



Investigative Report of Timothy Reid Chief Ranger, Yellowstone National Park

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

SYNOPSIS

The Office of Inspector General initiated this investigation in August 2013 after receiving an allegation that Timothy Reid, Chief Ranger at Yellowstone National Park (Yellowstone), rented his National Park Service (NPS) apartment to Yellowstone visitors and potentially violated his required occupancy agreement with NPS. The complainant observed that over several months, a “steady stream” of visitors entered an employee-housing complex at Yellowstone and stayed for several days at the apartment that NPS rents to Reid as his on-park U.S. Government housing. The complainant also alleged that Reid lives with his family at the bed and breakfast he and his wife own that is located just outside the north gate of Yellowstone. Reid’s required occupancy agreement, however, requires him to live in on-park Government housing.

We discovered that since 2009 Reid and his wife allowed 19 individuals to stay at Reid’s NPS apartment. Among the Yellowstone visitors who have stayed at Reid’s apartment was a family from France who resided there for 8 days. In exchange for staying in the apartment, the French family agreed to allow Reid and his family to stay in one of their homes in France as part of a home exchange program. The remaining visitors to the apartment were Reid and his wife’s family members, friends, or family of friends. None of these guests provided compensation to Reid and his wife.

We also determined that Reid—despite annually certifying that his on-park Government housing was his primary residence—violated the terms of his required occupancy agreement by living at the family-owned bed and breakfast, not the on-park apartment. The Yellowstone superintendent and deputy superintendent both admitted that they knew Reid did not comply with the required occupancy condition of his employment and that they took no action.

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

BACKGROUND

The National Park Service (NPS) has a number of employees whose position requires them to live in assigned housing as a condition of employment. These employees are called required occupants. NPS has specific policies for housing management relating to required occupants, including Director’s Order #36, the National Park Service Housing Management Memorandum, signed by Daniel W. Wenk when he was the Acting Director of NPS. The memorandum states:

Those NPS employees assigned housing as a condition of employment are referred to as *required occupants* because their positions require them to reside in government housing. Their physical presence is required within a specific geographic area to provide a timely response to emergencies involving human life and safety and/or park resources, and to provide a reasonable level of deterrent protection.

In addition, the U.S. Department of the Interior (DOI) requires employees who live in assigned housing to occupy it as a primary residence, which is stated in the DOI Housing Management

Handbook. Further, DOI requires determinations of required occupancy to be submitted on a “Certification of Required Occupancy” form.

Yellowstone National Park’s (Yellowstone) “Resident’s Handbook for Government Furnished Housing” has policies for permanent residents regarding whether they can have houseguests and what activities would create a conflict of interest. For example, permanent residents may have overnight guests, but guests may not stay more than 5 nights. The Handbook also indicates that NPS managers may not let a permanent resident—including family members and non-employees—conduct a business activity with the housing unit that will create a conflict of interest or the appearance of conflict, or be inconsistent with DOI’s “Regulations on Employee Responsibilities and Conduct.” Yellowstone’s Handbook specifically states that permanent residents may not “involve the use of Government housing as a rental space for overnight accommodations or involve the sublease of Government housing.”

DETAILS OF INVESTIGATION

We initiated this investigation on August 13, 2013, after receiving allegations that for the 2 previous months, a steady stream of visitors had been arriving at the on-park apartment belonging to Timothy Reid, Chief Ranger, Yellowstone National Park, NPS. These visitors had stayed for 1 week or less. The complainant alleged that Reid does not occupy the Government-provided apartment, and may be renting it to park visitors.

Until 2008, Reid and his wife, also an NPS employee, lived in NPS housing. Reid stated that for his entire tenure with NPS, he has lived in park housing for which he pays rent. He has been a required occupant at Yellowstone from the time he arrived in 1994. His current position requires him to sign a required occupancy agreement and keep an on-park Government apartment at Yellowstone. Upon assignment to Mammoth Hot Springs in Yellowstone in 1998, he received a three-bedroom home in the lower Mammoth housing area. He and his family lived there until he won the bid on a large, four-bedroom duplex at the end of officer’s row in the upper Mammoth housing area.

In 2008, despite the required occupancy agreement, Reid and his family moved out of their on-park apartment and relocated to the bed and breakfast that Reid’s wife’s parents had owned and operated in Gardiner, MT, approximately 3 miles from the north entrance of Yellowstone. Due to her parents’ health, Reid’s wife became the sole proprietor of the bed and breakfast. Reid and his family have remained at that location because of its close proximity to the park, which meant, in his opinion, it was within the 15-minute response time.

Reid told us he knew he had to keep an on-park apartment as a condition of employment. To satisfy the required occupancy condition, when his family moved to Gardiner, Reid surrendered the large NPS duplex, then bid on and was awarded a small efficiency apartment, reducing his monthly housing cost.

