



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

REPORT OF INVESTIGATION

Case Title NPS De Soto National Memorial Sexual Harassment Complaint	Case Number OI-GA-16-0706-I
Reporting Office Atlanta, GA	Report Date February 6, 2017
Report Subject Report of Investigation	

SYNOPSIS

We investigated allegations that [REDACTED], [REDACTED] of the National Park Service's (NPS) De Soto National Memorial, Bradenton, FL, sexually harassed De Soto [REDACTED] [REDACTED] by inappropriately touching her, invading her privacy and personal space, and making unwanted comments about her appearance numerous times, beginning soon after she arrived at the park in [REDACTED]. In addition, [REDACTED] alleged that [REDACTED] was actively violating NPS policies and retaliating against her in various ways for questioning his decisions. We also investigated other issues that arose during our fieldwork, including [REDACTED] potential conflicts of interest involving his friendships with some of the resident volunteers at De Soto.

Our interviews supported that between [REDACTED] and [REDACTED] hugged [REDACTED] gave her lingering handshakes, commented on her [REDACTED], and sat or lay on her office desk. We also learned that this contact and attention was unwanted and that [REDACTED] asked [REDACTED] many times to cease his inappropriate behavior. [REDACTED] denied harassing [REDACTED] however, and said he had touched her [REDACTED]. He also initially failed to disclose that a [REDACTED] had alleged that he made an unwanted sexual advance toward her, but he did acknowledge the event after we questioned him about it specifically.

We also found that [REDACTED] participated in or directed policy violations at De Soto. Some employees told us that his tendency to claim what he termed "[REDACTED] discretion" when making questionable policy decisions was a factor in this. Although employees told us that they felt [REDACTED] had retaliated against [REDACTED] we could not find conclusive evidence to support their assertions.

Reporting Official/Title [REDACTED]/Special Agent	Signature Digitally signed.
Approving Official/Title [REDACTED]/SAC	Signature Digitally signed.

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In addition, our interviews revealed that [REDACTED] misused his position and created a potential conflict of interest by staying for free at the personal homes of two resident volunteer couples; he then directed his staff to allow one of the couples to stay on De Soto grounds without proper documentation and authorized the construction of a new parking pad for their recreational vehicle.

DETAILS OF INVESTIGATION

In July 2016, we initiated this investigation after receiving an email from [REDACTED], [REDACTED] of the National Park Service (NPS). [REDACTED] informed us of an allegation that [REDACTED], [REDACTED], De Soto National Memorial, NPS, Bradenton, FL, sexually harassed [REDACTED], De Soto [REDACTED] by inappropriately touching her and invading her privacy and personal space.

In addition to the harassment allegations, [REDACTED] alleged that [REDACTED] was actively violating NPS policies and retaliating against her in various ways for questioning his decisions. We also investigated other issues that arose during our fieldwork, including [REDACTED] potential conflicts of interest involving park volunteers.

[REDACTED] Alleged Sexual Harassment of [REDACTED]

[REDACTED] Alleged That [REDACTED] Touched Her Inappropriately and Invaded Her Privacy and Personal Space

[REDACTED] told us that between [REDACTED] and [REDACTED] touched her inappropriately and made her uncomfortable a number of times (**Attachments 1, 2, 3, 4, 5, and 6**). She said that during her [REDACTED] at De Soto, [REDACTED] insisted she try on a button-down De Soto park shirt in his presence (see Attachments 1 and 2). She explained that she knew the shirt would be too small for her and informed [REDACTED] of that fact, but because he insisted and held it open for her like a coat, she tried it on over her clothes. Once she slipped into it, she said, [REDACTED], [REDACTED], [REDACTED]?" She said this interaction shocked her.

[REDACTED] told us that [REDACTED] at De Soto, [REDACTED] greeted her with a kiss and a hug. She explained that she did not feel his actions were abnormal at first, but he proceeded to hug her every day after that for several weeks, which made her uncomfortable.

[REDACTED] told us that after approximately 3 weeks of [REDACTED] hugging her, she confronted him and told him to stop. In addition, she said, [REDACTED] had once made her uncomfortable by telling her he had driven past her personal residence; she told him when she confronted him that this was "creepy" and "stalker" behavior.

