



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Office of Law Enforcement and Security
<http://www.blm.gov>



June 22, 2011

In Reply Refer To:
9260 (WO120) R

Memorandum

To: Deputy Assistant Inspector General for Investigations
Office of Inspector General

Through: Salvatore R. Lauro  6/24/11
Director, Office of Law Enforcement and Security

From: Thomas E. Huegerich 
Chief, Internal Affairs, Office of Law Enforcement and Security

Subject: DOI-OIG Case File No. OI-HQ-11-0271-R; (b)(6) & 7(C)

On March 10, 2011, your office sent a memorandum to the Bureau of Land Management (BLM), Office of Law Enforcement and Security, Internal Affairs (IA), regarding a complaint from Kathleen Kidwell alleging that (b)(6) & 7(C) BLM Rangeland Supervisor, has utilized public land grazing leases for personal gain on allotments in the Rudio Mountain area.

The allegations were investigated by the BLM Oregon State Office and determined to be founded. IA Chief Huegerich contacted Ms. Kathleen Kidwell to inform her of our findings. I have attached a copy of the Oregon State Director's memorandum responding to the allegations and the completed Accountability Form.

If you have any questions regarding this matter, please contact me at 208-387-5129.

2 Attachments



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oregon State Office

P.O. Box 2965

Portland, Oregon 97208

In Reply Refer to:
4140/1400-736 (OR930)

JUN 10 2011

Memorandum

To: Thomas E. Huegerich
Chief, Internal Affairs (WO120)

From: Edward W. Shepard *Michael J. Hashe*
State Director, Oregon/Washington

Subject: DOI-OIG Case Referral No. OI-HQ-11-0271 (b)(6) & 7(C)

The Prineville Bureau of Land Management (BLM) office has responded to allegations contained in the subject DOI-OIG case file, regarding concerns raised by Ms. Kathleen Kidwell and the Friends of Rudio Mountain.

We have conducted a thorough review of Ms. Kidwell's concerns, and we want to assure you that the BLM is taking appropriate measures to ensure the integrity of the range program in the Prineville District. As part of the review, we researched the applicable regulations, conducted an audit of the transactions, and reviewed all records pertaining to the allotment in question.

Our review determined that the employee, (b)(6) & 7(C), did sublease a BLM allotment on Rudio Mountain and cattle belonging to (b)(6) & 7(C) were grazed there. The notification of sublease was performed per the grazing regulations (43CFR 4140 *et seq.*), the appropriate fees were paid, and all other terms of the grazing permit were observed. There is no evidence to support allegations that (b)(6) & 7(C) personally modified (b)(6) & 7(C) own grazing schedules or grazing bills. Although (b)(6) & 7(C) job title is listed as a Supervisory Range Technician-Fire (per Lotus Notes), our organizational listing titles (b)(6) & 7(C) as Fire Operations Supervisor on the Central Oregon Fire Management (COFMS) staff, in charge of the Dayville Guard Station. (b)(6) & 7(C) normal work duties are distinct and separate from the administration of the grazing program.

While the livestock grazing was done in accordance with the grazing regulations, we have determined that this action was a violation of BLM ethics rules. (b)(6) & 7(C) (b)(6) & 7(C) cattle have been removed from the allotment, and (b)(6) & 7(C) will not have livestock on BLM allotments while an employee of the agency.

The BLM Oregon/Washington staff, including that in the Prineville District Office, is committed to conducting business in adherence to the laws and policies affecting grazing and the ethical behavior of Federal employees. Grazing is a valued use of public lands, and we intend to ensure the grazing community and the public at large are afforded the benefits associated with the program within the confines of the law. If you have any further questions, please contact the BLM Prineville District Manager, Deborah Henderson-Norton, at (541) 416-6700.



U.S. Department of the Interior
Office of Inspector General

ACCOUNTABILITY FORM

Memorandum

To: John Dupuy
Assistant Inspector General for Investigations

From: Thomas Huegerich
BLM Internal Affairs -Chief

Subject: Accountability Notice

Accountability Notice:

Case name: (b)(6) & 7(C)

Case #: OI-HQ-11-0271-R

This form documents the action taken by the bureau/office regarding the subject case. The nature of the administrative action(s) is explained under details, and a copy of the action letter is attached.

