



# United States Department of the Interior

OFFICE OF INSPECTOR GENERAL  
Washington, DC 20240

APR 13 2004

Peter H. Noone, Esq.  
Avery Dooley Post & Avery, LLP  
90 Concord Avenue  
Belmont, MA 02478

Dear Mr. Noone:

This is in response to your letter dated March 24, 2004 concerning a December 2, 2003 letter written by your client, United States Park Police Chief Teresa Chambers to National Park Service (NPS) Director Fran Mainella concerning NPS Deputy Director Donald Murphy. A copy of the letter from Chief Chambers was enclosed in your letter.

When my office received your letter on March 31, it was the first time we had seen the letter from Chief Chambers. You are correct in pointing out that our policy issued January 23, 2002, would normally require that a matter such as this be referred to the Office of Inspector General (OIG). In this case, it was not. Therefore, I cannot advise you of the status of any investigation or resolution of Chief Chambers' complaint.

I can tell you, however, that shortly following Chief Chambers' suspension, Director Mainella and Deputy Director Murphy asked me if the OIG should get involved in this matter. I told them then, and reiterate to you now, that the OIG does not involve itself in adverse action matters that fall within the jurisdiction of the MSPB.

The substance of Chief Chambers' complaint, although not explicitly set forth in her letter, appears to be inextricably intertwined with the underlying adverse action matter pending against her. Therefore, it would have been inappropriate for the OIG to become involved in this matter, even if the letter had been referred according to policy.

If you have any questions, please contact Mary Kendall, my Deputy and General Counsel, at (202) 208-5745.

Sincerely,

A handwritten signature in black ink that reads "Earl E. Devaney". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Earl E. Devaney  
Inspector General