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The Special Counsel

March 13, 2003

The President
The White House
Washington, DC 20500

Re: OSC File No. DI-00-0139

Dear Mr. President:

In accordance with 5 U.S.C. § 1213(e)(3), I am transmitting a report and supplemental response provided to me pursuant to § 1213(c) and (d) by the Honorable Gordon R. England, former Secretary of the Navy. The report sets forth the findings and conclusions of the former Secretary upon investigation of disclosures of information allegedly evidencing violations of law, rule, or regulation and a substantial and specific danger to public safety arising out of actions by employees at the Department of the Navy, Naval Air Depot (NADEP), Voyage Repair Team (VRT), North Island (NI), California.

The whistleblower, Kristin Shott, is a welder with over 12 years of experience. She began working at NADEP, NI in October 1995. She worked at the VRT from September 1996 until February 1999. Ms. Shott is currently assigned to the Mobile Facilities Compound.

Ms. Shott alleged that a significant portion of the work performed at VRT does not meet applicable Federal and industry standards. Specifically, she alleged that (1) the VRT welders are performing shipboard[1] welding for which they are unqualified, (2) the welding inspectors also are not shipboard-certified, nor are they licensed and bonded, (3) management sometimes orders welders to perform unauthorized tasks, and (4) nondestructive testing (NDT) inspections and quality assurance inspections are conducted in an inconsistent and inadequate manner. Accordingly, she contended that the noncompliant work performed at VRT violates Department of Defense (DOD) and Naval Sea System Command (NAVSEA) welding regulations and poses a substantial and specific danger to public safety.

[1] The term "shipboard," as used in this letter, refers to all ship systems and components -- whether the systems are actually being repaired onboard the ship itself or on land, within a weld shop.

Ms. Shott's allegations were referred to the former Secretary of the Navy for investigation on November 7, 2001.[2] The Office of the Naval Inspector General (OIG) subsequently conducted an investigation. The former Secretary sent an initial report of investigation to this office on October 22, 2002, and the OIG sent a supplemental report on March 6, 2003.

As described in greater detail below, the OIG's investigation substantiated most of Ms. Shott's allegations. Thus, former Navy Secretary England noted that the investigation "exposed serious shortcomings in the quality assurance program at the Naval Air Depot." Specifically, the OIG found that the VRT welders performed critical shipboard welding processes on Navy ships that they were not qualified to perform. Compounding this problem, the OIG found that the weld inspectors who performed NDT inspections of these shipboard welds were not properly certified.

According to the OIG report, in 1999, the unqualified welders performed critical welds on the catapult hydraulic piping systems aboard three aircraft carriers: the USS Constellation, the USS Abraham Lincoln, and the USS John C. Stennis. Further, at the time of the OIG investigation, the VRT welders were in the process of completing similar welds onboard the USS Nimitz. In addition, NADEP, NI found that, in the Spring of 2000, VRT had performed nonconforming welds on the jet blast deflector cylinder vent piping onboard the USS Carl Vinson.

On February 15, 2002, after learning the preliminary results of this investigation, NADEP, NI senior management immediately suspended all shipboard welding operations and NDT inspections, pending the training and qualification of shipboard personnel. Puget Sound Naval Shipyard (PSNS) teams inspecting the catapult hydraulic piping welds performed by VRT welders onboard the USS Abraham Lincoln and the USS Nimitz found substantial defects. On the USS Abraham Lincoln, only two out of approximately 100 welds passed their inspection. On the USS Nimitz, only one weld out of approximately 100 passed. The PSNS personnel completed the repair of all nonconforming welds on the USS Abraham Lincoln in April 2002, and on the USS Nimitz, in May 2002. The cost of these repairs was approximately $388,000.

Two of the other aircraft carriers on which the VRT welders had worked in an unqualified capacity, the USS Constellation and the USS Stennis, were at sea in February 2002. In March 2002, engineers at the Naval Air Warfare Center, Lakehurst (Lakehurst) evaluated the welds onboard these ships. They determined that, while the ships could continue to safely operate their catapults for a limited period of time, the nonconforming welds must be repaired. Repairs on the USS Constellation's nonconforming welds were completed in June 2002. These

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[2] The former Secretary did not receive the information until January 15, 2002, due to the delay caused by the anthrax contamination of the Brentwood Mail Handling Facility, which served the Pentagon.

repairs cost approximately $80,000. The USS Stennis began a six-month overhaul in July 2002; repairs to its nonconforming welds were completed by November 2002. The VRT completed repairs on the jet blast deflector cylinder vent piping onboard the USS Vinson in December 2002.

