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**By Facsimile (703-604-8567) and
Certified Mail w/Return Receipt**

October 7, 2009

Mr. Gordon S. Heddell
Inspector General
Department of Defense
400 Army Navy Drive
Arlington, VA 22202-4704

Re: Urgent request for a full, complete and thorough investigation of the allegations made by Ms. Belinda Croteau, a former DoDEA headquarters employee in a complaint filed on September 10, 2009 with the Department of Defense Inspector General, Defense Criminal Investigative Service (DoDIG/DCIS) against Department of Defense Education Activity (DoDEA) Director Dr. Shirley Miles

Dear Inspector General Heddell:

The Federal Education Association (the Association), which represents over 8000 educators employed by the Department of Defense Education Activity (DoDEA), has learned of the numerous allegations of misconduct, illegal activities, improprieties and abuses of power by DoDEA Director Dr. Shirley Miles that were filed with the Department of Defense Inspector General, Defense Criminal Investigative Service (DoDIG/DCIS) on September 10, 2009. These allegations were filed by Ms. Belinda Croteau, a former DoDEA Headquarters employee with 24 years of federal experience, who had direct and first-hand knowledge of these allegations.

The Association takes special notice that the complaint filed with the DoDIG/DCIS contains numerous allegations of significant misconduct by Dr. Miles, as well as other individuals at DoDEA headquarters. The Association notes that the allegations made in Ms. Croteau's complaint include the following:

A. Irregularities in the Process of Solicitation and Awarding of a DoDEA Contract

In the complaint filed by Ms. Croteau, the Association notes that she highlighted events and actions taken by Dr. Miles supporting her allegation that Dr. Miles violated federal contracting and procurement laws and regulations in the awarding of a multi-million dollar DoDEA contract during and after opening the solicitation period for the project. Ms. Croteau offered information alleging that Dr. Miles maintained improper and illegal contact with and possibly provided inside information to the winning group that may not have been provided to other parties bidding during the solicitation period.

B. Alleged Nepotism and other Alleged Violations of the Merit System Principles in 5 U.S.C. 2302 by Dr. Miles and DoDEA Officials

Ms. Croteau's complaint alleged numerous specific violations of the Merit Service Principles and other prohibited personnel practices made by the DoDEA Director and other officials at DoDEA headquarters.

In one example provided, Ms. Croteau gave information indicating that Dr. Miles directed and then maintained significant, undue and improper pressure on DoDEA officials to hire her daughter-in-law as a DoDEA educator. Ms. Croteau alleged in her September 10, 2009 complaint that DoDEA Human Resources officials informed Dr. Miles that there were already hundreds of Veterans Preference applications on file for the elementary school positions desired (who were all bypassed to make this unusual appointment), but Dr. Miles insisted that DoDEA officials find her daughter-in-law a position. Ms. Croteau alleged that Dr. Miles contacted local DoDEA management officials personally in an attempt to find a position for the daughter-in-law.

The complaint also alleged that Dr. Miles' daughter-in-law was then given a type of appointment (a Continental United States, or CONUS hire) that allowed her to receive housing allowances, travel allowances and permanent change of station (PCS) orders, which can amount to thousands of dollars a year in additional benefits. However, according to Ms. Croteau, that area of DoDEA has not made a similar elementary school educator CONUS hire in over a decade.

The Association notes that if the allegations by Ms. Croteau are correct, the process used to make this hire appears to violate 5 U.S.C. 2302, as well as Veterans Preference rules. The Association would also ask that special notice be given to the fact that Dr. Miles herself was a long-time Human Resources Director. Therefore, the Association submits that Dr. Miles was well aware of these rules and prohibited personnel practices. However, this hire was not the only questionable hiring or practice in which Dr. Miles was allegedly involved in, according to Ms. Croteau.

Ms. Croteau stated there is an impending DoDEA headquarters Reduction-in-Force (RIF) and specifically alleged that another source has information that senior DoDEA staff may be changing the competency codes for headquarters employees to protect junior staff from the RIF at the expense of older staff. Assuming that the allegation is correct, the Association believes this may constitute age discrimination and falsification of official records.

The complaint by Ms. Croteau alleges that DoDEA hired several of Dr. Miles' friends into high level DoDEA management positions, with the personal involvement of Dr. Miles in the hiring process. The complaint alleged that management created several new Area Superintendent positions, and that DoDEA officials, including Dr. Miles, indicated that Dr. Miles did not know any of the candidates. Dr. Miles allegedly was personally in charge of the interview panels and in some cases, took part in the selection process.