He also explained that for the first couple of years he stayed at the apartment 3 nights per week, but has gradually reduced his time to very few nights. He does use the apartment during peak-operation periods, such as fire season, to remain in the area while getting some sleep. Otherwise,

the apartment is vacant unless used by family and friends. Reid told us that although he lives in Gardiner, MT, with his family, he receives all of his mail at the mailing address of his on-park Government housing, which is a PO Box at Mammoth Hot Springs.

Bed and Breakfast and On-Park Apartment Use

Following up on the initial allegation, we identified six families who stayed in the on-park apartment between August and November 2013. We found that one of the families was a French couple visiting from France. We spoke with the French couple, who explained they found Reid and his wife's bed and breakfast on a home-exchange website (www.homeexchange.com) and emailed Reid's wife in the fall of 2012 to negotiate a home exchange at her bed and breakfast. The French couple also explained that prior to the couple's arrival, Reid's wife emailed them, explaining that the cabin they had booked was no longer available. She offered them the on-park Government apartment as an alternative place to stay.

When the family arrived on September 7, 2013, Reid's wife also provided them with a free vehicle park pass to Yellowstone. The French couple told us that Reid escorted them to the on-park apartment, showed them around, and provided them with the key to the apartment. Even though Reid and his wife did not know the French family prior to their arrival, the family stayed in the on-park apartment unsupervised for 8 nights among other NPS employees. The French couple told us that, as part of the home exchange, they offered Reid and his family a stay at one of their homes in France as compensation. We reviewed the email exchange between the French couple and Reid's wife, which supported the French couple's statements regarding their stay.

After her interview, Reid's wife re-created a list of the 19 families who had stayed in their apartment since 2009, which her husband emailed to us. The list included family, friends, or family of friends. We interviewed 7 people on the list, who confirmed they stayed in the apartment, but did not compensate Reid and his wife. We noted that one guest entry was for Yellowstone employees who had stayed in the Reid's apartment due to issues with their own on-park housing. We could not contact them for an interview, but were able to send an email inquiry, and found that there was no compensation for the family's displacement. According to Reid's wife's records, one guest stayed in the apartment for approximately 8 weeks, another guest stayed for approximately 7 weeks, and the remaining 17 stayed for a week or less.

Reid and his Wife's Interpretation of Reid's Onsite Occupancy Requirement

During his interview, Reid told us that he was not very involved in his family's bed and breakfast operations. He told us that he pays more than \$400 per month in rent for the on-park apartment but explained that he would like to relinquish it because he rarely uses it. He noted that even though a required occupancy does not require the employee to actually occupy the residence, the employee is required to keep the on-park quarters in spite of the housing shortage both on and off the park. He noted that with regard to verification of NPS employees occupying their apartments, "there is no bed-check police."

Reid explained that because they rarely use the apartment, he and his wife frequently allow friends and family to stay in the apartment. Reid and his wife said that since they pay for the

apartment, they should be able to use it as their own residence and they believe that NPS policy allows them to have overnight guests, even without their presence. In addition, Reid explained, they do not always have room at their home in the bed and breakfast for family and friends to stay with them, so they frequently allow friends and family to stay in the on-park apartment. As they do not charge those friends and family, they do not have records of those they have allowed to use the apartment, he said. Reid recalled that some have stayed only 1 night and some as long as several months. He added that some were coworkers with personal issues and others were friends and family. Reid stated that they absolutely have never received payment or recompense from those staying in the apartment.

He also admitted that his wife is the family's "social director" and has a number of friends that he does not know. Therefore, when she tells him one of her friends is coming to town and she is putting them in the on-park apartment, he does not argue and accepts them as her friends without question. He told us he believes the apartment belongs to both him and his wife and that his wife can use it or allow her friends to stay at her discretion.

Reid's wife also explained that the on-park apartment is only maintained because her husband has a required occupancy clause in his condition of employment and it is vacant about 90 percent of the time. She said that her husband only stays in the apartment on rare occasions, when work dictates. They pay rent and utilities on the apartment, but derive very little personal gain from its use.

During Reid's wife's interview, she explained that since the apartment is vacant most of the time, she takes it upon herself to offer its use to their personal contacts, friends, and family as a "courtesy." "It's basically a nice thing we can do for somebody," she stated. She said that she and her husband agreed that she could allow family and friends to stay in the apartment. She also said her husband did not know all of her friends, but if she told him someone was her friend, he accepted it.

Reid's wife also emphasized that she and her husband did not use the apartment as an overflow for the bed and breakfast, nor did they ever transfer a bed and breakfast reservation to the apartment. She stated that neither she nor her husband ever used the apartment for financial gain. Also, they did not receive something of comparable value in exchange for allowing a guest to stay there.