1) Personnel Actions:

- | | |
|---|---|
| <input checked="" type="checkbox"/> (b)(6) & 7(C) Verbal reprimand/Counseling | <input checked="" type="checkbox"/> (b)(6) & 7(C) Notice of warning |
| <input checked="" type="checkbox"/> (b)(6) & 7(C) Written reprimand | <input checked="" type="checkbox"/> (b)(6) & 7(C) Suspension |
| <input type="checkbox"/> Reduction in grade/pay | <input type="checkbox"/> Removal |
| Other (explain): _____ | |

2) No Action Taken:

- Unsubstantiated
- Other (explain) _____

3) Monetary recovery: Amount \$ _____

4) Details: (Please summarize details of action as needed.)

(b)(6) & 7(C) and (b)(6) & 7(C) cattle were removed from the BLM allotment.

Name of Case Review Approving Official: Ed Shepard, OR SD

Name of Proposing Official: _____

Name of Deciding Official: Deb Henderson-Norton

Name(s) of other official(s) providing input: (ie. HR, Solicitor, etc.) _____

Signature: (Authorized Bureau Official) Thomas E. Huegerich Date: 4/22/11

Thomas E. Huegerich OFFICIAL USE ONLY

This document is the property of the Department of the Interior, Office of Inspector General (OIG) and may contain information that is protected from disclosure by law. Distribution and reproduction of the document are not authorized without the express written permission of the OIG.



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208

In Reply Refer to:
4140/1400-736 (OR930)

JUN 10 2011

Memorandum

To: Thomas E. Huegerich
Chief, Internal Affairs (WO120)

From: Edward W. Shepard *Michael J. Hake*
State Director, Oregon/Washington

Subject: DOI-OIG Case Referral No. OI-HQ-11-0271 (b)(6) & 7(C)

The Prineville Bureau of Land Management (BLM) office has responded to allegations contained in the subject DOI-OIG case file, regarding concerns raised by Ms. Kathleen Kidwell and the Friends of Rudio Mountain.

We have conducted a thorough review of Ms. Kidwell's concerns, and we want to assure you that the BLM is taking appropriate measures to ensure the integrity of the range program in the Prineville District. As part of the review, we researched the applicable regulations, conducted an audit of the transactions, and reviewed all records pertaining to the allotment in question.

Our review determined that the employee, (b)(6) & 7(C), did sublease a BLM allotment on Rudio Mountain and cattle belonging to (b)(6) & 7(C) were grazed there. The notification of sublease was performed per the grazing regulations (43CFR 4140 *et seq.*), the appropriate fees were paid, and all other terms of the grazing permit were observed. There is no evidence to support allegations that (b)(6) & 7(C) personally modified his own grazing schedules or grazing bills. Although (b)(6) & 7(C) job title is listed as a Supervisory Range Technician-Fire (per Lotus Notes), our organizational listing titles (b)(6) & 7(C) as Fire Operations Supervisor on the Central Oregon Fire Management (COFMS) staff, in charge of the Dayville Guard Station. (b)(6) & 7(C) normal work duties are distinct and separate from the administration of the grazing program.

While the livestock grazing was done in accordance with the grazing regulations, we have determined that this action was a violation of BLM ethics rules. (b)(6) & 7(C) (b)(6) & 7(C) cattle have been removed from the allotment, and (b)(6) & 7(C) will not have livestock on BLM allotments while an employee of the agency.

The BLM Oregon/Washington staff, including that in the Prineville District Office, is committed to conducting business in adherence to the laws and policies affecting grazing and the ethical behavior of Federal employees. Grazing is a valued use of public lands, and we intend to ensure the grazing community and the public at large are afforded the benefits associated with the program within the confines of the law. If you have any further questions, please contact the BLM Prineville District Manager, Deborah Henderson-Norton, at (541) 416-6700.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oregon State Office

P.O. Box 2965

Portland, Oregon 97208

(b)(6) & 7(C)

(b)(6) & 7(C)

In Reply Refer to:

4140/1400-736 (OR930)

JUN 10 2011

Memorandum

To: Thomas E. Huegerich
Chief, Internal Affairs (WO120)

From: Edward W. Shepard
State Director, Oregon/Washington

Michael J. Haske
Acting Associate State Director

Subject: DOI-OIG Case Referral No. OI-HQ-11-0271 ((b)(6) & 7(C))

The Prineville Bureau of Land Management (BLM) office has responded to allegations contained in the subject DOI-OIG case file, regarding concerns raised by Ms. Kathleen Kidwell and the Friends of Rudio Mountain.

We have conducted a thorough review of Ms. Kidwell's concerns, and we want to assure you that the BLM is taking appropriate measures to ensure the integrity of the range program in the Prineville District. As part of the review, we researched the applicable regulations, conducted an audit of the transactions, and reviewed all records pertaining to the allotment in question.

