



U.S. OFFICE OF SPECIAL COUNSEL

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The Special Counsel

May 24, 2007

The President
The White House
Washington, D.C. 20500

Re: OSC File No. DI-06-0354

Dear Mr. President:

I received a disclosure from Mr. Norman Prevatte, a former Facilities Management Officer, Department of Homeland Security (DHS), Customs and Border Protection (CBP), U.S. Border Patrol, Marfa Sector, Marfa, Texas. Mr. Prevatte, who consented to the release of his name, alleged that DHS did not exercise proper contract oversight for the U.S. Army Corps of Engineers' (USACE) Marfa Sector refurbishment project. As a result, Mr. Prevatte contended that the U.S. Border Patrol needlessly spent thousands of dollars and man-hours diagnosing and repairing defective construction deliverables. This conduct, he maintained, constituted gross mismanagement and a gross waste of funds by DHS and USACE officials.

I required the Secretary of Homeland Security to conduct an investigation into these disclosures pursuant to 5 U.S.C. § 1213(c) and (d). The Secretary tasked the Office of the Inspector General with conducting the investigation and writing the report. The report's findings are discussed further in the attached Analysis.

While the report did not substantiate Mr. Prevatte's allegations, it acknowledges that an overall lack of project oversight led to problems with the construction and the quality of deliverables which gave rise to his allegations. Ultimately, the allegations were not substantiated because the OIG determined that the problems identified were not severe enough to warrant findings of gross mismanagement or a gross waste of funds. Nevertheless, the report credits Mr. Prevatte with "bringing to light the necessity for diligent management of construction projects." In addition, DHS Deputy Secretary Michael P. Jackson requested that CBP Commissioner Basham undertake a systemic assessment of how this case can suggest mechanisms for strengthening contract oversight for field construction projects in the future to prevent similar problems from recurring.

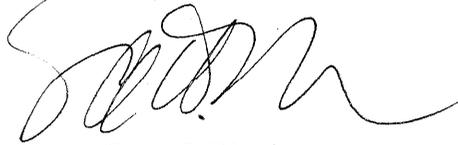
I have reviewed the original disclosures and the DHS report. Based on that review, I have determined that the agency's report contains all of the information required by statute and that the findings appear to be reasonable.

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As required by law, 5 U.S.C. § 1213(e)(3), I have sent a copy of the report to the Chairmen of the Senate Committee on Homeland Security and Government Affairs and the House Committee on Homeland Security. I have also filed a copy of the agency report in our public file and closed the matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Bloch', written in a cursive style.

Scott J. Bloch

Enclosures