According to [REDACTED] stopped hugging her after this conversation but began giving her lingering handshakes, during which he would rub her hand in an unusual manner. Moreover, she said, he regularly attempted to get physically close to her, including sitting and lying on her office desk (**Attachment 7**). She told us that he also made unwanted comments to her and called her "pretty" and "beautiful," which made her uncomfortable.

█████ stated that she confronted █████ approximately four times and told him that his actions were unwelcome and inappropriate. She noted that she and █████, so she did not believe that she was misunderstanding his actions because of █████.

Other NPS Employees Corroborated █████ Statements

█████ provided us with the names of NPS employees whom she had informed of █████ conduct while it was happening, as well as text messages between herself and two other De Soto employees documenting these communications (**Attachment 8**). We interviewed █████—█████, █████—who detailed what █████ had told them about █████ inappropriate actions and her confrontations with him.

█████ told us that he had not seen any of █████ alleged sexual harassment firsthand, but he confirmed that █████ had told him about it (**Attachments 9, 10, 11, and 12**). He said that he had been a █████ of █████ for approximately █████ and █████ him to De Soto. He explained that he had not known █████ before her arrival at De Soto, but they had since become friends.

█████ stated that █████ first mentioned some of the alleged incidents during the second or third month after she arrived at De Soto (approximately █████). He told us she had complained about █████ hugging her, shaking her hand in an unusual way, and walking around her desk. He said he also learned about the shirt incident in approximately █████ 2016 (see **Attachments 9 and 10**).

█████ told us that as a trained █████ and █████ who had served as a █████ in the past, he eventually came to understand that what █████ was describing was sexual harassment. He told us that he had numerous conversations with █████ about █████ behavior, but he did not confront █████ because of their friendship. █████ said he felt guilty for not speaking to █████ about █████ but he believed that he owed █████ and ultimately did not feel that █████ would change his behavior (**Attachments 13 and 14**).

█████ who also had not witnessed any of █████ alleged conduct, confirmed that █████ had told him about some of █████ actions in approximately █████ 2016 (**Attachments 15 and 16**). He told us that █████ said █████ had made her uncomfortable by asking her for daily hugs and giving her lingering handshakes.

Like █████ and █████ █████ told us that he had not seen any of █████ alleged conduct firsthand; he explained that he had not known █████ until her arrival at the park in █████ but they had quickly █████ (**Attachments 17, 18, 19, and 20**). He said that █████ had told him that she had confronted █████ about hugging her and leaning against her desk. He also said that she had told him about the shirt incident in approximately █████ or █████ 2015.

█████ told us that she had seen █████ hug █████ when she arrived at De Soto but she had not witnessed the other alleged incidents (**Attachments 21, 22, 23, and 24**). She said that █████ had told her about some of █████ actions in approximately October 2015, and that █████ had mentioned in November 2015 that █████ hugging her made her uncomfortable. █████ said she noticed that in mid-November 2015 █████ transitioned from hugging █████ in greeting to shaking her hand.

█████ also provided the names of █████ who could confirm her accounts.

█████ all stated that █████ had spoken to them about █████ actions and told them he was making her uncomfortable.

█████ who had known █████ to her, said that she had told him twice in approximately █████ 2016 about █████ conduct and her discomfort with it (**Attachments 25, 26, 27, and 28**). He said █████ told him that █████ was sitting on her desk, walking around her desk, and placing his arm around her chair while she was seated at her desk. He told us that he understood █████ actions to be an ongoing issue.

█████ said that █████ told him she had spoken directly to █████ at least twice about his actions, but when she told █████ she did not like him sitting on her desk, █████ had laughed and not taken her concerns seriously. █████ told us that he did not feel it was necessary to report the matter to anyone because █████ had explained that she was addressing the issues with █████ herself.

█████ said that █████ had told her of █████ conduct in early 2016 (**Attachments 29 and 30**). She said that █████ described █████ as a “hugger” and told her that he was lying on her desk and making her uncomfortable. █████ said that she gave █████ an EEO contact during their conversation.