Ms. Croteau's complaint then alleged that it became clear that Dr. Miles not only knew the candidates selected for new Area Superintendent positions but had personal relationships with them pre-dating the start of the application process. In short, the complaint alleges Dr. Miles violated merit principles by directly involving herself in hiring her friends for DoDEA management positions and failing to recuse herself from the hiring process. As an aside, while not in the complaint filed by Ms. Croteau, the Association notes that the spouse of one of the above-mentioned Area Superintendents was also given an appointment to a "Resource Manager" position, which is another DoDEA management position created by Dr. Miles.

Ms. Croteau's complaint also alleges that Dr. Miles developed a personal friendship with U.S. Army Colonel Valerie Ratliff, who was then Military Aide to the former Deputy Under Secretary of Defense in Military Community and Family Policy (DUSD (MC&FP)), Ms. Leslye Arsht. The Association notes as an aside that it was Ms. Arsht who appointed Dr. Miles as the DoDEA Director in a non-competitive process, rather than following the established practice for appointing a DoDEA Director. Col. Ratliff now serves as the Chief of Staff in the office of the Undersecretary of Defense for Personnel and Readiness, which is one of the DoD offices having jurisdiction over DoDEA. The complaint alleges that as Col. Ratliff was about to retire from the Army, Dr. Miles created a position just for Col. Ratliff at DoDEA, a GS-15 position titled "Military Assistant," a position that DoDEA had never had before.

According to the complaint, the position was posted and the now-retired Col. Ratliff was selected. Ms. Croteau's complaint alleged that Dr. Miles had an office set up with new furniture procured- only to have Col. Ratliff turn down the job to take a better position at DoD. Dr. Miles then abolished the Military Assistant position- after expending appropriated funds to set up the position. If in fact the Military Assistant position was abolished by Dr. Miles, this clearly shows that the position was created solely for the purpose of hiring a friend, Col. Ratliff. Apparently, when Col. Ratliff no longer wanted the job, the position was abolished.

In addition, the complaint alleged that Dr. Miles personally directed a subordinate to fire a GS-11 in DoDEA headquarters for reasons directly connected to Colonel Ratliff. When this employee asked Dr. Miles if there was a reason that the employee should be fired, Dr. Miles allegedly stated that there was no reason other than Colonel Ratliff "doesn't like her so get rid of her." The Association submits that Dr. Miles allegedly seeking to fire a federal employee simply because a friend did not like the employee is appalling, illegal and does "shock the conscience."

Finally, the complaint by Ms. Croteau alleged that Dr. Miles intervened to select a candidate she personally solicited to apply for a DoDEA District Superintendent position, and DoDEA selected that candidate over a more qualified candidate. In the complaint, it was alleged that Dr. Miles had asked a candidate to apply for a District Superintendent position and had at least one personal telephone conversation with the candidate during the application period. The complaint

also alleged that Dr. Miles knew that there was a more qualified candidate, who was also a military veteran, than her preferred candidate, but arranged for her choice to be hired anyway.

C. Alleged Misuse and Waste, Fraud and Abuse of Appropriated Funds by Dr. Miles

In the complaint filed by Ms. Croteau, there are a number of allegations made of misuse of appropriated funds, as well as waste, fraud and abuse. The September 10, 2009 complaint also appears to allege violations of the DoD Joint Travel Regulations (JTR) and other DoD regulations.

The complaint by Ms. Croteau contains the allegation that Dr. Miles personally ordered a subordinate DoDEA employee to find out who had posted entries to a private blog in Japan. The Association submits that if this allegation is true, it is deeply troublesome that Dr. Miles, in a government building, used her official position to order a government employee to hack into a private individual's blog to find out who had posted information there.

There is another disturbing allegation made by Ms. Croteau concerning Dr. Miles' use of appropriated funds. In the complaint, there is an allegation that a former DoDEA employee drafted a report outlining Dr. Miles' misuse of the government purchase card (GPC). While the complaint alleges that report listed numerous instances of misuse of a GPC, the September 10, 2009 complaint only specifically listed the allegation that the GPC was used to purchase a computer, which Dr. Miles refused because she didn't like the shade of red. The complaint then alleged that the GPC was used to get her another computer, which she also didn't like- and she now uses another computer, the third in her one year in DoDEA.