When we asked about the home exchange program, Reid's wife admitted that they only used the apartment once for the program—with the French couple—but that her family never received any compensation. She explained that in the summer of 2013 she scheduled a couple from France to stay in one of the bed and breakfast cabins as part of the home exchange program. She acknowledged that prior to the couple's arrival, however, she rented the cabin to several fishermen for \$200 per night, so she moved the French family to the on-park apartment. Reid's wife said the couple stayed in the apartment because they were friends, even though Reid and his wife had never met the couple prior to their arrival at Yellowstone. Reid's wife explained that she had exchanged emails with them after they visited the home exchange website. She told us that the idea behind home exchange is that no money changes hands. Rather it is a "cultural thing" and not about money. She added that the French visitors were the only guests whose stay

in the apartment had resulted from the home exchange program and that she and her husband never stayed in the French couples' house as compensation for her allowing them to use Reid's Yellowstone apartment.

We explained to Reid's wife the alleged perception that a steady stream of visitors had been occupying the apartment, sometimes arriving late at night. She said that she understood why people would get the wrong idea.

To his knowledge, Reid said, no one other than family or friends has ever stayed in the on-park apartment. Reid did mention that his wife could be using the apartment without his knowledge, but he would consider that highly improbable. When we confronted him with the names of some of his friends who stayed in the apartment this past fall, Reid stated he recognized some of the names, but did not know them personally. He could not explain their friendship other than they were probably his wife's friends.

When we asked about the home exchange program, Reid said that he and his wife had used the bed and breakfast as a part of a home exchange program for the past 10 years. They have engaged in home exchanges with friends in Huntington Beach; Costa Rica; Palau, France; and, most recently, Cabo San Lucas. Anyone they had exchanged homes with, he said, has stayed in either the bed and breakfast or one of their cabins, never in the apartment. He said he allows his wife to share the apartment with family and friends, but never for the home exchange program or for compensation. He stated that doing so would be "illegal."

Reid conceded he likely escorted the French couple to his Yellowstone apartment, but denied he had any knowledge they were part of the home exchange program. When confronted with his lack of awareness about who was staying in his apartment, Reid reiterated that he allowed his wife to schedule guests without his permission and at times without his knowledge. He said he did not remember corresponding with the French couple over email, and further indicated that if his wife was responsible, "Then it is what it is and I feel like I've been asleep at the wheel at this. That's pretty serious and that's completely inappropriate."

At the conclusion of his interview, Reid consented to a search of his personal residence, the bed and breakfast, and on-park apartment. During the physical search of the personal residence and bed and breakfast, we were unable to locate any records relevant to use of the on-park apartment. During our search of the bed and breakfast, we obtained a forensic image of Reid and his wife's personal computer. The data did not disclose any evidence of guests paying to stay in the on-park apartment. On the following day, we conducted a search of his on-park apartment and found very few of his personal-use items, such as clothing, toiletries, and food. The apartment did not appear to be his primary residence. After we interviewed both Reid and his wife, we also obtained a forensic image of both of their NPS computers. A review of the computer image did not disclose any evidence relevant to financial gain from use of the apartment.

We obtained Reid and his wife's personal and business banking records from Yellowstone Federal Credit Union and First Interstate Bank. A review of those records disclosed a number of deposits that indicated a rent payment or other compensation. We interviewed the people who made the deposits, however, and did not find evidence relevant to financial gain from use of the

apartment. We also obtained Reid's and his wife's NPS email accounts. We reviewed in excess of 40,000 emails by key word search and did not discover any emails relevant to financial gain from use of the apartment.

Subsequent to the interview, Reid emailed two spreadsheets to us. The spreadsheets provided a compilation of guests who physically stayed in the on-park apartment since 2009 and the guests that stayed in the bed and breakfast as part of the home exchange program since 2005. A review of that list disclosed that from 2009 to 2013, Reid estimated that 19 separate guests stayed in the on-park apartment for a total of about 169 nights.

Reid's Required Occupancy Agreement

The Yellowstone housing officer told us that upon assignment to a house, the employee is briefed on the rules of occupancy and provided the "Resident's Handbook for Government Furnished Housing," which lists specific requirements and responsibilities. She explained that required occupancy is a condition of employment for some positions. Employees assigned to the park receive an appropriately sized house within the park boundaries. Employees with a required occupancy condition may apply to live outside of the park and, in some cases, the Superintendent may grant a waiver. Other required occupancy employees maintain their assigned park housing and commute on the weekends. The problem with the required occupancy condition of employment, the housing officer told us, is that the rules are not clearly defined. Required occupancy positions are based upon off-duty response time—if a position is critical to park operations, NPS directs those employees to live on the park so that they can respond to emergencies. During the summer months, even if an employee lives just outside the park in or around Gardiner, traffic congestion makes it impractical to respond to Mammoth within 15 minutes.