█████ told us that █████ had told her of █████ conduct in approximately █████ 2015 or █████ 2016 (**Attachments 31 and 32**). █████ said that she had known █████, and that she spoke with █████ often after █████ was assigned to De Soto to help her transition into her new █████. She explained that as early as January 2016, █████ had discussed looking for a new job because █████ had touched her inappropriately and had repeatedly invaded her personal space, but █████ did not want to move because she could not afford to repay NPS for her move to De Soto.

█████ said that █████ told her about █████ hugging her repeatedly, giving her lingering handshakes, and invading her personal space by lying on her desk and getting too close to her. █████ also told us █████ spoke to her about the incident involving █████ trying to close the De Soto shirt. █████ told us that because of these conversations and █████ numerous comments about her discomfort with █████

█████ She said that in February 2016, █████ told her that she had confronted █████ numerous times about his behavior but that he often laughed off her comments. █████ told us she would have quit NPS if she had been subjected to the incidents that █████ described, but said she did not report what █████ told her because she feared retaliation (she did not specify from whom).

█████ Was Concerned About Reporting █████ Actions

█████ told us that she had avoided formally reporting █████ actions because she did not want to negatively affect either of their careers, but the effects of his actions had become “paralyzing” (see **Attachments 5 and 6**). Her concerns about her work environment caused her to email █████ on █████ 2016, detailing his inappropriate behavior toward her and other De Soto staff members

(Attachment 33). [REDACTED] explained that she later learned that [REDACTED] had forwarded her email to SERO supervisors without her knowledge.

[REDACTED] told us it was not her intention to request an investigation but she voluntarily participated when we contacted her even though she had found the investigative process and reliving the events “terrifying” (see Attachments 5 and 6). She told us that history showed NPS did not take action in similar cases; she said she agreed with a statement [REDACTED] made during 2016 testimony before Congress that it was “next to impossible” for officials to discipline employees for wrongdoing, even if the officials believed action was deserved.

In August 2016, we learned that SERO leadership had temporarily reassigned [REDACTED] to another park and assigned an [REDACTED] De Soto while this investigation was underway (Attachment 34). [REDACTED] told us that SERO staff visited De Soto to introduce [REDACTED] and during this visit, [REDACTED] made statements that [REDACTED] considered inappropriate and unsupportive about her [REDACTED] emotional involvement in this investigation (Attachment 35). We interviewed [REDACTED] and the SERO personnel involved, including [REDACTED], but we found no evidence of misconduct (Attachments 36, 37, 38, 39, and 40). [REDACTED] told us that [REDACTED] told her she “should not put so much emotional energy” into the issue. [REDACTED] denied making this statement, but said she advised [REDACTED] to not read something into everything that happened because she knew that [REDACTED] was [REDACTED] explained that she wanted [REDACTED] to be aware that not everything that occurred at De Soto had hidden meaning.

On [REDACTED] informed us that she was removing herself from any further involvement in this investigation (Attachment 41).

[REDACTED] Denied [REDACTED] Allegations

When we interviewed [REDACTED] about [REDACTED] allegations, he told us that he had only touched her [REDACTED] while hugging her in greeting (Attachments 42 and 43). He denied touching her inappropriately, invading her personal space, sitting or lying on her desk, or shaking her hand after being told not to hug her. He confirmed that [REDACTED] had told him in [REDACTED] 2015 that his driving by her house was “creepy” and “stalker behavior.” He said he told her at the time that he wanted to be like, or treat her like, family, but she told him she just wanted him to be her boss.

[REDACTED] also acknowledged that [REDACTED] discussed his behavior with him several times between [REDACTED] 2015 and [REDACTED] 2016. He said that he attempted to physically distance himself from her after she first talked to him about his conduct. He could not explain why these conversations continued to take place after he stopped touching her, other than to say she must have believed he was still acting inappropriately.

[REDACTED] denied that the incident with the shirt happened as [REDACTED] described it. He said that she had never tried on a shirt in his presence, and that while he might have mentioned her “[REDACTED]” it was in the context of looking for a shirt she could wear. He told us, however, that he was not saying [REDACTED] was lying, and he said that he took responsibility for his actions.

