



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

The Special Counsel

April 13, 2009

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

Re: OSC File No. DI-08-1002

Dear Mr. President:

The Office of Special Counsel (OSC) received disclosures from Gerry Reynolds, a whistleblower employed at the Department of Agriculture (USDA), Forest Service (FS), Salmon-Challis National Forest (SCNF). Mr. Reynolds, who consented to the release of his name, alleged that FS employees failed to complete their mandatory training requirements and to maintain current and accurate FS training records. He also disclosed that his supervisor improperly refused to file an incident report involving an employee driving a FS vehicle. He asserted that the actions of the employees constitute a violation of law, rule, or regulation, gross mismanagement and a substantial and specific danger to public safety.

I requested the Honorable Edward T. Schafer, former Secretary of USDA, to conduct an investigation into Mr. Reynolds' disclosures pursuant to 5 U.S.C. § 1213(c) and (d). The Secretary delegated authority to Phyllis K. Fong, Inspector General, USDA, to investigate this matter. The Secretary also delegated authority to the Honorable Mark Rey, former Under Secretary, Natural Resources and Environment, to perform all functions of the Secretary in respect to this case and to report directly to our office. The Inspector General and the Under Secretary subsequently submitted a report to this office. Mr. Reynolds provided comments on the agency report pursuant to 5 U.S.C. § 1213(e)(1). As required by law, 5 U.S.C. § 1213(e)(3), I am now transmitting the report and Mr. Reynolds' comments to you.

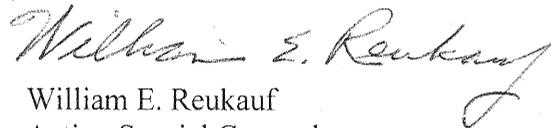
As discussed in the attached Analysis of Disclosures, the agency investigation partially substantiated one of Mr. Reynolds' allegations. The agency investigation did not substantiate the remaining two allegations. However, as a result of the investigation, the agency has required all FS departments to maintain current and accurate training records and has notified its staff that employees will be held accountable for failure to comply.

Based on the representations made in the agency report and Mr. Reynolds' comments, I have determined that the agency report contains all of the information required by statute and that the findings appear to be reasonable. As required by 5 U.S.C. § 1213(e)(3), I have sent a copy of the agency report, and Mr. Reynolds' comments to the Chairman and Ranking Member of the Senate Committee on Agriculture, Nutrition & Forestry, and the Chairman and Ranking

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Member of the House Committee on Agriculture. Mr. Reynolds did not consent to the release of his comments publicly and they will not be filed in our public file. We have filed a copy of the agency report in our public file and closed the matter.

Respectfully,

A handwritten signature in cursive script that reads "William E. Reukauf". The signature is written in dark ink and is positioned above the typed name.

William E. Reukauf
Acting Special Counsel

Enclosures