



U.S. OFFICE OF SPECIAL COUNSEL
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Washington, D.C. 20036-4505

The Special Counsel

November 22, 2024

The Honorable Christine E. Wormuth
Secretary of the Army
101 Army Pentagon
Washington, D.C. 20310-0101

Re: OSC File No. DI-25-000095
Referral for Investigation—5 U.S.C. § 1213(c)

Dear Secretary Wormuth:

I am referring to you for investigation a whistleblower disclosure alleging employees at the U.S. Department of Army, U.S. Army Aviation and Missile Command, Corpus Christi Army Depot (CCAD), Corpus Christi, Texas, engaged in conduct that may constitute a substantial and specific danger to public safety. A report of your investigation into these allegations and any related matters is due to the Office of Special Counsel (OSC) on January 22, 2024.

The whistleblower, [REDACTED], an Inspector in CCAD's Engines Division, who consented to the release of his name, disclosed extensive quality control deficiencies within CCAD's Engines Division. The allegations to be investigated include:

- Engines Division mechanics' repeated nonconformance with the Depot Maintenance Work Requirements (DMWR), namely the improper use of the Depot's precision measurement recording tool; and
- Any additional or related allegations of wrongdoing discovered during the investigation of the foregoing allegation.

[REDACTED] disclosed that while working in the Engines Division, he has written approximately 600 non-conformance reports (NCRs) because the mechanics in this Division often record procedural information within CCAD's records management system, the Complex Assembly Manufacturing Solution (CAMS), which does not comply with the requirements set out in the DMWR. For example, [REDACTED] explained that the Depot's precision measurement recording tool (the s/n st2121cm) only records measurements to the ten thousand (0.0000 or 0.0005), but mechanics repeatedly document measurements in CAMS ending in other numbers.

The Honorable Christine E. Wormuth

November 22, 2024

Page 2

The whistleblower reported that since 2019, the recorded use of this measurement tool within CAMS is 12,000 times, and of those, more than 6,000 measurements ended in numbers other than 0.0000 or 0.0005, indicating that mechanics enter fraudulent and/or inaccurate numbers more than 50% of the time. [REDACTED] has also observed and reported numerous violations of the local Depot regulations on foreign object debris¹ and instances of dangerous workmanship. The whistleblower has repeatedly used the T-700 engines safety portal to report such violations. Management recently revoked his access to this portal.

Pursuant to my authority under 5 U.S.C. § 1213(c), I have concluded that there is a substantial likelihood that the information provided to OSC discloses a substantial and specific danger to public safety. Please note that specific allegations and references to specific violations of law, rule, or regulation are not intended to be exclusive. If, in the course of your investigation, you discover additional violations, please include your findings on these additional matters in the report to OSC. As previously noted, your agency must conduct an investigation of these matters and produce a report, which must be reviewed and signed by you. Per statutory requirements, I will review the report for sufficiency and reasonableness before sending copies of the agency report, along with the whistleblower's comments and any comments or recommendations I may have, to the President and congressional oversight committees and making these documents publicly available.

Further, in some cases, whistleblowers who have made disclosures to OSC that are referred for investigation or review pursuant to 5 U.S.C. § 1213 also allege retaliation for whistleblowing once the agency is on notice of their claims. I urge you to take all appropriate measures to ensure that those reporting wrongdoing and any witnesses interviewed in the course of the review are protected from such retaliation and other prohibited personnel practices. Additional important requirements and guidance on the agency report are included in the attached Appendix, which can also be accessed at <https://osc.gov/Pages/DOW.aspx>. If your investigators have questions regarding the statutory process or the report required under 5 U.S.C. § 1213, please contact Catherine A. McMullen, Chief, Disclosure Unit, at (202) 804-7088 or cmcmullen@osc.gov. I am also available for any questions you may have.

Sincerely,



Hampton Dellinger
Special Counsel

Enclosure

¹ CCAD Regulation 385-10 (January 2023).

APPENDIX

AGENCY REPORTS UNDER 5 U.S.C. § 1213

GUIDANCE ON 1213 REPORT

- OSC requires that your investigators interview the whistleblower at the beginning of the agency investigation when the whistleblower consents to the disclosure of his or her name.
- OSC will consider extension requests in 60-day increments when an agency evidences that it is conducting a good faith investigation that will require more time to complete.
- The statute provides that the agency report shall be reviewed and signed by the agency head. 5 U.S.C. § 1213(d). Agencies should fulfill this Congressional mandate.
- Identify agency employees by position title in the report and attach a key identifying the employees by both name and position. The key identifying employees will be used by OSC in its review and evaluation of the report. OSC will place the report without the employee identification key in its public file.
- Do not include in the report personally identifiable information, such as social security numbers, home addresses and telephone numbers, personal e-mails, dates and places of birth, and personal financial information.
- Include information about actual or projected financial savings as a result of the investigation as well as any policy changes related to the financial savings.
- Reports previously provided to OSC may be reviewed through OSC's public file, which is available here: <https://osc.gov/Pages/Resources-PublicFiles.aspx>. Please refer to our file number in any correspondence on this matter.

RETALIATION AGAINST WHISTLEBLOWERS

In some cases, whistleblowers who have made disclosures to OSC that are referred for investigation pursuant to 5 U.S.C. § 1213 also allege retaliation for whistleblowing once the agency is on notice of their allegations. The Special Counsel strongly recommends the agency take all appropriate measures to protect individuals from retaliation and other prohibited personnel practices.

EXCEPTIONS TO PUBLIC FILE REQUIREMENT

OSC will place a copy of the agency report in its public file unless it is classified or prohibited from release by law or by Executive Order requiring that information be kept secret in the interest of national defense or the conduct of foreign affairs. 5 U.S.C. § 1219(a).

EVIDENCE OF CRIMINAL CONDUCT

If the agency discovers evidence of a criminal violation during the course of its investigation and refers the evidence to the Attorney General, the agency must notify the Office of Personnel Management and the Office of Management and Budget. 5 U.S.C. § 1213(f). In such cases, the agency must still submit its report to OSC, but OSC must not share the report with the whistleblower or make it publicly available. 5 U.S.C. §§ 1213(f), 1219(a)(1).