In an attempt to verify [REDACTED] statements, [REDACTED] (b)(7)(E) [REDACTED] (b)(7)(E) (Attachments 44 and 45). When he specifically denied

(b)(7)(E) that the incident had occurred, the (b)(7)(E)
(b)(7)(E)

(b)(7)(E) later told us that he did not know why he (b)(7)(E), but when asked he denied claiming that (b)(7)(E) was lying (**Attachments 46 and 47**). He said his perception was that he did not hold out the shirt for her to try on. When asked whether everything (b)(7)(E) and the other NPS personnel had described to us was false, (b)(7)(E) responded: “All of those are perceptions of the individuals who felt that way. . . . I did not know that I was actually doing that in an offensive way.” He acknowledged that he had violated sexual harassment policy, but only because of (b)(7)(E) perception of his actions; he denied purposefully harassing her.

As part of our investigation, we interviewed (b)(7)(E) and (b)(7)(E) to determine whether additional sexual harassment issues existed at De Soto (**Attachments 48, 49, 50, 51, 52, 53, 54, and 55**). (b)(7)(E), who had since become the (b)(7)(E), told us that (b)(7)(E) had made an unwanted sexual advance toward her soon after he came to De Soto (see **Attachments 54 and 55**). She stated that the advance occurred after hours, (b)(7)(E).

We re-interviewed (b)(7)(E) (b)(7)(E), and he twice denied having been accused of inappropriate sexual conduct toward a coworker or employee (see **Attachments 46 and 47**). When asked if an employee who said he had made a “pass” at her was lying, (b)(7)(E) said: “It depends on which employee it was and what were the circumstances.”

(b)(7)(E) eventually explained that he had been very drunk at (b)(7)(E) and did not remember whether he had made an advance toward her, but he acknowledged that (b)(7)(E) told him that he had. He never mentioned the incident during any of his previous interviews, and did not acknowledge the incident until we confronted him with the information (b)(7)(E) had given us.

(b)(7)(E) Alleged Mismanagement, Policy Violations, and Retaliation

Alleged Mismanagement and Policy Violations

(b)(7)(E) told us that De Soto staff referred to (b)(7)(E) as (b)(7)(E) and she said he would claim “(b)(7)(E) discretion” while subverting policy (see **Attachments 1, 2, 3, and 4**). (b)(7)(E) (b)(7)(E), and (b)(7)(E) confirmed that they were familiar with the term and said that they used it in reference to (b)(7)(E) of De Soto (see **Attachments 9, 10, 15, 16, 19, 20, 23, and 24**). (b)(7)(E) and (b)(7)(E) told us that as a result of (b)(7)(E) selective policy enforcement, employees had expressed confusion about whether they were complying with policy (see **Attachments 1, 2, 15, and 16**).

(b)(7)(E) also said that (b)(7)(E) often focused on what people were doing wrong, which caused staff to distrust him (see **Attachments 9 and 10**). (b)(7)(E) (b)(7)(E) and (b)(7)(E) told us of instances where (b)(7)(E) had lied to them regarding park operations, which damaged trust within the management team (**Attachments 56 and 57**, and see **Attachments 1, 2, 9, 10, 13, 14, 15, and 16**). For example, (b)(7)(E) and (b)(7)(E) told us that (b)(7)(E) had lied to them separately by telling them that the 2017 budget allocations were going to be significantly reduced, which negatively impacted their plans to convert a part-time De Soto position to fulltime. (b)(7)(E) said that after (b)(7)(E) confronted (b)(7)(E) with contradictory information, (b)(7)(E) denied having made the comments.

██████ confirmed that his management style could be overly critical, but said that he had never been told it negatively affected operations at De Soto (see Attachments 42 and 43). He said he was always looking for ways to improve and had never purposefully used “██████ discretion” to violate NPS policy. He also said he often praised his employees and wanted the best for each of them.