While the OIG report found it highly unlikely that the defective welds in the catapults could suffer a catastrophic failure during operations, it did not rule out the possibility of such a failure. If the welds did fail, the result could be the loss of aircraft, as well as injuries during the launch procedure. As former Secretary England observed in his letter to me, "[c]arrier battle groups are our frontline of national defense. The events described in the report of investigation establish how easy it would be to render these assets ineffective." In light of the recent deployment of the USS Constellation, USS Abraham Lincoln and the USS Nimitz to the Persian Gulf, the importance of Ms. Shott's disclosures is apparent.

Ms. Shott's disclosures, as well as her comments in response to the agency's initial report of investigation, and the agency's original and supplemental reports are enclosed. We have carefully examined the original disclosures and reviewed the agency's response and Ms. Shott's comments. Pursuant to § 1213(e)(2), I have determined that, in most respects, the agency report and supplemental report contain all of the information required by statute and the findings appear to be reasonable.

The Whistleblower's Disclosures

As noted, Ms. Shott alleged that the majority of the welders at VRT were not properly certified to perform many of the tasks they were assigned. She advised that the welders at VRT worked on Navy aircraft carriers and destroyers. The type of welding they performed on these vessels requires compliance with shipboard welding standards. However, according to Ms. Shott, the majority of the welders at VRT were "aircraft certified" rather than "shipboard certified."

Ms. Shott further alleged that none of the welders -- including those who were shipboard certified -- were fully qualified to perform all tasks they were assigned. Pursuant to Federal and industry guidelines, welders must possess task-specific qualifications, in addition to general shipboard certification, in order to perform individual welding tasks that are considered "critical." Ms. Shott contended that VRT management often ordered welders to perform critical tasks that they were not qualified to perform.

Similarly, Ms. Shott alleged that the VRT NDT inspection personnel were not shipboard-certified, nor were they licensed and bonded. Ms. Shott stated that, in February 2001, she attended a meeting between the inspectors and a VRT supervisor. At the meeting, the inspectors expressed concern that they were not adequately qualified, and they requested training to obtain shipboard certification. She stated that this supervisor denied their request

on the grounds that the training would be too expensive. She further alleged that, on several other occasions, the inspectors confided to her their anxiety that they are committing "malpractice" by inspecting and approving shipboard welding jobs.

The Department of the Navy Investigation and Report

As noted above, Ms. Shott's allegations were investigated by the Navy's OIG. According to the agency report, an OIG investigator conducted an on-site investigation in February 2002. The investigator reviewed numerous agency documents and interviewed 26 people at NADEP, NI, including Ms. Shott, four VRT welders, two VRT NDT inspectors, ten supervisors, two engineers, an estimator, and three safety and occupational health specialists. The investigator also interviewed three members of the Ship Intermediate Maintenance Activity (SIMA) in San Diego, which had provided welder training and testing to several NADEP, NI personnel. In addition, the OIG consulted several experts at NAVSEA and the Naval Air Systems Command (NAVAIR) for technical assistance and to ensure the technical accuracy of the agency report.

Welder and Inspector Qualifications

According to the agency report, NAVSEA and the NAVAIR each issue separate welding and inspection standards that apply to repair systems under their respective cognizance. The welders at the VRT, NADEP, NI primarily perform welding and inspections on NAVAIR components. Thus, they are qualified and certified in accordance with NAVAIR standards. However, the VRT is sometimes tasked with performing maintenance and repairs on systems governed by NAVSEA welding and inspection standards, such as the catapult hydraulic piping systems[3] on aircraft carriers, specifically discussed in this report.

In a letter to NAVAIR, dated May 25, 1983, NAVSEA established guidelines and conditions to be followed by NAVAIR NADEP organizations when installing and modifying shipboard systems governed by NAVSEA standards. Among other conditions, NAVSEA required that welders and inspectors working on such systems be certified at NAVSEA shipyards.

