

Congress of the United States

House of Representatives

Washington, DC 20515

March 15, 2016

The Honorable Glenn A. Fine
Acting Inspector General
Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Dear Inspector General Fine:

I write to call your attention to a matter of significant and immediate importance. Currently, the Seattle District of U.S. Army Corps of Engineers (USACE) is looking to make a de minimis determination on the Gateway Pacific Terminal project in Whatcom County, Washington. Every indication is that they intend to deny the permit before the draft Environmental Impact Statement (EIS) is set to be completed in October 2016. Colonel John Buck, Commander of the USACE's Seattle District, has personally told me and my staff that he intends to make a final determination this month. Not only is such a move completely unprecedented, but it also seems politically motivated, which directly violates his military orders.

As a Colonel in the United States Army, it is illegal for Mr. Buck to be politically swayed in any manner, as his primary duty is to defend this nation in its entirety. He has sided with environmental interests without thorough consideration of the comprehensive data that will be revealed upon the completion of the draft EIS, which shatters all existing protocol. No export facility has ever been approved without a completed EIS. By the same token, no project should be denied until all the facts are available. Colonel Buck is setting a dangerous standard that has absolutely no legal merits and will have far reaching implications across the nation. As a former Commander myself, I know firsthand the challenges of balancing competing interests and making difficult decisions in the face of the unknown. This is why having information and data to back up any significant decision is vital.

I am incredibly concerned by Colonel Buck's unwillingness to follow set protocol. Therefore, I urge you to investigate his apparent inclination to skirt military procedure to appease politically motivated interests. Considering the magnitude of the de minimis determination, I ask that you begin this process immediately.

Thank you for your attention to this matter. I look forward to your swift response.

Sincerely,



RYAN ZINKE
Member of Congress