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Questions remain about potential conflict

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- News Analysis

BATON ROUGE – Should the son of an executive who does work for the state and the U.S. Army Corps of Engineers be appointed to a position that oversees coastal affairs?

The administration of Gov. Bobby Jindal answered in the affirmative this week.

A legal opinion written by Jimmy Faircloth, the governor's executive counsel, outlines how the arrangement can work without conflict, but interviews conducted with various players on Jindal's team have done little to explain how the situation finally came into the sunshine.

The father of Garret Graves, Jindal's senior coastal advisor, is the owner of an engineering firm that is among the top contract holders in Louisiana with the U.S. Army Corps of Engineers.

By law, Garret Graves also serves as chairman of the Coastal Protection and Restoration Authority, whose primary partner is the corps.

To be more specific, Evans-Graves Engineers, which has offices in Baton Rouge and New Orleans, made \$47 million last year from corps contracts alone, according to USAspending.gov, a fiscal accountability Web site supported by the federal government. The engineering firm also confirmed the tally.

While Garret Graves doesn't actually sign any engineering or construction contracts in his current position, the state coastal agency does have some collective signing authority, and it sets priorities for the state on corps-related projects.

Evans-Graves also does work for state agencies that include the Department of Transportation and Development. As director of the Governor's Office of Coastal Affairs, Graves works daily with both the state Transportation and Natural Resources departments, which represents a large portion of his job.

The Courier asked Jindal's press secretary, Melissa Sellers, Tuesday afternoon to inquire

about the potential conflict, or at least the appearance of it, and to find out if Jindal, a Republican, who has grown increasingly media-shy since taking office last month, was even aware of the connection.

Graves' appointment was officially announced Jan. 3, and he was interviewed by Jindal's staff during the previous month. Despite the apparent time lapse, Jindal knew nothing of the potential conflict until this week, when The Courier made its initial inquiry, Sellers said. In a prepared statement, she likewise argued that Graves also knew nothing of his own father's state contracts until recently.

Garret Graves' father, John Graves, who presently serves as president of Evans-Graves Engineers, said he was under the impression that the bulk of Jindal's administration was already aware of the potential conflict when Faircloth's letter was released to the public and media Wednesday.

"I know it had been put to the staff more than a month ago," John Graves said. "I said from the beginning there was a potential conflict of interest, and apparently that fell on deaf ears."

Does that mean the information never reached Jindal until this week? Was it possibly withheld from him? If so, who originally interviewed Graves?

Asked directly who did interview him, Graves declined to answer. So did Sellers – actually, she was repeatedly asked to disclose the information but staunchly refused and repeated the same answer each time: "A few folks on the transition team."

No reason was given as to why the names of the interviewers could not be released.

To be certain, nothing illegal has transpired, and safeguards have been put in place. Evans-Graves Engineers, which was well established before Garret Graves was ever born, has also agreed to stop pursuing projects that might cause a conflict of interest, or even the appearance of one, which is what Faircloth recommended to Garret Graves in his legal memo.

"As we discussed, Governor Jindal has asked that we disclose and commit to avoiding even the appearance of conflicts," Faircloth wrote. "Thus, as we agreed, out of an abundance of caution, the appropriate solution is that your father's company not pursue an interest in or receive any state contract that involves coastal restoration, levees or hurricane protection while you serve in the administration. This would explicitly include such contracts overseen by DOTD and DNR."

Additionally, John Graves said his company in the midst of a conversion to become employee-owned, meaning he is being taken out of the picture. But that process could take as long as five years, by which time Jindal will have faced re-election and the younger Graves will be up for reappointment.

At only 35, he already has an extensive resume under his belt.

His first prominent job in Washington, D.C., was working for former Congressman Billy Tauzin. He advised the Chackbay Republican on energy, coastal, appropriations,

transportation, natural-resources and hurricane-protection issues. During his nine years with Tauzin, Graves also served as a senior staff member for the U.S. House and Energy Commerce Committee, which Tauzin chaired.

In 2005, he moved to the Senate Committee on Commerce, Science and Transportation, where he was a senior advisor to junior Sen. David Vitter, a Republican from Metairie, and staff director for the Climate Change and Impacts Subcommittee.

He further made a name for himself on Capitol Hill by helping draft legislation that increased the offshore oil-and-gas revenue that Louisiana receives from the federal government and by helping to negotiate more than \$20 billion for hurricane- and coastal-protection programs through the congressional budgeting process.

Graves also assisted in pushing through the Senate a plan for a series of levees and locks in Terrebonne and Lafourche parishes.

Qualifications aside, the entire situation could be nothing more than a communications breakdown inside the Governor's Office, which is pure speculation at this point. But the fact that information is being withheld could be troubling to Louisiana voters who expected Jindal to keep his promises about an open and transparent state government – no matter how small or large the issue.

In fact, ethics reform has long been a central issue for Jindal, who kicks off a special session dedicated to the topic on Feb. 10. Yet notwithstanding Jindal's promises of "transparency" and a "gold standard" for ethics reform, the waters certainly seem as muddy as ever.

In the coming weeks, as his ethics agenda winds its way through the Legislature, perhaps voters will catch a glimpse of the Bobby Jindal who campaigned harder than most in 2007. For now, however, simple questions such as "Who interviewed Garret Graves?" remain unanswered — and for some may serve as a stark reminder of just how far this administration needs to go to keep the governor's trademark promise of transparency.