Our review determined that the employee, (b)(6) & 7(C), did sublease a BLM allotment on Rudio Mountain and cattle belonging to (b)(6) & 7(C) were grazed there. The notification of sublease was performed per the grazing regulations (43CFR 4140 *et seq.*), the appropriate fees were paid, and all other terms of the grazing permit were observed. There is no evidence to support allegations that (b)(6) & 7(C) personally modified his own grazing schedules or grazing bills. Although (b)(6) & 7(C) job title is listed as a Supervisory Range Technician-Fire (per Lotus Notes), our organizational listing titles (b)(6) & 7(C) as Fire Operations Supervisor on the Central Oregon Fire Management (COFMS) staff, in charge of the Dayville Guard Station. (b)(6) & 7(C) normal work duties are distinct and separate from the administration of the grazing program.

While the livestock grazing was done in accordance with the grazing regulations, we have determined that this action was a violation of BLM ethics rules. (b)(6) & 7(C) (b)(6) & 7(C) cattle have been removed from the allotment, and (b)(6) & 7(C) will not have livestock on BLM allotments while an employee of the agency.

The BLM Oregon/Washington staff, including that in the Prineville District Office, is committed to conducting business in adherence to the laws and policies affecting grazing and the ethical behavior of Federal employees. Grazing is a valued use of public lands, and we intend to ensure the grazing community and the public at large are afforded the benefits associated with the program within the confines of the law. If you have any further questions, please contact the BLM Prineville District Manager, Deborah Henderson-Norton, at (541) 416-6700.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CLEARANCE SHEET

- Manual Release
- Handbook
- Instruction Memorandum
- Information Bulletin
- Regulation
- Other

INSTRUCTIONS TO ORIGINATING OFFICE

Attach to copies of documents being submitted for clearance. List **all** reviewing officials by office code and office title. For Bureauwide Directives, list (873) - Directives and Information Services, both before and after signing official.

Brief Description of Issuance: Memorandum

Subject Code: 4140/1400-736 (OR930)

To: State Director

Subject: DOI-OIG Case Referral No. OI-HQ-11-0271 (b)(6) & 7(C)

From: Deputy State Director for Resource Planning, Use and Protection

SIGN ALL DOCUMENTS IN BLACK INK

ROUTING (Begin with Originator)			NON- CON- CUR- RENCE (T)	COMMENTS
TO	SURNAME OR INITIAL	DATE		
OR930 - (b)(6) & 7(C)	(b)(6) & 7(C)	W. James G.		
OR930 - Staff Assistant	<i>[Signature]</i>	6/10/11		
OR930 - ADSD	(b)(6) & 7(C)			
OR930 - DSD	<i>[Signature]</i>	6/10/11		
OR910 - Staff Asst	(b)(6) & 7(C)	6/10/11		
OR910 - SD	<i>[Signature]</i>	6/10/11		
OR930 - Staff Assistant	(b)(6) & 7(C)	6/13/11		
OR955 - Records				

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CLEARANCE SHEET

- Manual Release
- Handbook
- Instruction Memorandum
- Information Bulletin
- Regulation
- Other

INSTRUCTIONS TO ORIGINATING OFFICE

Attach to copies of documents being submitted for clearance. List **all** reviewing officials by office code and office title. For Bureauwide Directives, list (873) - Directives and Information Services, both before and after signing official.

Brief Description of Issuance: Memorandum

Subject Code: 4140/1400-736 (OR930)

To: State Director

Subject: DOI-OIG Case Referral No. OI-HQ-11-0271 (b)(6) & 7(C)

From: Deputy State Director for Resource Planning, Use and Protection

SIGN ALL DOCUMENTS IN BLACK INK

ROUTING <i>(Begin with Originator)</i>			NON- CON- CUR- RENCE (T)	COMMENTS
TO	SURNAME OR INITIAL	DATE		
OR930 - (b)(6) & 7(C)	(b)(6) & 7(C)	10 June 11		
OR930 - Staff Assistant	<i>C. Colby</i>	6/10/11		
OR930 - ADSD	(b)(6) & 7(C)			
OR930 - DSD	<i>C. Colby</i>	6/10/11		
OR910 - Staff Asst	(b)(6) & 7(C)	6/10/11		
OR910 - SD	<i>M. H. Hulse</i>	6/10/11		
OR930 - Staff Assistant	(b)(6) & 7(C)	6/13/11		
OR955 - Records				




United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208

In Reply Refer to:
4140/1400-736 (OR930)

JUN 10 2011

Memorandum

To: State Director, Oregon/Washington

From: Michael J. Haske 
Deputy State Director of Resource Planning, Use and Protection

Subject: Review of District Response – DOI-OIG Case Referral No. OI-HQ-11-0271
(b)(6) & 7(C)

The Prineville Bureau of Land Management (BLM) office has responded to allegations contained in the subject DOI-OIG case file.