The OIG found that, prior to February 2001, none of the seven VRT welders were qualified to perform critical shipboard welding processes to NAVSEA specifications. Several of the VRT welders, including Ms. Shott, had previous experience working at Naval shipyards;

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[3] According to the agency report, the catapult hydraulic piping system is a component of an aircraft carrier's launch and recovery system. The agency report explains that "the hydraulic piping system at issue is used to power various control devices, actuators, and motors related to the operation of the catapults and related systems." It does not, however, power the catapults themselves; those are powered by steam.

therefore, they had been qualified to perform shipboard welding at one time. However, because NADEP, NI had not provided them with the opportunity to obtain the periodic re-certification required by NAVSEA, their certifications had since lapsed. [4]

According to the agency report, one NADEP, NI supervisor testified that he was aware that most VRT welders lacked the documentation necessary to establish that they had satisfied NAVSEA certification requirements. However, rather than recommend that welding operations on surface ships be halted, he decided to assign work governed by NAVSEA specifications exclusively to those welders who had previous experience at NAVSEA shipyards and had taken the appropriate initial qualification tests for shipboard welding, but had not maintained their certifications. He stated that he mistakenly believed at the time that these particular welders had the ability to perform the work to NAVSEA standards.

Beginning in 1998, this supervisor attempted to coordinate an arrangement with SIMA to have the VRT welders certified in accordance with NAVSEA standards. As a result of his efforts, between November 2000 and February 2001, all of the VRT welders became qualified through SIMA to perform certain types of NAVSEA welding procedures. Among other procedures, they became qualified to weld pipe socket joints -- such as those found on catapult hydraulic piping systems -- with a wall thickness of 3/16 inch or larger. Apparently, however, VRT management did not realize that the welders remained unqualified to weld catapult hydraulic piping with walls less than 3/16 inches thick, nor did they realize the welders had not been trained on workmanship and visual inspections. During the investigation, the OIG also found that the VRT welders improperly relied upon SIMA's welding technique sheets, rather than Naval Shipyard Procedures. The report explains that the VRT welders are only authorized to use the Naval Shipyard Procedures; even though SIMA's welding technique sheets are derived from the Naval Shipyard Procedures, the VRT welders are not authorized to use them.

The investigation also substantiated Ms. Shott's allegations that NADEP, NI inspectors performed NDT inspections on shipboard welds at the VRT notwithstanding that they lacked the required NAVSEA NDT inspection certifications. According to the agency report, at the time of the investigation, no NDT inspectors were specifically assigned to the VRT. Instead, the

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[4] The agency report explains the distinction between the terms "qualified" and "certified," as used in the welding context, as follows:

> [W]elders and welding procedures are "qualified" based on the results of test welds, which are inspected by people trained in non-destructive testing procedures. Confusion sometimes results because when a welder passes the qualification tests, a responsible person at the welder's activity documents the successful tests by "certifying" the results on the welding documents. Thus, when someone says a welder is "certified," they mean the welder passed the testing necessary for qualification and that the welder's qualification is current.

VRT had relied upon inspectors in the NADEP, NI NDT Department to perform necessary inspections. The NADEP, NI NDT inspectors were certified in accordance with NAVAIR technical requirements, but did not possess current NAVSEA certifications necessary to conduct shipboard inspections. Like the VRT welders, some of the inspectors had prior experience conducting shipboard NDT inspections at Naval shipyards [5]

The OIG found that, since 1999, the former NDT Shop Supervisor had attempted to obtain formal training for his inspectors; however, the requested training never took place. In the meantime, VRT management had relied upon the inspectors' NAVAIR certifications and prior shipboard experience to allow them to conduct shipboard inspections. The investigation also revealed that many of the welds performed by VRT lacked the documentation necessary to show that required NDT inspections had been conducted.

The OIG also found that VRT lacked a viable quality assurance program. The investigation revealed that VRT did not have an assigned Quality Assurance Specialist. Instead of consulting a Quality Assurance Specialist, one supervisor testified that he relied upon the Carrier Support Unit, engineering representatives, and the welders themselves to perform quality assurance inspections. Two other supervisors stated that they relied upon Collateral Duty Inspectors, but were unable to identify specifically who at VRT was qualified to perform this function. In addition, the investigation found that NADEP, NI failed to maintain up-to-date Individual Qualification Records on employees, as required by NAVSEA guidelines.

Nonconforming Welds Onboard Aircraft Carriers

The investigation found that the majority of shipboard welds performed by VRT welders before they became certified in February 2001, were classified as "non-critical." The welders did not need to be certified by NAVSEA in order to perform these welds.