██████ and other ██████ cited numerous policies they believed ██████ had knowingly violated, including policies regarding alcohol use on park grounds, the program managing the use of black powder (gunpowder) during historical reenactments, the resident volunteer program, and De Soto uniforms; they also alleged improper procurement of sensitive equipment, improper use of permanent-change-of-station funds, and transporting U.S. Government funds on duty with his personally owned weapon (**Attachments 58, 59, 60, and 61**, and see Attachments 1, 2, 3, 4, 9, 10, 13, 14, 15, 16, 19, 20, 23, 24, and 41). Our investigation confirmed that ██████ participated in or directed multiple actions that violated the alcohol, resident volunteer, and black powder policies.

Alcohol Consumption: ██████ and ██████ alleged that ██████ had regularly consumed alcohol with resident volunteers on park grounds; ██████ confirmed this but denied breaking NPS policy (**Attachments 62 and 63**, and see Attachments 39, 40, 58, and 59). When we showed him signs and website information stating that alcohol was prohibited in De Soto, ██████ said that these materials were out of date and that he had written a “██████ compendium” allowing consumption of alcohol in certain areas (**Attachment 64**, and see Attachments 62 and 63).

Our review of NPS and U.S. Department of the Interior (DOI) alcohol policies, including the Departmental Manual (310 DM 13, “Use of Alcoholic Beverages in Department of the Interior Occupied or Controlled Facilities”) and a December 5, 2007 NPS Director’s memorandum (“Alcoholic Beverage Use in NPS Facilities – Delegation of Authority”), as well as 41 C.F.R. § 102-74.405, revealed that ██████ compendium significantly loosened alcohol restrictions set forth in these policies, but he did not follow the procedures required to do so (**Attachment 65**). Although NPS policy provides an exemption procedure for allowing alcohol use on a park property, De Soto staff were unable to produce approval documentation that had been signed by a deputy regional director, as required.

Resident Volunteers: Multiple De Soto staff members told us that ██████ was personal friends with two De Soto resident volunteer couples and that he circumvented procedures to benefit these volunteers (see Attachments 39, 40, 57, 58, 59, 60, and 61). ██████ and ██████ told us that ██████ had directed ██████ to allow one of the couples to stay at De Soto before she had obtained the documentation required for them to do so (**Attachments 66 and 67**, and see Attachments 39 and 40). ██████ explained that ██████ asked her whether De Soto had space available for this couple to stay in during a specific time period they had requested, and shortly thereafter ██████ instructed her to schedule the couple for those dates even though the couple had not given her a completed application or a signed resident volunteer agreement, as required by NPS policy (see Attachment 66).

Our analysis of NPS policy, including NPS Director’s Order 7, Section 12.1, and its supplemental Reference Manual 7, Section 12, revealed that De Soto’s failure to execute current agreements for resident volunteers introduced potential civil liability to NPS and to the volunteers themselves (see Attachment 66). In addition, we reviewed 5 C.F.R., part 2635, which provides regulations regarding ethical conduct for Government employees (**Attachment 68**). ██████ actions, as described by ██████ and ██████ appear to have violated 5 C.F.R. §§ 2635.101(b)(8), 101(b)(14), and 702(a) in

that he failed to act impartially in his official position, failed to avoid the appearance of violating ethical standards, and directed a subordinate to improperly provide a benefit to a friend.

During our interview, [REDACTED] denied [REDACTED] assertion that he had directed her to schedule these volunteers (see Attachments 42 and 43). He said that he did not decide who became resident volunteers or which resident volunteers returned to the park.

Black Powder Program: [REDACTED], reported violations of NPS black powder program policy at [REDACTED] direction (see Attachments 15, 16, 58, and 59). De Soto uses black powder as part of its “living history demonstrations” of Hernando De Soto and his army exploring the area now occupied by the park.

[REDACTED] explained that in February 2016 he attended training for his [REDACTED] recertification and learned that De Soto no longer complied with the program’s policies. [REDACTED] said that policies governing black powder safety had been updated to require safety training and certification for all NPS employees with access to a black powder “magazine” (a secure storage container for black powder). [REDACTED] explained that at that time, [REDACTED] who was not certified in black powder safety, had been accessing the magazine on [REDACTED] days off and that [REDACTED] and [REDACTED] had access to the magazine’s key.

