U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

The Special Counsel

March 27, 2009

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

Re: OSC File No. DI-08-0145

Dear Mr. President:

The Office of Special Counsel received a disclosure from Gregg Wilkerson, a whistleblower at the Department of the Interior, Bureau of Land Management (BLM), Bakersfield Field Office, Bakersfield, California. Mr. Wilkerson alleged that BLM employees were directed to report their time worked using subactivity codes and program elements that did not accurately reflect the work they performed in violation of BLM Instruction Memorandum No. 2006-240.

The whistleblower's allegation was referred to the Honorable Dirk Kempthorne, former Secretary of the Interior, to conduct an investigation into this disclosure pursuant to 5 U.S.C. § 1213(c) and (d). Secretary Kempthorne tasked the Honorable C. Stephen Allred, Assistant Secretary, Land and Mineral Management, with conducting the investigation. Assistant Secretary Allred delegated the investigation to the Human Resources Office of the Minerals Management Service.

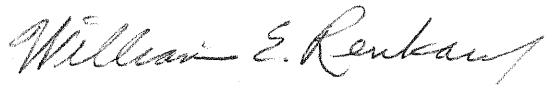
As discussed in the attached Analysis of Disclosure, the agency investigation did not substantiate the allegation that employees were directed to miscode their time worked. The agency's report was supplemented by two additional reports.

Mr. Wilkerson provided comments on the original and supplemental reports. As required by law, 5 U.S.C. § 1213(e)(3), I am now transmitting to you the reports and the whistleblower's comments.

I have reviewed the original disclosure, the agency's reports, and Mr. Wilkerson's comments. Based on that review, I have determined that the agency's reports contain all of the information required by statute and that their findings appear to be reasonable.

As required by law, 5 U.S.C. § 1213(e)(3), I have sent a copy of the reports and Mr. Wilkerson's comments to the Chairman and Ranking Member of the House Committee on Natural Resources and the Chairman and Ranking Member of the Senate Committee on Energy and Natural Resources. I have also filed copies of the agency's reports and Mr. Wilkerson's comments in our public file and closed the matter.

Respectfully,



William E. Reukauf
Acting Special Counsel

Enclosures