -- GAO

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Problems with political influence on endangered species decisions may be bigger than the Interior Department has recognized, despite efforts made to clean up corruption at the agency, according to a new federal investigation.

The Government Accountability Office found Interior has come up short in its effort to try to crack down on political meddling in scientific decisions.

The Fish and Wildlife Service has been reviewing several Endangered Species Act decisions that may have been inappropriately influenced by former Interior political appointee Julie MacDonald.

But the scope of that review was likely too small, according to Robin Nazzaro, the head of GAO's natural resources and environment division. MacDonald's imprint may be on many other species decisions not studied. Also, other political appointees still employed at the department could be exerting undue political influence.

"Questions remain about the extent to which Interior officials other than Ms. MacDonald may have inappropriately influenced ESA decisions and whether broader ESA policies should be revisited," Nazzaro told the House Natural Resources Committee today. "The scope of the study the agency engaged in was a rather narrow scope, just looking at Ms. MacDonald -- if they had broadened it, they may have come up with others."

House Democrats were less diplomatic in their criticism.

"The agency's well-publicized post-MacDonald review, ostensibly designed to correct listing and critical habitat decisions -- decisions tainted by politics -- was a boondoggle; it is fixing nothing," said Natural Resources Committee Chairman Nick Rahall (D-W.Va.). "It was too narrow, too fast and too sloppy."

"As a result, we can have no confidence that political tinkering with the ESA program is being addressed any better now than it was under MacDonald's reign," Rahall added. "At this point, the best hope for endangered species may simply be to cling to life until after January when this president and his cronies, at long last, hit the unemployment line."

Republicans argued that the greater flaw is with the Endangered Species Act itself and blamed Democrats for blocking previous efforts in the GOP Congress to revise the act.

FWS reviewing 7 decisions

FWS decided to revisit seven endangered species-related decisions in the wake of the scandal that MacDonald, the former deputy assistant secretary for Fish and Wildlife and Parks, caused.

MacDonald resigned one year ago, after Interior Inspector General Earl Devaney issued a scathing report that found she had violated ethics rules, edited scientific decisions on endangered species issues and passed internal agency information to outside parties suing the department.

FWS Director Dale Hall asked each region last year to recommend species decisions that had potential meddling from MacDonald. The criteria were whether MacDonald directly influenced the decision, whether the science was compromised and if there was a significant change and potential negative effect on the species. As a result of the review, FWS is revisiting seven rulings that denied endangered species listings or limited critical habitat designations.

GAO found that the influence of political appointees may have reached beyond those criteria. In interviews and surveys with GAO, FWS employees cited at least four other Interior appointees, three of whom still work at the agency, who may have influenced decisions.

"There is potential they were also involved," Nazzaro said. "They potentially inappropriately influenced it; I'm not saying they did influence."

The investigators also found that even when MacDonald was not directly involved in a decision, FWS employees under her would try to "Julie-proof" their recommendations, writing them in anticipation of what criteria she would be looking for.

The Interior Department did not have a direct response to the report, but Lyle Lavery, Interior's assistant secretary for Fish, Wildlife and Parks, said the agency has made efforts in the past year to ensure scientific integrity. The agency implemented a "code of scientific conduct," new guidance for use of science and a policy to keep scientific and policy decisions separate, Lavery said. He maintains Interior Secretary Dirk Kempthorne has put a strong emphasis on ethical conduct since taking the helm of the department.

"I believe the department and the service have made great strides over the past year in ensuring that our ESA decision-making processes are clearly delineated and that we maintain a strong emphasis on ethical conduct and continue our commitment to maintaining the integrity of the science used in the decision-making process," Lavery said.

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