However, in 1999, VRT welders performed "critical" welds -- requiring NAVSEA certification -- onboard three aircraft carriers: the USS Constellation, the USS Abraham Lincoln, and the USS John C. Stennis. The majority of the work performed by the welders in an unqualified capacity entailed welding the aircraft carriers' catapult hydraulic piping systems during Catapult Service Change 624. In addition, the OIG found that the catapult hydraulic piping welds onboard these three aircraft carriers had been inspected and certified by unqualified NDT inspectors.

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[5] The investigation did not, on the other hand, substantiate Ms. Shott's allegation that NDT inspectors were required to be licensed and bonded. The OIG did not find this requirement mentioned in any of the instructions they reviewed during the investigation. Furthermore, none of the witnesses were familiar with this requirement, and NAVSEA and NAVAIR experts denied the existence of such a requirement.

The agency report states that, at the time of the investigation, VRT welders were in the process of completing similar welds on the catapult hydraulic piping systems onboard the USS Nimitz. Even though the welders had received training and had become qualified to perform certain types of welds on catapult hydraulic piping systems before they began working on the USS Nimitz in late 2001, as explained above, the welders remained unqualified to weld socket joint pipes with a wall thickness of less than 3/16 inch. Some of the welds performed by the VRT welders aboard the USS Nimitz fell into this size category. In addition, NADEP, NI also found that, in the Spring of 2000, VRT had performed nonconforming welds on the jet blast deflector cylinder vent piping onboard the USS Carl Vinson, not associated with Catapult Service Change 624.

Remedial Actions Planned or Taken

The agency report includes a description of actions taken or planned in response to the investigation initiated by OSC. These actions are outlined below.

In February 2002, NADEP, NI began working on a Memorandum of Agreement (MOA) with the Puget Sound Naval Shipyard (PSNS), NAVSEA, to establish a partnership to assist NADEP, NI in remedying the problems identified during the investigation. The MOA was finalized on May 9, 2002.

In accordance with the MOA, PSNS began administering qualification and recertification training to NADEP, NI VRT welders in February 2002. In April 2002, six of the VRT welders completed basic training at PSNS and became certified to weld P-1 piping.[6] In addition, three of the welders completed visual inspection (VT) training. In November 2002, the welders completed additional workmanship and visual inspection training at PSNS.

The MOA also called for PSNS employees to train, test, and recertify NADEP, NI personnel to perform shipboard inspections. In the interim, while the NADEP, NI inspectors were undergoing training, PSNS personnel performed all NDT and quality assurance inspections for the VRT. As a result of the initial round of training, completed on April 19, 2002, two welder inspectors became certified to conduct visual inspections for high pressure P-1 piping in accordance with NAVSEA standards. Three other VRT welders received this training and certification in October 2002. By the end of 2002, three VRT welders had obtained certification in Level II VT inspections and one NADEP, NI employee was certified to conduct Level II liquid penetrant (PT) and magnetic particle (MT) inspections. In October 2002, one NADEP, NI inspector obtained Level III certification for VT inspections and a

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[6] According to the agency report, the seventh VRT welder was unable to complete training at the time due to a medical restriction; consequently, he will not perform welding on NAVSEA components.

second NADEP, NI employee obtained Level III certification for MT and PT inspections. A third NADEP, NI employee plans to obtain Level III certification once the funding becomes available.

As described above, upon learning of the preliminary results of this investigation, NADEP, NI senior management immediately suspended all shipboard welding operations and NDT inspections on February 15, 2002, pending the training and qualification of shipboard personnel. In February 2002, teams of inspectors from PSNS inspected the catapult hydraulic piping welds performed by VRT welders onboard the USS Abraham Lincoln and the USS Nimitz. On the USS Abraham Lincoln, the PSNS team found that only two out of approximately 100 welds passed their inspection; on the USS Nimitz, only one weld out of approximately 100 passed. The agency report explains that most of the nonconforming welds failed inspection because they were undersized. The PSNS team completed the repair of all nonconforming welds on the USS Abraham Lincoln in April 2002, and on the USS Nimitz, in May 2002.

