



Melvin Y  
Shibuya/HCM/USDAFS  
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To Carol Kittson/R1/USDAFS@FSNOTES  
MaryAnne Young/R10/USDAFS@FSNOTES, Forrest  
Cole/R10/USDAFS@FSNOTES, Sherry  
cc Hooper/WO/USDAFS@FSNOTES, Lori  
Delgado/WO/USDAFS@FSNOTES  
bcc  
Subject Misconduct Investigation – Glenn Ith

Carol:

I understand you've consented to conduct an administrative investigation on the matter of Glenn Ith who has apparently enjoined the Forest Service Employees for Environmental Ethics in a lawsuit against the agency for violation of NEPA and related environmental regulations.

I put MaryAnne Young, Acting DRF and Forrest Cole, Forest Supervisor, Tongass NF in this email so they can correct any errors in my cursory understanding of the case and what you're charged with investigating. They will add or correct stuff in this email.

OGC is defending the agency against the lawsuit filed by FSEEE in which the employee is party. That "tracks" separately from your investigation. What we're looking for is whether the employee breached any ethical rules under 5 USC 2635 et seq.

That is, did he use "inside information" that he acquired during the course of his duties in violation of ethics?

Can he, as an employee of the agency be a party in a lawsuit against the agency?

Did he engage in proscribed activity when he solicits funds from perhaps prohibited sources to fund the lawsuit against the agency?

Did his misuse his position in any way in this matter? Did he abuse his position by soliciting funds as a FS employee? Did he engage in any proscribed activity on "company" time when such outside activities should not have been?

I'll leave it to the others to correct misapplications or add to this list.

Please call MaryAnne and Forrest to coordinate your travel.

Normally, I'd tell you to contact me for more information, but the well is dry.

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