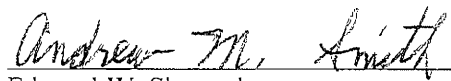
The Prineville District has conducted a thorough investigation of the allegations presented in the complaint. The District's investigation substantiates that BLM employee (b)(6) & 7(C) did sublease a BLM allotment on Rudio Mountain and cattle belonging to (b)(6) & 7(C) were grazed there. The notification of sublease was performed per the grazing regulations (43CFR 4140 *et seq.*), the appropriate fees were paid, and all other terms of the grazing permit were observed. There is no evidence to support allegations that (b)(6) & 7(C) personally modified (b)(6) & 7(C) own grazing schedules or grazing bills. Although (b)(6) & 7(C) job title is listed as a Supervisory Range Technician-Fire (per Lotus Notes), our organizational listing titles (b)(6) & 7(C) as Fire Operations Supervisor on the Central Oregon Fire Management (COFMS) staff, in charge of the Dayville Guard Station. (b)(6) & 7(C) normal work duties are distinct and separate from the administration of the grazing program.


While the livestock grazing was done in accordance with the grazing regulations, the Prineville District has determined that this action was a violation of BLM ethics rules. (b)(6) & 7(C) (b)(6) & 7(C) cattle have been removed from the allotment, and (b)(6) & 7(C) will not have livestock on BLM allotments while an employee of the agency.

I concur with the District's conclusions and actions, and I recommend that you provide the attached response to the Office of Inspector General to conclude the Oregon/Washington action in the matter.

Attachment

Concurrence: Nonconcurrence:

for 
Edward W. Shepard
State Director, Oregon/Washington


6/10/2011
Date



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

ACCOUNTABILITY FORM

Memorandum

To: John Dupuy
Assistant Inspector General for Investigations

From: EDWARD W. SHEPARD
OR/WA STATE DIRECTOR

Subject: Accountability Notice

Accountability Notice:

Case name: DOI - OIG CASE REFERRAL (b)(6) & 7(C)
Case #: OI - HQ - 11 - 0271

This form documents the action taken by the bureau/office regarding the subject case. The nature of the administrative action(s) is explained under details, and a copy of the action letter is attached.

1) Personnel Actions:

- | | | | |
|--------------------------|---|--------------------------|---|
| <p>(b)(6) & 7(C)</p> | <p>Verbal reprimand/Counseling</p> <p>Written reprimand</p> <p>Reduction in grade/pay</p> <p>Other (explain): _____</p> | <p>(b)(6) & 7(C)</p> | <p>Notice of warning</p> <p>Suspension</p> <p>Removal</p> |
|--------------------------|---|--------------------------|---|

2) No Action Taken:

- Unsubstantiated
- Other (explain) N/A

3) Monetary recovery: Amount \$ 0

4) Details: *(Please summarize details of action as needed.)*

SEE ATTACHED MEMO

Name of Case Review Approving Official: _____

Name of Proposing Official: _____

Name of Deciding Official: _____

Name(s) of other official(s) providing input: *(ie. HR, Solicitor, etc.)*

Signature: *(Authorized Bureau Official)* _____ Date:

OFFICIAL USE ONLY

This document is the property of the Department of the Interior, Office of Inspector General (OIG) and may contain information that is protected from disclosure by law. Distribution and reproduction of the document are not authorized without the express written permission of the OIG.



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208

(b)(6) & 7(C)

WJH
Andrew Smith 6/10/2011

In Reply Refer to:
4140/1400-736 (OR930)

JUN 10 2011

Memorandum

To: State Director, Oregon/Washington
From: Michael J. Haske
Deputy State Director of Resource Planning, Use and Protection
Subject: Review of District Response – DOI-OIG Case Referral No. OI-HQ-11-0271
(b)(6) & 7(C)

The Prineville Bureau of Land Management (BLM) office has responded to allegations contained in the subject DOI-OIG case file.

