United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

TAKE PRIDE IN AMERICA

MAY 27 2009

2009 MAY 28 PM 3:31

Catherine A. McMullen
Chief, Disclosure Unit
US Office of Special Counsel
1730 M Street, N.W.
Suite 300
Washington, DC 20036-4505

Dear Ms. McMullen:

Enclosed please find the results of the investigation conducted by the National Park Service (NPS) in response to your February 5, 2009, letter concerning allegations that a National Park Service employee had signed contracts in which the dollar value of the contract exceeded her Certificate of Appointment Authority.

The NPS has concluded the allegation is not substantiated. However, as the enclosed memorandum states, for other reasons, the employee was not issued new warrant authority. She has subsequently moved to another position with no contracting responsibilities. In addition, the memorandum also notes that the NPS has improved the technical supervision of its contracting officers.

Thank you for bringing this issue to the attention of the Department of the Interior. If you have any further questions concerning this matter, please feel free to contact me at (202) 208-4416.

Sincerely,

Jane Lyder

Jane Lyder
Deputy Assistant Secretary
for Fish and Wildlife and Parks

Enclosure

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

MAY 21 2009

Memorandum

To: Deputy Assistant Secretary for Fish and Wildlife and Parks

From: for Acting Deputy Director, Support Services

Subject: Response to OSC File No. DI-09-0745

The February 5, 2009, letter from the US Office of Special Counsel to Secretary of the Interior Salazar stated that an employee of the National Park Service National Interagency Fire Center in Boise, Idaho had made allegations that Christine K. Wilson "signed at least 18 contracts in which the dollar value of the contract exceeded her Certificate of Appointment (COA) Authority."

We have concluded that the allegation is not substantiated by the files which we examined.

The Washington Contracting Office (WCO) of the National Park Service (NPS) requested and reviewed all 3 files attached to the February 5, 2009 letter and determined that Ms. Wilson incorrectly titled the acquisitions as "open market purchases" when they were, in fact, "established source purchases," and therefore, within her warrant authority. In addition, WCO acquired a Summary Report and Workload History Report from February 1, 2007 to February 12, 2009. This report lists 27 Purchase Requests (PRs) assigned to Ms. Wilson from the WCO. We estimate that these 27 PRs represent approximately 30% of her total workload. The estimated total of her workload was determined in discussions with the Contracting Officer with whom she worked most closely during this period. The assignment tracking was not routinely used until after 2007 so we are more confident that the later entries reflect Ms. Wilson's actions and assignments. One hundred percent of the transactions on the Workload Assignment list were examined by the Washington Contracting Office. Therefore, we estimate that we have sampled approximately 30% of Ms. Wilson's contracting actions, representing a substantial sample of her work. All of the transactions on this list were awarded under the proper warrant authority—either within Ms. Wilson's warrant authority or within a Blanket Purchase Order or by a Contracting Officer with the appropriate warrant level. WCO found no instances in which Ms. Wilson exceeded her warrant authority.

As an aside from the primary investigation, WCO determined that Ms. Wilson should have additional training in procurement processing and file documentation. Accordingly, as a performance management action, Ms. Wilson was not issued a new warrant. Subsequently, she moved to another position with no contracting responsibilities.

Prior to FY2008, NPS Contracting Officers were not under the technical supervision of a warranted contracting officer. That has now changed and all contracting officers are mentored and technically supervised by another contracting officer. In addition, each year the NPS performs Acquisition Management Reviews (AMRs) on half of all NPS Major Acquisition Buying Offices and takes appropriate action if deficiencies are found. The AMRs have, and will continue to, identify areas of concern so that appropriate remediation can be undertaken.

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

JUN 16 2009

VIA ELECTRONIC MAIL

Catherine A. McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

2009 JUN 19 PM 3:32

Re: OSC File No. DI-09-0745

Dear Ms. McMullen:

This letter is in response to your follow-up inquiry regarding our review of the files of Christine Wilson.

Your questions are followed by our responses.

Question 1: What was Ms. Wilson's warrant authority for open market purchases and established sources?

Answer: Ms. Wilson's open market purchase authority was $25,000 for Supplies and Services and $2000 for Construction. Ms. Wilson's warrant authority for established sources was $100,000 for Supplies and Services and $2,000 for Construction.