Two of the other aircraft carriers on which the VRT welders had worked in an unqualified capacity, the USS Constellation and the USS Stennis, were at sea in February 2002; therefore, PSNS and NADEP, NI personnel were unable to inspect and repair the welds onboard these aircraft carriers immediately. Consequently, in March 2002, engineers at Lakehurst evaluated the welds onboard these ships and determined that it was safe for the USS Constellation and the USS Stennis to continue operating their catapults for a limited period of time, until the nonconforming welds could be repaired. The agency report includes a summary of the technical analysis performed by the Lakehurst engineers.

Once the USS Constellation returned to NADEP, NI, its nonconforming welds were repaired by VRT welders, under the supervision of PSNS. These repairs were completed in June 2002. The USS Stennis began a six-month overhaul in July 2002, and VRT welders, with PSNS oversight, completed all of the repairs to its nonconforming welds by November 2002. The VRT completed repairs on the jet blast deflector cylinder vent piping onboard the USS Vinson in December 2002.

As a result of the investigation, NADEP, NI has taken several steps to improve its quality assurance program. In February 2002, a full-time Quality Assurance Specialist was assigned to the VRT. In addition, NADEP, NI developed another quality assurance billet for the VRT program in order to enhance quality assurance oversight. NADEP, NI also updated the VRT welders' Individual Qualification Records, and it is in the process of revising and updating the NADEP, NI Quality Program Manual to include all applicable NAVSEA certification and quality assurance requirements for the VRT.

As part of a recent agreement reached between NAVSEA and NAVAIR resulting from this investigation, NAVAIR has agreed to provide information to NAVSEA about similar work it

performs at two other NADEP locations: NADEP, Jacksonville, Florida, and NADEP, Norfolk, Virginia. The agency report states that, to ensure that NAVAIR's compliance with NAVSEA quality and certification requirements is permanently sustained, the Naval Surface Warfare Center, Carderock Division (Carderock), intends to conduct an initial welding and NDT audit of the three NAVAIR organizations within the next six months, to be followed by an audit every two years thereafter. At OSC's request, the OIG provided this office with updated information on the agency's audit plans. The OIG reported that Carderock plans to conduct welding and NDT audits at three East Coast Naval Stations during the final week of March: Norfolk, Virginia; Mayport, Florida; and Lakehurst, New Jersey. However, audits have not yet been scheduled for NAVAIR's West Coast locations, including NADEP, NI, nor has funding been received at this point by Carderock to allow these audits to take place.

Disciplinary Action

In response to the investigation's findings, NADEP, NI conducted a fact-finding review and determined that four supervisors and one Naval Officer had performed their duties in a negligent manner. NADEP, NI found that these individuals had failed to establish proper welding, inspection, and quality assurance procedures and had failed to ensure that their subordinates met appropriate certification requirements.

As a result, NADEP, NI senior management issued a Non-Punitive Letter of Caution to the Naval Officer, who oversaw the quality assurance program. In a supplemental report, NADEP, NI explained that it took into consideration this officer's 20 years of exceptional service with the U.S. Navy in determining the appropriate action to take against him. It also explained that, while such a letter may not appear to be a severe sanction for civilians, it can have a serious and detrimental effect upon the career of a military officer.

In addition, NADEP, NI suspended a VRT first-line supervisor for three days. According to the supplemental report, senior management decided to suspend this supervisor because he was aware that the VRT employees were not properly certified, yet he failed to aggressively pursue the issue through his chain of command. In addition, he continued to assign VRT welders work that he knew they were unqualified to perform.

Lastly, NADEP, NI senior management counseled and orally admonished two civilian VRT supervisors and one civilian supervisor in the quality assurance program. The supplemental report explained that the VRT managers were not disciplined more severely because both had held supervisory positions for only a portion of the time covered by the investigation and both were deemed excellent employees who had consistently demonstrated superior job performance. In addition, both managers expressed regret that they had not been more proactive in uncovering and remedying the deficiencies in the VRT welding program. Similarly, the quality assurance manager had only assumed his management position in early 2001, and had 20 years of exceptional service with no prior disciplinary action. Because this

manager accepted responsibility for the deficiencies uncovered in the quality assurance program, senior management determined that oral admonishment and counseling were sufficient to deter any such conduct in the future.

Other Findings Included in the Agency Report

The agency report also discusses other matters Ms. Shott raised in her disclosure to OSC and/or her interview with the OIG:

The OIG investigated Ms. Shott's allegations concerning improper welding on aircraft carrier decks. Two VRT welders advised that the VRT uses 11018 filler material to weld carrier deck plates. One NAVSEA expert consulted by the OIG confirmed that 11018 is the appropriate filler material to use on high strength steel. The other VRT welders stated that they did not perform this type of welding. Thus, the OIG was unable to substantiate Ms. Shott's allegation that VRT uses inappropriate filler material, such as stainless steel, to weld aircraft carrier decks.

