

U.S. Office of Special Counsel
1730 M. Street, N.W. Suite 218
Washington, DC 20036

March 17, 2015

Re: OSC File No. DI-13-3418

The Agency Report did not address why it took 4 years after I had reported the misuse of Administratively Uncontrollable Overtime (AUO) to management to have this matter investigated by the Department of Homeland Security (DHS) Office of the Inspector General or why was there no follow-up with the DHS OIG to inquire whether or not they had received my complaint or about the status of the investigation.

Furthermore, the Agency Report did not mention the following: The Associate Director, the former Chief and Deputy Chief of the Office of Security and Integrity are no longer employed with DHS U.S. Citizenship of Immigration Services. The HR specialist interviewed, left the Agency shortly after being interviewed. (Note: the HR specialist returned to the agency last week and made contact with me via email, but to date I have not responded). The Agency Report does not mention that the following individuals were erroneously receiving AUO because of their supervisory status: Chief and Deputy Chief of OSI and Supervisory Investigative Specialists. The Agency Report further misrepresents the fact that I was not assigned any investigative work to justify me working overtime, yet I was being required to work a 10 hour day so I would not "bring a spot light to the [OSI] Office". This fact was mentioned to management.

Additionally, the Agency Report does not elaborate on the erroneous reports that were sent to Congress. The significance of this allegation is that the Chief of OSI knowingly manipulated the numbers to make it appear that there were more investigative cases received by OSI. For example, one investigative case would be counted twice or three times in the IDCMS database, this is also known as "padding" the numbers. The Chief of OSI kept a box under her desk and would manipulate the numbers so that the reports would not be questioned. I advised the Chief of OSI that she could do an addendum and correct the reports, but she did not want to discuss the matter any further. Regarding my performance evaluations, after I reported the above-mentioned, I received a lower evaluation for "Teamwork" for my 2010 Performance Plan and Appraisal. Subsequently, the Associate Director unofficially detailed to perform duties as an Audit Liaison within the Office of Security and Integrity. In 2011, I received a lower evaluation on my Performance Plan and Appraisal because the Associate Director reassigned me to the office of Human Capital & Training, Labor of Employee Relations, and he did not notify my chain of command, so this was reflected on my evaluation.

The Agency Report does not mentioned that besides, receiving lower performance evaluations, I was reassigned from and Investigative Specialist, Series 1801, to a Management Program Analyst, Series 0343. In closing, I would like to make the following comments and statement. In 2005, I watched on 60 Minutes, the interview with Bunnatine (Bunny) H. Greenhouse. I followed her ordeal for doing the right thing and the sacrifice she made was at great cost. I have been an investigator long enough to know how this would end for me, but I still felt compelled to do the right thing.

By taking this path, it has caused my family and me great pain and suffering, ruined my reputation and career. My electronic Personnel File is riddled with less than desirable performance evaluations and I have been made to appear as a malcontent.

"You know, nothing will come out of this" was the off the record comment made by the second DHS OIG Investigator as he left USCIS HQ at 20 Massachusetts Avenue, Washington, DC 20529. Whoever prepared this Agency Report should be embarrassed and ashamed; it gives the term "whitewash" a new meaning.



Nikki L. Hentemann