

# Summary: Investigation of a National Historic Landmarks Official for Potential Conflict of Interest

**Report Date: December 15, 2014**

OIG investigated allegations that an official with the National Historic Landmarks Program (NHL) of the National Park Service (NPS) pressured an NPS partner organization to award a contract to a former intern who had worked directly for the NHL official.

In August 2013, a partner organization awarded a contract for \$13,878.80 to the former intern to produce an NHL nomination. We learned about the allegations during a separate investigation, when interviewees expressed concern over how the former intern had won the award and said that his academic qualifications were inferior to those of other bidders. Our initial review of the contract files disclosed that the former intern's proposal contained a letter of recommendation authored by the NHL official and dated 13 days before the proposals were due.

Based on this information, we attempted to determine whether the NHL official violated any ethics rules or laws regarding Government procurement and conflict of interest.

Under a task agreement between NPS and the partner organization, NHL staff were to review and approve the contractor selection. We learned that the NHL official was significantly involved in the evaluation of the proposals on behalf of NPS and strongly advocated for the former intern to win the award. We also found that the NHL official wrote a letter of recommendation for another former intern who submitted a proposal as well. The NHL official said that she wrote the recommendation letters as general recommendations, not specifically to endorse either of the bidders for the contract. She could not recall whether the bidders had informed her that they planned to include the letters in their proposals. She also said that she advocated for the former intern to be awarded the work because he was the lowest qualified bidder. Personnel at the partner organization told us that the letters had little bearing on their selection decision.

Because the former intern who was awarded the NHL nomination contract was never an NPS employee, post-employment restrictions governed by Federal law were not applicable. We also found that NPS policy authorizes employees to write letters of recommendation. Further, we did not uncover any evidence that the NHL official received anything of value in exchange for writing either of the recommendation letters for the former interns or that she violated any criminal laws related to Government procurement.

As for potential conflict of interest, because the NHL official was the branch chief when the former intern served his internship, theirs may have been a "covered relationship" under conflict of interest rules codified at 5 C.F.R. § 2635.502 (b)(1). Although it was part of her official duties to review the nomination proposals, the NHL official did not recuse herself from the process when she learned that recommendation letters she authored were included in two of the proposals. Likewise, the NHL official's supervisor, who also reviewed the proposals, did not replace her with another staff member, even though he knew that her recommendation letters were included in the proposals.



We provided this report to the NPS Director for any action deemed appropriate. According to its response, NPS determined that the relationship between the NHL official and the former intern was not a covered relationship under conflict of interest laws.

*This is a summary of an investigative report that was issued internally to the U.S. Department of the Interior. This summary was posted to the web on October 28, 2015.*