

Summary: Investigation of Possible Conflict of Interest Violation by an FWS Employee

Report Date: October 7, 2016

The OIG recently concluded an investigation that an employee with the U.S. Fish and Wildlife Service (FWS), Wildlife and Sport Fish Restoration Division (WSFR), may have been involved in a conflict of interest by serving as an officer for the American Fisheries Society (AFS).

We found that the employee had obtained a conflict of interest waiver from the FWS Acting Director at the time, authorizing him to serve as an AFS officer as part of his official FWS duties. The authorization was based on both the interests of FWS and AFS being furthered through the performance of his official duties along with his service with AFS.

We also found that in addition to the waiver, a memorandum of understanding existed between FWS and AFS in which the FWS employee was authorized to act as an officer of AFS as part of his official Government duties through September 2017. The FWS employee also signed a memorandum stating that he would recuse himself from any FWS grants, contracts, cooperative agreements, or other agreements concerning AFS.

In accordance with 5 C.F.R. § 2640.203(m), employees may participate in official matters where the disqualifying financial interest belongs to a nonprofit organization in which the employees hold positions solely in their official Government capacity. Therefore, we did not substantiate the allegation that the FWS employee violated the conflict of interest statute, 18 U.S.C. § 208.

This is a summary of a report of investigation that was issued to the U.S. Fish and Wildlife Service for information.