The OIG also investigated Ms. Shott's allegation that she was ordered to weld a defective hydraulic pipe aboard the USS Lincoln in 1998, when she did not possess current NAVSEA certifications. Based on the testimony of Ms. Shott and other witnesses, the OIG concluded that this incident probably did occur, and her supervisor should not have ordered her to perform this weld. They found that, due to the danger posed by a bulged pipe, management should have consulted an engineer before instructing Ms. Shott to remove this section of pipe. The OIG requested additional information from Ms. Shott in an attempt to locate this particular section of hydraulic piping for inspection and repair.

During her interview with the OIG, Ms. Shott expressed concern that the VRT had improperly welded cloverleaf tie-downs on the USS Duluth in 1997 or 1998. One VRT welder recalled that Ms. Shott had complained at the time that the tie-downs were being welded improperly. However, he remembered that the tie-downs had been examined by engineers, and they had approved the manner in which VRT had performed the welds. Nevertheless, NAVSEA has raised the tie-downs as a matter of special concern to be addressed during the upcoming audit by Carderock.

The Whistleblower's Comments

Ms. Shott provided comments on the agency's report. Ms. Shott questioned whether it is cost-effective for the agency to send VRT welders to PSNS for NAVSEA training and certification when NADEP, NI maintains its own on-site training facility run by NAVAIR employees. She expressed frustration that several of her own welding certifications have lapsed, yet the agency has not allowed her to be re-certified in spite of her repeated requests.

Ms. Shott disputed the agency's finding that most VRT supervisors and welders were unaware that the welders and inspectors were not qualified to perform shipboard work. She maintained that she personally raised this issue with her coworkers and supervisors on several occasions, as did other employees with prior experience working at NAVSEA shipyards. As a result, she expressed dissatisfaction with the amount of disciplinary action taken against the employees held responsible, believing it to be inadequate in light of the serious nature of the problems uncovered by the investigation.

Ms. Shott also questioned whether NADEP, NI may have produced noncompliant work other than that discovered during the investigation. The agency report addressed this particular concern raised by Ms. Shott. The report acknowledged the possibility that other nonconforming welds may exist on Navy vessels and explained that any such welds would be discovered and repaired in the course of the upcoming welding audits.

The Special Counsel's Comments and Recommendations

As discussed above, I have determined, pursuant to 5 U.S.C. § 1213(e)(2), that, in most respects, the agency's findings as stated in the agency report appear reasonable. The OIG investigation substantiated the majority of Ms. Shott's allegations, and, in response to the investigation's findings, the agency took immediate action to repair nonconforming welds and to train and certify welders and NDT inspectors.

However, the agency has informed me that it has not yet scheduled welding and NDT inspection audits for West Coast NAVAIR locations, as originally planned. These audits are critical to the agency's ability to discover other defective welding that may still exist on Navy vessels and to prevent similar welding deficiencies from recurring in the future. Therefore, I would recommend continuing oversight of this matter to ensure that the agency follows through on its stated commitment to conduct welding and NDT audits at all NAVAIR locations.

In addition, the disciplinary action taken against at least some of the individuals responsible for the violations uncovered during the investigation appears unusually mild. Former Secretary England acknowledged that the shortcomings in the quality assurance program were serious ones and he described the affected vessels as being "on the frontlines of our national defense." Further, the repairs to the critical welds on the affected vessels were costly ones. I would also suggest that further inquiry be made into this matter as well.

As required by § 1213(e)(3), I have sent a copy of the report and supplemental response and Ms. Shott's comments to the Chairmen of the Senate and House Committees on Armed

Services. We have also filed a redacted version of the report and supplemental response and a copy of the whistleblower's comments in our public file and closed the matter. [7]

Respectfully,

Elaine Kaplan

Enclosures

[7] The agency has insisted that OSC maintain in our public file a redacted version of the agency report. This report excludes the names of the witnesses and of the responsible officials. For the reasons set forth in my report in OSC File No. DI-00-0935, I believe that the agency's position that OSC must redact the names of witnesses and responsible officials in the instant matter is not reasonable and does not comport with the statute.