We interviewed [REDACTED] and [REDACTED], both [REDACTED] who managed aspects of the black powder program (**Attachments 69 and 70**). [REDACTED] and [REDACTED] clarified that while new policies had been drafted, the policies had not changed in 2016. With [REDACTED] we reviewed the current policies, NPS Director’s Order 6, titled “Interpretation and Education,” and NPS’ “Policies Relating to Historic Weapons Demonstrations,” which document the regulatory requirements for the black powder program (**Attachment 71**, and see Attachment 69). [REDACTED] explained that under the current policies, a park employee could not fire a historic black powder weapon except under the supervision of a certified safety officer (see Attachment 69). In addition, he said, only certified officers could have key access to the black powder magazine, open the magazine itself, or supervise a weapons demonstration. [REDACTED] and [REDACTED] both acknowledged that they did not have the certifications required under the current policy but had access to the magazine (see Attachments 39, 40, 66, and 67).

[REDACTED] said that he informed [REDACTED] and [REDACTED] of the policy requirements after he returned from his training, but [REDACTED] refused to stop firing black powder weapons on [REDACTED] days off and continued to allow [REDACTED] to access the magazine (see Attachment 58 and 59). [REDACTED] and [REDACTED] confirmed that [REDACTED] had told them De Soto was not complying with the black powder program policies (see Attachments 39, 40, 42, 43, 60, and 61). [REDACTED] denied, however, that [REDACTED] had clearly communicated to him that the policies were in effect at the time of their meeting. As a result, [REDACTED] said, he did not adhere to the aspects of the policies that [REDACTED] reported to him because he had expected a policy change to take effect at a later date.

Alleged Retaliation Against [REDACTED]

[REDACTED] told us that [REDACTED] had retaliated against her several times for questioning his policy decisions and confronting him about his conduct (see Attachments 1 and 2). [REDACTED] denied retaliating against or harassing [REDACTED] or other De Soto employees (see Attachment 42 and 43).

█████ explained that even though she was not a █████ attempted to rate her as one by using a █████ appraisal form in her electronic performance appraisal plan (EPAP). She believed that by rating her as a █████ even though she did not █████ was trying to hold her to performance standards that did not apply to her, and thus might lower her performance rating.

█████ said that she made multiple attempts between █████ 2015 and █████ 2016 to rectify the issue with █████ (see Attachments 1 and 2). In █████ 2016, she sought assistance from a █████ █████, who told us she advised █████ to change the form as █████ had requested (**Attachment 72**, and see Attachments 1 and 2). Our review showed that █████ and █████ eventually signed a █████ EPAP in █████ 2016 █████ months after █████ initially refused to be rated as a █████ and long after the █████ days from her assignment to De Soto required by the DOI “Performance Management Handbook – A Guide for Managers/Supervisors and Employees” and the NPS Southeast Region “EPAP Standard Operating Procedures” (**Attachment 73**, and see Attachment 8).

█████ denied attempting to improperly rate █████ as a █████ in an effort to retaliate against her by lowering her performance rating (see Attachments 42 and 43). He felt that █████ who did not have direct reports, was in a █████ as an █████ and should have been issued a █████ EPAP as his previous █████ had been. He explained that he and █████ had agreed on her rating criteria but she would not sign the document because it was on a █████ form.

█████ also told us that as another form of retaliation, █████ had excluded her from preparations for De Soto events and sent her home before other staff members during events (see Attachments 1 and 2). █████ however, denied purposefully excluding her from events or singling her out to be sent home early (see Attachments 42 and 43).

In addition, █████ told us that █████ had shown her an instant message thread between himself and █████ in which █████ called █████ a “bitch” and a “Nazi” (see Attachments 1, 2, and 8). █████ confirmed showing the message to █████ but denied that his purpose in doing so was to make her uncomfortable; he explained he had been trying to show █████ that he was defending her during a disagreement she was having with █████ (see Attachments 42 and 43).

