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The Special Counsel

April 24, 2018

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

**VIA ELECTRONIC MAIL**

Re: OSC File No. DI-16-5887

Dear Mr. President:

Pursuant to 5 U.S.C. § 1213(e)(3), I am forwarding to you a report from the Department of the Navy (Navy) based on disclosures of wrongdoing at the Naval Station Newport, Fire and Emergency Services (F&ES), Newport, Rhode Island. I have reviewed the agency report and, in accordance with 5 U.S.C. § 1213(e), provide the following summary of the report, the whistleblower comments, and my findings. The whistleblower, firefighter and paramedic George Haywood, disclosed that F&ES management falsified records to reflect that F&ES personnel completed both mandatory and voluntary trainings.<sup>1</sup>

In April 2016, when reviewing his profile in the agency's Enterprise Safety Applications Management System (ESAMS), the online training portal which maintains a database for all training received by F&ES employees, Mr. Haywood discovered that F&ES administrators had verified that he completed training courses he did not attend. Mr. Haywood spoke to other F&ES personnel who also stated that they did not attend numerous training courses that were marked completed in their ESAMS profiles. According to Mr. Haywood, the majority of the training courses improperly marked as completed were required training courses necessary to maintain credentials to perform emergency services.

In June 2016, Mr. Haywood accessed the ESAMS portal again and discovered additional falsified training documents. In total, Mr. Haywood provided OSC with a list of approximately 60 training courses from his ESAMS personnel file that were improperly marked completed. Mr. Haywood explained that during the times that these

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<sup>1</sup> The whistleblower's allegations were referred to former Secretary Ray Mabus for investigation pursuant to 5 U.S.C. § 1213 (c) and (d). The Secretary tasked the Office of the Naval Inspector General (NAVINSGEN) to conduct the investigation. NAVINSGEN, in turn, directed the Commander, Navy Installations Command (CNIC) to assist in the investigation. Former Acting Secretary Sean Stackley reviewed, signed, and submitted the report to OSC on June 16, 2017.

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courses were supposed to have taken place according to the ESAMS records, management ordered F&ES personnel, including Mr. Haywood, to complete assignments around the base.

Department of Defense Instruction requires that the Navy “ensure fire departments are prepared, by virtue of appropriate training and equipment, to respond...to emergencies involving facilities, structures, aircraft, transportation equipment, HAZMAT, and both natural and man-made disasters (including acts of terrorism).”<sup>2</sup> Mr. Haywood’s disclosure suggested that F&ES personnel may not have the requisite training or qualifications to assist in different types of emergencies, impairing the agency’s ability to accomplish its mission.

The Office of the Naval Inspector General (NAVINSGEN) investigation substantiated that F&ES administrators improperly created and maintained training records, erroneously reflecting that F&ES personnel had completed both mandatory and voluntary training. The investigation also found that training records for the period of January 2016 to January 2017 were incomplete and inaccurate. Based on these findings, NAVINSGEN made several recommendations to all Naval installations to ensure compliance with agency regulations. These recommendations included requiring additional verification of records and implementing additional means of ensuring accountability for those signing off on training rosters.

In his comments, Mr. Haywood expressed general satisfaction with NAVINSGEN’s report. However, Mr. Haywood noted that he felt some of the witnesses’ testimony was misleading or outright false and the report did not identify it as such. Further, Mr. Haywood felt that those responsible for fostering this lack of oversight of records at Naval Station Newport should be relieved of their duties or denied promotions for their role in these fraudulent practices.

In March 2018, the agency reported to OSC that all NAVINSGEN recommendations had been implemented. The agency also reported that the new guidance stemming from the investigation will be formally incorporated into the next scheduled revision of the relevant Chief of Naval Operations instruction, OPNAVINST 11320.23, which is currently pending.

I have reviewed the original disclosure, the report, and the whistleblower comments, and determined that the report meets all statutory requirements and the findings appear reasonable. The whistleblower’s disclosure and agency investigation led to an important review of Navy’s Fire and Emergency Services training policies and practices.

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<sup>2</sup> See DoDI 6055.06, *DoD Fire and Emergency Services (F&ES) Program*.

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As required by 5 U.S.C. § 1213(e)(3), OSC has sent a copy of this letter, the agency report, and the whistleblower comments to the Chairmen and Ranking Members of the Senate and House Armed Services Committees. I have also filed redacted copies of these documents in our public file, which is available at [www.osc.gov](http://www.osc.gov). This matter is now closed.

Respectfully,



Henry J. Kerner  
Special Counsel

Enclosures