

**TESTIMONY OF STEPHEN GUERTIN, DEPUTY DIRECTOR FOR POLICY,
U.S. FISH AND WILDLIFE SERVICE, U.S. DEPARTMENT OF THE INTERIOR,
BEFORE THE U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON NATURAL
RESOURCES, SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
REGARDING “THE ADMINISTRATION’S RESPONSE TO THE RECENT
INSPECTOR GENERAL REPORT”**

June 23, 2016

Chairman Gohmert, Ranking Member Dingell, and Members of the Subcommittee, thank you for the opportunity to appear before you today to testify on the Inspector General’s report on the actions of a former employee of the U.S. Fish and Wildlife Service (Service). My name is Stephen Guertin. I am the Deputy Director for Policy for the Service.

The Service recognizes and greatly values the important work that the Office of the Inspector General (OIG) performs to ensure that all individuals throughout the Department of the Interior are aware of, and adhering to, the laws, rules and regulations governing the work of federal employees. The OIG’s work helps maintain the professional integrity and ethical foundation that underpins our public service. The OIG provides valuable assistance to our bureau as we continuously work on improving management operations.

The OIG Report of Investigation titled: WAFWA Employment of USFWS Chief (Case No. OI-VA-15-0379-I) (June 7, 2016) concerns former Service employee Stephen M. Barton, who was Chief for Administration and Information Management in the Wildlife and Sport Fish Restoration (WSFR) program. The Service took prompt and appropriate action in response to this report and Mr. Barton is no longer employed with the Service. According to the OIG report, during part of that time, Mr. Barton also served as treasurer for the Western Association of Fish and Wildlife Agencies (WAFWA). His position at WAFWA spanned sometime in 2004 through early 2014.

The findings outlined in the OIG report are deeply troubling, and the Service took immediate action to address the specific situation and is working to ensure it will not be replicated in the future. The evidence presented in the OIG report suggests that Mr. Barton systematically and intentionally lied on his financial disclosure reports and ethics forms; that he deceived his supervisor; that he failed to disclose income he received from WAFWA while he was also working as a federal employee; and that he concealed the extent of his involvement with WAFWA. His nondisclosure was highlighted by his submission of a signed 2010 “Request for Ethics Approval to Engage in Outside Work” form, on which he certified that he received no salary or compensation from WAFWA and that his work for WAFWA would be limited to approximately 10 hours per week. In addition, the OIG report provides evidence that Mr. Barton received nearly \$100,000 in travel reimbursements over a period of five years for questionable travel. It appears that he manipulated the Service’s systems and personnel to engineer this travel for personal reasons.

Given the gravity of the issues raised in the OIG report, the Service acted quickly to appropriately address problems identified in the report. Upon receipt of the OIG report, Mr.

Barton was immediately moved out of his position and barred access to all travel and financial systems. The Service Director asked Mr. Barton's supervisor to step aside and move to a new position and the Service's Chief Financial Officer was asked to step in as the Acting Assistant Director for WSFR. As noted in the OIG's report, the U.S. Attorney's Offices for the Eastern District of Virginia and the District of Idaho declined the case for prosecution.

At present, the Service is undertaking a separate, comprehensive review to ensure that internal controls related to Mr. Barton's actions – controls that may apply to other Service employees – are sufficient to detect and avoid similar occurrences from taking place in the future. The Service's corrective actions will include increased oversight related to outside employment, travel management, use of government property, and time and attendance. The Service has issued a reminder to qualifying employees that all external income needs to be reported on the annual financial disclosure form, and we are adding an additional level of review for this information and developing a verification process. In addition, the Service is issuing guidance to employees regarding what they can and cannot do when they have relationships with outside organizations and what may create a conflict of interest. We will be issuing a reminder to employees regarding prohibitions of the use of Federal property or information systems to conduct outside business. The Service is developing additional processes for oversight of travel, including a certification and audit process.

We are also using this incident as an opportunity to underscore training and ethical responsibilities required by all Service employees.

The vast majority of the Service's over 9,000 employees are dedicated, hard-working, and ethical; have great professional integrity; and take the mission of the Service and their individual responsibilities very seriously. When we become aware of unethical behavior like that identified in this report, we take appropriate and immediate action.

The Service appreciates the OIG's thorough work on this investigation. We also appreciate the Subcommittee holding this hearing to examine this issue. Thank you and I am happy to answer any questions you might have.