█████ said that █████ and █████ had a contentious relationship at times because █████ attempted to bring De Soto into compliance with NPS policy (see Attachments 15 and 16). █████ said that she had declined █████ offer to mediate a conversation between her and █████ because she feared that █████ would retaliate against █████ (see Attachments 1 and 2).

█████ told us that he believed █████ perceived retaliation because she had rebuffed █████ inappropriate behavior or challenged █████ on policy (see Attachments 11, 12, 13, and 14). He also stated that, based on his experience as an █████, on █████ accounts, and on exchanges he himself had witnessed, he agreed that █████ had retaliated against her.

█████ **Conflict of Interest Involving De Soto Resident Volunteers**

Interviews with █████ revealed that █████ while vacationing in █████ and █████ had stayed at the private homes of the two De Soto resident volunteer couples he had befriended (see Attachments 39, 40, 50, 51, 58, 59, 66, and 67). In addition to the policy violations outlined above,

██████ told us that after a scheduling conflict arose between one of these couples and another resident volunteer couple who had already reserved De Soto's only recreational parking pad for their RV, ██████ directed the construction of a new parking pad (roughly a \$1,000 cost) so that his friends could stay in the park (see Attachments 23, 24, 66, and 67). In taking this action, ██████ potentially misused his position and again appeared to violate 5 C.F.R. §§ 2635.101(b)(8), 101(b)(14), and 702(a) by not acting impartially in his official position regarding this matter, by not avoiding the appearance of ethics violations, and by directing his subordinates to improperly provide a benefit to his friends by building the parking pad (see Attachment 68).

██████ confirmed that he had stayed at the two resident volunteer couples' homes multiple times at no cost (see Attachments 42, 43, 62, and 63). He explained that he and his wife were longtime friends with both couples, one of whom they had met through his assignment at ██████, where he served as a ██████. He told us that he had visited one of the couples and stayed cost-free at their private residence in ██████ and at their private cabin in ██████ while vacationing with his family in ██████ and ██████ said that he could see how one might think that he had accepted gratuities from the volunteers, but he said he was unaware of any policy against staying with resident volunteers who were also personal friends. He told us, however, that he had not sought guidance from an ethics official before vacationing at the volunteers' residences (see Attachments 46 and 47).

██████ also confirmed that he authorized the building of the parking pad for one of the resident volunteer couples to use, but he denied misusing his position by staying in the volunteers' homes in exchange for building the pad. He told us that he had previously planned to build the pad, but did so at this time with input from De Soto members. He said that he never acted in his official capacity to benefit either of the resident volunteer couples (see Attachments 62 and 63).

SUBJECT(S)

██ De Soto, NPS.

DISPOSITION

We presented ██████ receipt of gratuities to the U.S. Attorney's Office for the Middle District of Florida, but the office declined to prosecute. We are providing this report to Acting NPS Director ██████ for whatever action he deems appropriate.

ATTACHMENTS

1. Investigative Activity Report (IAR) – Interview of ██████, dated July 20, 2016.
2. Transcript of interview of ██████ on July 20, 2016.
3. IAR – Interview of ██████, dated August 2 and 3, 2016.
4. Transcript of interview of ██████ on August 2 and 3, 2016.
5. IAR – Interview of ██████, dated August 4, 2016.
6. Transcript of interview of ██████ on August 4, 2016.
7. Photos of De Soto Administration Building, dated September 7, 2016.
8. IAR – Receipt of Information and Documents (from ██████ on July 22, 2016, with attachments.
9. IAR – Interview of ██████, dated July 22, 2016.
10. Transcript of interview of ██████ on July 22, 2016.