Question 2: Was Ms. Wilson's signature the only one on these contracts?

Answer: We reviewed four hard-copy contracts. Ms. Wilson's signature was the only one on those contracts. We also reviewed order P9560050067 in IDEAS, our automated purchase system. The original order was released/obligated by Vienessa Martin (warrant limit $100,000) in September 2005. Ms. Wilson issued a no-cost modification to extend the period of performance in May 2007. This electronic action should have been documented on paper, however the paper documentation was not found in Ms. Wilson's files. Therefore, although we believe Ms. Wilson's signature was the only one on this contract, we cannot be certain.

Question 3: What were the terms of the Blanket Purchase Orders?

Answer: As with many Federal agencies, the Department of the Interior issues Blanket Purchase Agreements (BPA) and makes them available to the Bureaus. The Blanket Purchase orders for IT hardware and software are all online at http://www.doi.gov/ocio/erm/index.html. Ms. Wilson mistakenly issued the actions as purchase orders. If she had properly issued them as delivery orders

against the BPAs, the actions would have incorporated the terms and conditions covered in the basic BPA, but would not have replicated those terms and conditions in the delivery order documents.

Question 4: Was the 30% of work sampled the same type of work as the 70% that was not sampled?

Answer: Eric Nolte, Branch Chief, Operations, Washington Contracting and Procurement Office and Mary Ray, Contracting Officer, Operations Branch, Washington Contracting and Procurement Office, reviewed the entries in IDEAS and saw nothing that would lead them to believe that what they reviewed did not constitute a representative sample of Ms. Wilson's workload.

Question 5: What relevant authorities are we relying on to say she did have the authority to sign the contracts?

Answer: As discussed above, instead of issuing task orders against the BPAs, Ms. Wilson chose the inappropriate procurement vehicle. She should have issued delivery orders, not a purchase orders. The delivery orders would have been within her warrant because, as you know, the Federal Acquisition Regulation grants contracting officers the authority to bind the Government to the extent of the authority delegated to them, which is reflected in the contracting officer's warrant. *See* 48 C.F.R. § 1.602-1(a).

Question 6: Was Ms. Wilson's warrant not renewed as a routine matter or because of issues discovered in this investigation?

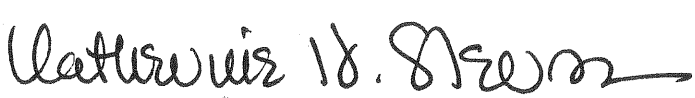
Answer: Ms. Wilson's warrant was not issued because she failed to meet the new Federal Acquisition Certification in Contracting (FAC-C) requirements by the required date of December 31, 2008.

Question 7: Please provide a copy of Ms. Wilson's certificate of appointment.

Answer: It is enclosed.

We will be happy to answer any further questions you may have. If you have any questions or concerns, please contact me at 202-208-3818, or Ms. Cindy Cafaro, Attorney Advisor, at (202) 208-6346.

Sincerely,



Katherine H. Stevenson
Acting Deputy Director, Support Services

Enclosure

cc: Jane Lyder, Deputy Assistant Secretary for Fish and Wildlife and Parks

CERTIFICATE OF APPOINTMENT

Under authority vested in the undersigned and in conformance with
Subpart 1.6 of the Federal Acquisition Regulation

CHRISTINE K. WILSON

is appointed

Contracting Officer

for the

United States of America

Subject to the limitations contained in the Federal Acquisition Regulation and to the following:

The Department of the Interior Acquisition Regulation

Level IB

Open Market: $25,0000 Supplies and Services; and $2,000 Construction
Established Sources: $100,000 Supplies and Services; and $2,000 Construction
Interagency Agreements: $25,000
Financial Assistance Agreements: None
Excludes: Architect-Engineering and Utilities

Unless sooner terminated, this appointment is effective as long as the appointee is assigned to:

National Interagency Fire Center - Boise, ID

Expires: December 31, 2008

U.S. Department of the Interior
(Organization)

National Park Service
(Agency/Department)

Heidi M. Ernst
Bureau Procurement Chief
(Signature and Title)

December 8, 2006
(Date)

WAS-380
(No.)

NSN 7540-01-152-5815

STANDARD FORM 1402 (10-83)
Prescribed by GSA – FAR (48 CFR) 53.201-1