



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

INVESTIGATIVE REPORT OF FWS ALLEGED SCIENTIFIC INTEGRITY VIOLATION AND RETALIATION

This is a revised version of the report prepared for public release.

SYNOPSIS

The OIG investigated allegations that a former U.S. Fish and Wildlife Service (FWS) assistant hatchery manager requested that a biologist validate an inaccurate fish mortality diagnosis to cover up alleged neglect of an endangered fish species. It was also alleged that a culture of censorship existed within that FWS region's management. These allegations were investigated jointly with the U.S. Department of the Interior's (DOI's) scientific integrity coordinators assigned to the Office of Quality and Science Integrity, a division within the U.S. Geological Survey.

We found no evidence to corroborate any of the allegations regarding the request to falsify scientific findings. The biologist reported she recorded the incident but failed to produce the recording, and we were unable to verify its existence. Additionally, the scientific integrity coordinators who conducted an informal review of the alleged scientific misconduct found no evidence to corroborate that the biologist was requested to falsify or misrepresent records.

We found no evidence or witnesses to corroborate the allegation that the biologist was censored or targeted because of her scientific findings. Our investigation determined the biologist was disciplined by FWS managers for a pattern of discourteous behavior toward management.

We provided this report to the FWS Director for any action deemed appropriate.

DETAILS OF INVESTIGATION

We initiated this investigation after receiving a complaint in early 2018 alleging that a U.S. Fish and Wildlife Service (FWS) assistant hatchery manager requested that a biologist falsify the cause of death for an endangered fish species in a mortality report that the FWS was to provide to the National Oceanic and Atmospheric Administration (NOAA). The biologist claimed she possessed an audio recording of the incident, that her managers had created a discriminatory culture that did not support scientific integrity, and that she was reprimanded in 2018 for her scientific ethics and honesty.

Over a 5-month period, the complainant continued to make allegations to the OIG and to the scientific integrity coordinators in the Office of Quality and Science Integrity, U.S. Geological Survey, U.S. Department of the Interior (DOI), regarding scientific and workplace misconduct, including retaliation, censorship, plagiarism, Equal Employment Opportunity complaints, and whistleblower violations. She claimed these allegations stemmed from a culture of management abuses across that FWS region's offices.

The biologist provided us and the scientific integrity coordinators with emails and records pertaining to her scientific findings, but she declined to provide a copy of or access to the alleged audio recording of the assistant hatchery manager. Despite several requests, the complainant also failed to provide information necessary to investigate her allegation of reprisal.

Alleged Scientific Misconduct—Falsification of Hatchery Data

In 2016, the broodstock in one of the region's hatcheries experienced a significant mortality event that prompted examination, inspection, and lab diagnosis of the fish's cause of death. The broodstock served as genetic backup that the hatchery could utilize if the fish previously released into the river did not return.

The biologist said she traveled to the hatchery with a coworker to assist the hatchery with the fish mortality event. She said her examination of the affected fish and the hatchery conditions led her to believe the mortality event was caused by a specific disease.

The biologist stated that the assistant hatchery manager approached her in the coworker's presence and requested that she support a false narrative attributing the fish cause of death to premature sexual maturation. The biologist said she possessed an audio recording of the assistant hatchery manager requesting she "cover my ass" on the cause of death. She subsequently voiced concerns to us that the recording might have violated the State's two-party consent laws and related she had since removed the audio file from her Government cellphone.

The biologist stated her refusal to falsify the cause of death and cover up the "gross neglect" at the hatchery led to her being verbally attacked by the assistant hatchery manager and his staff about her pathology report; in one example, she related how during a meeting, the assistant hatchery manager confronted her about the pathology findings, tossed the pathology report at her, and said, "You've got errors in your report."

When interviewed, the coworker said she and the biologist inspected the hatchery's fish tanks, collected water samples, and captured fish for further diagnosis; the biologist ultimately reported what disease killed the broodstock. The coworker said she believed that the assistant hatchery manager, during the assessment of the mortality event, had already predetermined the fish's cause of death. The coworker claimed that the assistant hatchery manager basically contacted the biologist's office to ensure the hatchery was "covered" for reporting the mortality event and that the hatchery received validation from that office prior to sharing the hatchery mortality data with external agencies such as NOAA.