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11. IAR – Interview of [REDACTED], dated August 3, 2016.
12. Transcript of Interview of [REDACTED] on August 3, 2016.
13. IAR – Interview of [REDACTED], dated August 4, 2016.
14. Transcript of interview of [REDACTED] on August 4, 2016.
15. IAR – Interview of [REDACTED], dated August 3, 2016.
16. Transcript of interview of [REDACTED] on August 3, 2016.
17. IAR – Interview of [REDACTED], dated July 21, 2016.
18. Transcript of interview of [REDACTED] on July 21, 2016.
19. IAR – Interview of [REDACTED], dated August 4, 2016.
20. Transcript of interview of [REDACTED] on August 4, 2016.
21. IAR – Interview of [REDACTED], dated July 21, 2016.
22. Transcript of interview of [REDACTED] on July 21, 2016.
23. IAR – Interview of [REDACTED], dated August 4, 2016.
24. Transcript of interview of [REDACTED] on August 4, 2016.
25. IAR – Interview of [REDACTED], dated August 10, 2016.
26. Transcript of interview of [REDACTED] on August 10, 2016.
27. IAR – Interview of [REDACTED], dated September 26, 2016.
28. Transcript of interview of [REDACTED] on September 26, 2016.
29. IAR – Interview of [REDACTED], dated September 6, 2016.
30. Transcript of interview of [REDACTED] on September 6, 2016.
31. IAR – Interview of [REDACTED], dated September 15, 2016.
32. Transcript of interview of [REDACTED] on September 15, 2016.
33. Email from [REDACTED] to [REDACTED], dated [REDACTED], 2016.
34. IAR – Contact with [REDACTED], dated August 16, 2016.
35. IAR – Interview of [REDACTED], dated August 23, 2016.
36. IAR – Interview of [REDACTED], dated September 2, 2016.
37. IAR – Interview of [REDACTED], dated September 15, 2016.
38. IAR – Interview of [REDACTED], dated September 2, 2016.
39. IAR – Interview of [REDACTED], dated September 6, 2016.
40. Transcript of interview of [REDACTED] on September 6, 2016.
41. IAR – Email Receipt from [REDACTED], dated August 24, 2016, with attachment.
42. IAR – Interview of [REDACTED], dated August 31, 2016.
43. Transcript of interview of [REDACTED] on August 31, 2016.
44. IAR – Receipt and Review of [REDACTED] (b)(7)(E) of [REDACTED], dated September 26, 2016.
45. [REDACTED] (b)(7)(E) of [REDACTED] on September 20, 2016.
46. IAR – Interview of [REDACTED], dated September 22, 2016.
47. Transcript of interview of [REDACTED] on September 22, 2016.
48. IAR – Interview of [REDACTED], dated August 26, 2016.
49. IAR – Interview of [REDACTED], dated September 6, 2016.
50. IAR – Interview of [REDACTED], dated September 6, 2016.
51. Transcript of interview of [REDACTED] on September 6, 2016.
52. IAR – Interview of [REDACTED], dated September 7, 2016.
53. IAR – Interview of [REDACTED], dated September 7, 2016.
54. IAR – Interview of [REDACTED], dated September 7, 2016.
55. Transcript of interview of [REDACTED] on September 7, 2016.
56. IAR – Interview of [REDACTED], dated July 21, 2016.
57. Transcript of interview of [REDACTED] on July 21, 2016.

58. IAR – Interview of [REDACTED], dated September 7, 2016.
59. Transcript of interview of [REDACTED] on September 7, 2016.
60. IAR – Interview of [REDACTED], dated September 7, 2016.
61. Transcript of interview of [REDACTED] on September 7, 2016.
62. IAR – Interview of [REDACTED], dated October 14, 2016.
63. Transcript of interview of [REDACTED] on October 14, 2016.
64. IAR – Receipt of Policy and Training Documents, dated September 12, 2016, with attachments.
65. IAR – Receipt and Analysis of Alcohol Policy Material, dated November 3, 2016, with attachments.
66. IAR – Interview of [REDACTED], dated September 7, 2016, with attachments.
67. Transcript of interview of [REDACTED] on September 7, 2016.
68. IAR – Conflict of Interest Policy Review, dated January 11, 2017.
69. IAR – Interview of [REDACTED], dated September 26, 2016.
70. IAR – Interview of [REDACTED], dated September 15, 2016.
71. IAR – Receipt and Review of Policy and Training Documents, dated September 13, 2016, with attachments.
72. IAR – Interview of [REDACTED], dated July 25, 2016.
73. IAR – Receipt and Analysis of Performance Evaluations and Policy, dated August 10, 2016.