



**U.S. OFFICE OF SPECIAL COUNSEL**

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March 9, 2010

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

Re: OSC File No. DI-09-0428

Dear Mr. President:

The U.S. Office of Special Counsel (OSC) received a disclosure alleging that employees in the U.S. Department of the Interior (DOI), Department of the Interior University (DOIU), Leadership and Performance Division, Government-wide Acquisition Management Intern Program (GAMIP) openly engaged in cheating while on a rotational assignment through GAMIP to the Department of Defense, Acquisition and Procurement Office. According to the whistleblower, Larone President, the GAMIP interns openly engaged in cheating on required Defense Acquisition University (DAU) online coursework. Ms. President alleged that this cheating violated the Standards of Ethical Conduct for federal government employees found at 5 C.F.R. Part 2635, the Standards of Ethical Conduct specifically for DOI employees found at 5 C.F.R. Part 3501, and the Standards of Conduct for DAU Students found at DAU Directive 704. Ms. President, who has consented to the release of her name, was one of 16 interns assigned to DAU during this rotation and participated in the program from June 22, 2008, until October 6, 2008.

Ms. President's allegations were referred to the Honorable Ken Salazar, DOI Secretary, to conduct an investigation pursuant to 5 U.S.C. § 1213(c) and (d) on February 25, 2009. On March 26, 2009, Secretary Salazar delegated investigative authority in this matter to Acting Inspector General Mary Kendall and authority "to take all appropriate responsive actions in this matter" to Pamela Haze, then Acting Assistant Secretary for Policy Management and Budget. Ms. Haze, who in the interim became the Assistant Secretary, submitted her report to OSC on July 2, 2009.

The agency report substantiated Ms. President's allegations. As detailed in the report, six GAMIP interns were found to have cheated on the on-line testing. The report indicated, however, that the test was "foundational" and "designed to prepare the interns for the rigorous instructor-led training they would attend at DAU." According to a supplemental report submitted by the agency on October 6, 2009, "since the goal of the foundational course was to establish a common knowledge base, the sharing of the questions and the answers did not undermine that goal." Finally, the supplemental report noted that DAU did not have rules prohibiting interns from sharing the on-line questions and answers.

On November 16, 2009, DOI provided OSC with a second supplemental report stating that all the GAMIP interns were formally counseled by Robert Foye, DOIU Intern Programs Branch Chief, as to “what constitutes cheating and the expectations of each intern regarding the Standards of Ethical Conduct.” Moreover, the interns who did cheat received additional formal counselings regarding their conduct. These interns were informed that any further misconduct or breach of ethical standards could result in disciplinary action or termination from the program and federal service. In addition to the administrative actions taken with respect to the GAMIP interns, DOI has drafted a new DOIU Intern Program Academic Policy which specifically prohibits the conduct at issue in this matter. This draft, according to DOI officials, is currently under review. Finally, DOI officials have been in contact with DAU officials to ensure that DAU’s expectations with respect to academic integrity and standards of ethical conduct are clearly communicated to all interns.

Pursuant to 5 U.S.C. § 1213(e), Ms. President had the opportunity to review and comment on the report and the supplemental reports. Ms. President’s comments primarily addressed the manner in which her disclosure was handled within the agency, her termination and her belief that her termination was the result of reprisal. With respect to the allegations of cheating, Ms. President objected to the fact that not all DOIU interns were interviewed during the course of the investigation and that three additional interns Ms. President allegedly witnessed cheating were not disciplined.

OSC has reviewed the original disclosures, the agency’s report, the supplemental reports and Ms. President’s comments. Based on that review, OSC has determined that the agency’s reports contain all of the information required by statute and that the findings appear to be reasonable.

As required by law, 5 U.S.C. § 1213(e)(3), we have sent a copy of the agency’s reports and the whistleblower’s comments to the Chairmen and Ranking Members of the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources. OSC has also filed a copy of the agency’s reports and Ms. President’s comments in our public file and closed this matter.

Respectfully,



William E. Reukauf  
Associate Special Counsel

Enclosures