We interviewed FWS' staff and managers, who acknowledged that both verdicts offered by the biologist and the assistant hatchery manager were correct, and they further explained how these diagnoses were not mutually exclusive. One hatchery employee accepted that the biologist probably found the specified disease during her examination; however, he stated that hatchery staff observed various symptoms in all the mortality incidents that occurred between 2016 and 2018.

According to a project leader, also a biologist, the cause of death was not a major disagreement between the biologist and the hatchery staff, and he was unaware of any hatchery staff resistance during the response to the hatchery's outbreak. Furthermore, he said his pathology report on the fish mortality cause of death reached the same conclusion as the biologist's. He acknowledged that the assistant hatchery manager's suggestion of another prognosis was partially correct, and he stated that the assistant hatchery manager was likely embarrassed that the specified disease

was the primary cause of death, because the diagnosis suggested unsanitary conditions at the hatchery.

The program manager admitted there was a disagreement concerning the above infected fish cause of death and treatment. Ultimately, the matter was resolved and there was a consensus between the hatchery and the biologist's office that the biologist's diagnosis of the cause of death was accurate; the hatchery staff also deliberated on the likelihood that fish with suppressed immune deficiencies could be more susceptible to such disease and the effects of the hatchery's poor tank conditions.

The scientific integrity coordinators examined the alleged scientific misconduct. They based their review of the allegations on the DOI's *Department Manual* 305, Chapter 3, "Integrity of Scientific and Scholarly Activities"; they could not corroborate that the assistant hatchery manager had requested the hatchery's mortality event not be reported as determined by the biologist. Additionally, the scientific integrity coordinators were unable to confirm that this mortality event and the cause of death were reported to NOAA, and/or if such reporting was required.

Interviews of FWS officials concerning the hatchery data yielded no evidence or testimony indicating any scientific data were fabricated; therefore, we were unable to substantiate allegations pertaining to the request to fabricate the mortality diagnosis.

We attempted to interview the assistant hatchery manager, who left the Department, but he declined.

Alleged Targeted Censorship, Muzzling, and Reprimand of an FWS Scientist

Another distinct mortality incident resulted in a loss of fish estimated at between 40,000 to 100,000 at another fish hatchery in the same FWS region in 2018. The biologist's supervisor conducted a mortality diagnosis, which concluded that a distinct disease killed the affected fish.

Subsequent to this mortality event, the biologist attended a regional conference where she intended to brief the attendees about the mortality. The hatchery's management voiced their concern that the matter was being publicly briefed without prior coordination. These concerns prompted the biologist's supervisor and other regional officials to contact her to discuss what she intended to brief at the conference.

These officials all said that during a teleconference meeting with the biologist in early 2018, they provided her with approved briefing points because she was not personally involved in the mortality study. They also stated she attended the teleconference but did not participate in the development of the briefing points and hung up on her superiors.

Following the teleconference, the biologist sent an email to her superiors voicing her discontentment and claiming that they had censored or "muzzled" her. The email was perceived as rude and discourteous, and she received a letter of reprimand issued by the program manager based on her email and actions during the teleconference.

The program manager explained that he, rather than the biologist's immediate supervisor, issued the formal reprimand to allow her to elevate any appeals and to remove the perception of trying to control the reprimand or the disciplinary appellate process.

We interviewed the program's human resources (HR) representative who oversees dispute resolutions between nonsupervisory staff and superiors. She told us the hatchery supervisors' conduct adhered to DOI policy.

The scientific integrity coordinators concluded that FWS management's review of the briefing points was within normal supervisory oversight authority of the fishery program and did not appear to intentionally, knowingly, or recklessly interfere with scientific information.

The biologist also claimed that the region's hatcheries had a culture of retaliation, admonishment, plagiarism, and gender discrimination, which was part of a complaint she filed. Our interviews of staff and HR did not corroborate allegations that a culture of harassment existed at the regional offices. The biologist's supervisor said she was a "very proficient" technical expert in her field, but had a history of being abrasive toward coworkers and managers. Other FWS staff interviewed shared similar views on the biologist's expertise as a fish subject matter expert and reported several workplace incidents involving her. The program manager said he was aware of these incidents and related that HR advised him not to pursue disciplinary action against the biologist during other events where he felt she was rude or discourteous because of the pending complaints.

SUBJECTS

1. Project leader, FWS.
2. Assistant hatchery manager, FWS.
3. Program manager, FWS.

DISPOSITION

We provided our report of investigation to the FWS Director for any action deemed appropriate.

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