The housing officer stated that her supervisor, Deputy Superintendent Steven Iobst, told her that NPS could not require an employee with a required occupancy clause to actually live in the quarters. She explained that if NPS required the employee to live in the park 7 days a week, then NPS would be required to pay the employee to be available during that time. Iobst also told her that NPS previously had been sued for attempting to enforce the required occupancy requirement and lost in court.

The housing officer reviewed Reid's housing folder and relevant policy for us. Up until 2008, he and his family lived on the park in keeping with his required occupancy agreement. In 2008, however, Reid moved outside park boundaries into a private residence in Gardiner, MT. No longer needing the large NPS property he had been using, he bid on, and was awarded, an efficiency apartment, which he continued to use as a placeholder to satisfy his required occupancy even though the park has a shortage of employee housing. The housing officer confirmed that despite not living in the on-park apartment, Reid annually signs a "Certificate of Required Occupancy," stating that his on-park housing is his primary residence.

We asked the housing officer about the park handbook's rules concerning guests of NPS employees assigned to NPS housing. She stated that NPS allows guests to stay in an employee's on-park home for a limited amount of time, but the employee cannot charge or sublet the residence.

We interviewed Daniel Wenk, Yellowstone Superintendent, who told us that Yellowstone has a number of required occupancy positions that are predominantly law enforcement positions. As the Superintendent, Wenk has some latitude with required occupancy positions, but required occupancy designations are generally for key positions required to respond to park emergencies and are a condition of employment for those positions to ensure employees will be able to respond in a timely manner.

Even if Reid had requested to be released from his required occupancy requirement, Wenk said he would not have released him. Wenk explained that the chief ranger position is a critical one for the park. In addition, he indicated that if Reid were released from the required occupancy agreement, the condition of onsite residency connected with the chief ranger position would no longer be available for subsequent chief rangers at Yellowstone.

Wenk also told us that approximately 6 months ago, he and Iobst had discussed park housing shortages. During that discussion, they talked about Reid and his special circumstance, specifically that Reid was the only division chief who is in a required occupancy position but does not live in the on-park apartment assigned to him. According to Wenk, they took no action at that time and decided to “revisit the conversation.”

Wenk said that it is inappropriate for Reid to allow guests who are not legitimate family or friends to stay in his government quarters. Wenk further commented on the impropriety of anyone charging a fee or exchanging something of equal value to stay in park housing. Wenk agreed that even if there were no merit to the allegations regarding Reid, having guests frequently stay in Reid’s on-park apartment without any interaction with Reid, himself, creates an offensive appearance.

When we spoke with Iobst, he told us that he has responsibility for assigning required occupancy housing and ensuring adequate housing for park employees. Generally, during the summer months, Yellowstone has 18,000 overnight visitors in the park. To ensure the availability of park employees who respond to emergencies, those employees are designated as required occupancy. Many required occupancy employees live in their on-park housing during the week and depart on the weekends for their off-park homes. Iobst stated he has not heard any complaints about who may or may not be living in housing, the fairness of whether employees are staying in the housing, or possible misuse of employee housing.

Iobst also explained that employees occupying on-park housing receive a copy of Yellowstone’s housing rules, which clearly state that employees are prohibited from renting, trading, or obtaining something of value for the use of their on-park residence.

Iobst acknowledged that Reid has an on-park apartment assigned to him as a condition of employment and that Reid rarely uses it, residing instead at his home 8 miles north of his duty station in Mammoth. Even with the required occupancy condition in place, however, Iobst believes that Reid lives within a reasonable response time from his off-park residence. Iobst confirmed they had not taken any action against Reid for not staying in the on-park apartment. He also confirmed that Reid’s apartment is merely a placeholder for the required occupancy

clause and does not get used. Iobst added that the chief ranger is a required occupancy position and that he would not allow Reid to surrender that requirement, even if he requested release.

We explained to Iobst that families with children and suitcases frequently stay in Reid's apartment for several days and then depart via rental car, creating the perception that Reid is using the apartment as an overflow for his family's bed and breakfast. Iobst stated that he understood the perception and that the chief ranger position is a position of incredible responsibility and should be held to NPS ethical standards. In addition, he would have similar concerns if the allegations were concerning any park employee. He added that the allegations were disturbing, disrupting, and disconcerting.

SUBJECTS

Timothy C. Reid, Chief Ranger, Yellowstone National Park.
Reid's wife, NPS Student Writer, Yellowstone National Park.
Daniel Wenk, Superintendent, Yellowstone National Park.
Steven Iobst, Deputy Superintendent, Yellowstone National Park.

DISPOSITION

We briefed an assistant U.S. attorney with the U.S. Attorney's Office, District of Montana, on the results of this investigation. The attorney declined prosecution, so we provided this report to the NPS Director for any action deemed appropriate.