The Prineville District has conducted a thorough investigation of the allegations presented in the complaint. The District's investigation substantiates that BLM employee (b)(6) & 7(C) did sublease a BLM allotment on Rudio Mountain and cattle belonging to (b)(6) & 7(C) were grazed there. The notification of sublease was performed per the grazing regulations (43CFR 4140 *et seq.*), the appropriate fees were paid, and all other terms of the grazing permit were observed. There is no evidence to support allegations that (b)(6) & 7(C) personally modified (b)(6) & 7(C) own grazing schedules or grazing bills. Although (b)(6) & 7(C) job title is listed as a Supervisory Range Technician-Fire (per Lotus Notes), our organizational listing titles (b)(6) & 7(C) as Fire Operations Supervisor on the Central Oregon Fire Management (COFMS) staff, in charge of the Dayville Guard Station. (b)(6) & 7(C) normal work duties are distinct and separate from the administration of the grazing program.

While the livestock grazing was done in accordance with the grazing regulations, the Prineville District has determined that this action was a violation of BLM ethics rules. (b)(6) & 7(C) cattle have been removed from the allotment, and (b)(6) & 7(C) will not have livestock on BLM allotments while an employee of the agency.

I concur with the District's conclusions and actions, and I recommend that you provide the attached response to the Office of Inspector General to conclude the Oregon/Washington action in the matter.

Attachment

Concurrence: Nonconcurrency:

ANDREW M. SMITH
Acting Associate State Director

JUN 10 2011

Edward W. Shepard
State Director, Oregon/Washington

Date



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

ACCOUNTABILITY FORM

Memorandum

To: John Dupuy
 Assistant Inspector General for Investigations

From: EDWARD W. SHEPARD
OR/WA STATE DIRECTOR

Subject: Accountability Notice

Accountability Notice:

Case name: DOI - OIG CASE REFERRAL (b)(6) & 7(C)
 Case #: OI-HQ-11-0271

This form documents the action taken by the bureau/office regarding the subject case. The nature of the administrative action(s) is explained under details, and a copy of the action letter is attached.

1) Personnel Actions:

- | | | |
|--------------------------|---|--|
| <p>(b)(6) & 7(C)</p> | <p>Verbal reprimand/Counseling</p> <p>Written reprimand</p> <p>Reduction in grade/pay</p> <p>Other (explain): _____</p> | <p>(b)(6) & 7(C)</p> <p>Notice of warning</p> <p>Suspension</p> <p>Removal</p> |
|--------------------------|---|--|

2) No Action Taken:

- Unsubstantiated
- Other (explain) N/A

3) Monetary recovery: Amount \$ 0

4) Details: (Please summarize details of action as needed)

SEE ATTACHED MEMO

Name of Case Review Approving Official: _____

Name of Proposing Official: _____

Name of Deciding Official: _____

Name(s) of other official(s) providing input: (ie. HR, Solicitor, etc.) _____

Signature: (Authorized Bureau Official) _____ Date:

OFFICIAL USE ONLY

This document is the property of the Department of the Interior, Office of Inspector General (OIG) and may contain information that is protected from disclosure by law. Distribution and reproduction of the document are not authorized without the express written permission of the OIG.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CLEARANCE SHEET

- Manual Release
- Handbook
- Instruction Memorandum
- Information Bulletin
- Regulation
- Other

INSTRUCTIONS TO ORIGINATING OFFICE

Attach to copies of documents being submitted for clearance. List **all** reviewing officials by office code and office title. For Bureauwide Directives, list (873) - Directives and Information Services, both before and after signing official.

Brief Description of Issuance: Memorandum

Subject Code: 4140/1400-736 (OR930)

To: State Director

Subject: Review of District Response – DOI-OIG Case Referral No. OI-HQ-11-0271 (b)(6) & 7(C)

From: Deputy State Director for Resource Planning, Use and Protection

SIGN ALL DOCUMENTS IN BLACK INK

ROUTING (Begin with Originator)			NON- CON- CUR- RENCE (T)	COMMENTS
TO	SURNAME OR INITIAL	DATE		
OR930 – (b)(6) & 7(C)	(b)(6) & 7(C)	20 June 11		We have consulted with the WOTZ WO120 and have met the requirements. (b)(6) & 7(C)
OR930 – Staff Assistant	(b)(6) & 7(C)			
OR930 – ADSD	C [Signature]	6/10/11		
OR930 - DSD	C [Signature]	6/10/11		
OR910 – Staff Asst	(b)(6) & 7(C)	6/10/11		
OR910 – SD	A. [Signature]	6/10/2011		
OR930 – Staff Assistant	(b)(6) & 7(C)	6/13/11		
OR955 - Records				