The Association submits that if the allegations concerning misuse of the government purchase card are true, this is particularly egregious behavior by Dr. Miles as head of agency, since DoD has issued regulations governing proper use of the card, and imposes discipline on employees who have misused their cards. Yet Dr. Miles does not appear to have followed these rules, or been subject to them.

The complaint by Ms. Croteau also contains allegations that Dr. Miles and other DoDEA headquarters officials directed subordinate DoDEA employees to book travel reservations for Dr. Miles that were in violation of the JTR rules. The September 10, 2009 complaint includes the allegation that Dr. Miles demands she be provided with "upgradeable (i.e. "Y" class) ticket[s]" and expects travel to be arranged on United Airlines, so that she can use her frequent flier miles. The complaint further alleges that when confronted by a DoDEA fiscal official about these travel costs, Dr. Miles responded: "I believe because we travel so much that we have the right to be comfortable when we fly."

There is no JTR authority to receive upgradeable fares just because of frequent travel or any "right to be comfortable" being the standard for an alleged higher cost fare. This alleged behavior by Dr. Miles appears to violate at least JTR paragraphs C2200B and C2204, and likely other JTR and/or DoD rules and regulations.

Another set of allegations within Ms. Croteau's complaint regarding waste, fraud and abuse of appropriated funds by Dr. Miles concerned conferences held by DoDEA. The complaint noted that DoDEA has a conference facility in Peachtree City, GA, which is free for DoDEA, and the per diem costs are very reasonable. According to the complaint, it is alleged that Dr. Miles has ordered DoDEA to hold conferences at spa resorts, rather than utilizing the free conference facilities available, which is an enormous waste of appropriated funds.

Please take special note that the complaint states that Dr. Miles apparently ordered that a DoDEA conference be held at the Squaw Peak Resort in Phoenix, Arizona; the same resort where AIG held a retreat while receiving federal money, causing a public uproar and calls for the AIG chief to resign. Assuming the allegations are true, and DoDEA conferences are being scheduled at spa resorts when free facilities are available, the Association submits this would be a major waste of appropriated money. Furthermore, if Dr. Miles ordered a conference at the Squaw Peak Resort using appropriated funds, and AIG's stay at the same spa resort resulted in calls for the AIG head to step down for wasting taxpayer money, this would raise significant questions about Dr. Miles' judgment and sensitivity to prudent use of appropriated funds.

D. There are Numerous Additional Allegations of Misdeeds and Wrongdoing Made in the September 10, 2009 Complaint

The Association notes that there are numerous allegations in Ms. Croteau's September 10, 2009 complaint against Dr. Miles that this letter has not addressed. The Association is not minimizing any remaining allegations listed in the complaint, such as creating and maintaining a hostile working environment and the Nixon-style order to the IT Department to search the entire DoDEA email and computer system to try to identify leakers, creating a witch-hunt atmosphere inside DoDEA. The Association has highlighted the above allegations to underscore the seriousness of the allegations made in the September 10, 2009 complaint without repeating the entirety of the complaint.

Conclusion:

The Association is deeply troubled by the numerous allegations by Ms. Belinda Croteau of wrongdoing and misuse of appropriated funds by Dr. Miles as DoDEA Director. The Association also notes that the complaint made by Ms. Croteau contains a list with the names and contact information for a number of present and former DoDEA employees who can substantiate the information contained in the complaint.

The DoDEA educators represented by the Association have spent decades helping to build DoDEA into a world-class school system that has received numerous accolades. As such, the DoDEA educators and the Association are always concerned about any matter that would place DoDEA in disrepute or would do damage to the outstanding achievements that the DoDEA students continue to attain.

As DoDEA Director, Dr. Shirley Miles has a duty to lead and set a positive and ethical example for the DoDEA workforce. The DoDEA educators and students also deserve to have leadership

that is free of any alleged improprieties. The Association believes that the allegations made against Dr. Miles by Ms. Croteau in her 19-page complaint, which was filed with the DoDIG/DCIS on September 10, 2009, are extremely serious.

The Association submits that the very integrity of DoDEA is at stake and that immediate action must be taken to reverse the damage done to DoDEA and its reputation. The Association strongly urges your office to conduct a full, complete and thorough investigation of all of the allegations and evidence submitted by Ms. Belinda Croteau in her September 10, 2009 complaint to the DoDIG/DCIS as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Priser", with a long horizontal flourish extending to the right.

Michael Priser
President
Federal Education Association

