



Public Employees for Environmental Responsibility

962 Wayne Avenue, Suite 610 • Silver Spring, MD 20910

Phone: (202) 265-PEER • **Fax:** (202) 265-4192

Email: info@peer.org • **Web:** <http://www.peer.org>

June 6, 2016

Stanley Austin
Southeast Regional Director
National Park Service
Atlanta Federal Center
100 Alabama Street, SW
Atlanta, GA 30303

Dear Director Austin:

I am writing to you on behalf of Public Employees for Environmental Responsibility (PEER) to urge you to make changes in the leadership of Canaveral National Seashore. We are taking this action because Ms. Myrna Palfrey, the current Superintendent, has facilitated or approved numerous violations of law, illegally retaliated against whistleblowers and has repeatedly displayed dishonesty.

During her tenure, Canaveral National Seashore (CNS) has been the subject of a series of negative reports from the Interior Office of Inspector General (IG), including matters that the IG referred for criminal prosecution. The most recent report issued earlier this year detailed procurement violations, including improper evasion of competitive bidding. Astonishingly, this latest report confirms some of the very same problems identified in an earlier IG report in 2012.

The latest IG report concludes that CNS violated federal acquisition rules “by making split purchases with Government credit cards, which exceeded the micropurchase thresholds, to avoid fair and open contracting procedures.” As a result, lower bidders for building a new boardwalk and selling vehicle equipment were not sought, meaning that taxpayers may have overpaid for this work.

These findings echo a 2012 IG report which found that CNS was then also illegally shrinking the size of orders (split purchases) to bypass competitive bidding requirements. That earlier report also detailed misappropriation of funds, nepotism and other misconduct.

While anyone can make a mistake, making the same mistake twice suggests a deliberate style of management by malfeasance. Moreover, the violations were committed by sub-managers at CNS who directly report to Superintendent Pelfrey. None has been removed, or, we understand,

even disciplined.

Indeed, the only purposeful action that Superintendent Pelfrey undertook was to punish the whistleblower who reported the violations. That whistleblower, Dr. Candace Carter, last year won a ruling by the Merit Systems Protection Board (MSPB) that she had improperly been subjected to assault, harassment and adverse personnel actions in retaliation for contacting the IG. These illegal acts of reprisal were committed with either the knowledge or approval of Superintendent Pelfrey.

The National Park Service (NPS) should have zero tolerance for managers who commit or countenance retaliation against whistleblowers. The lack of official action against Superintendent Pelfrey following the 2015 MESPB decision suggests that the NPS not only tolerates but encourages illegal reprisal.

Compounding matters, the MSPB judge in her ruling found Superintendent Pelfrey was not a believable witness, pointing out that “Palfrey failed to tell the truth on more than one occasion...and I have no confidence that she would be any more honest or forthright.”

Presumably, the NPS should strive to ensure that its line managers are truthful and trustworthy. By her pattern of dissembling during these numerous investigations, these are qualities that Superintendent Pelfrey demonstrably lacks.

Adding insult to injury, the IG found in a separate November 23, 2015 report that CNS’s chief ranger committed misconduct “unbecoming of an NPS law enforcement manger” by posting derogative comments to news articles about Dr. Carter’s whistleblower victory. Yet, Superintendent Pelfrey again took no action, thus, in essence, condoning improper cyber-harassment of a whistleblower.

Now, the IG is wrapping up a fourth investigation into complaints of additional conduct unbecoming against the chief ranger. This report, which will soon become public, will only further confirm malfeasant and ineffective leadership by Superintendent Pelfrey, as well as further tarnish the public regard for the integrity of CNS and the NPS.

If Superintendent Pelfrey appeared to be learning from past mistakes, PEER would not be writing this letter. To the contrary, she appears to be repeating these mistakes and amplifying them.

Reports we have heard from current and former CNS employees indicate that already low public morale is cratering. Back in 2012, the IG referred its Canaveral report personally to NPS Director Jon Jarvis but received no indication he would take any action or even acknowledge the referral. This inaction by senior NPS leadership, especially Director Jarvis, has further eroded morale by reinforcing the perception that little will change at CNS no matter how bad it gets.

In conclusion, we urge you to seriously consider whether continuation of Superintendent Pelfrey’s tenure at CNS is in the best interests of the management and employees at CNS, as well as whether it is in the best interests of the NPS.

Should you wish to see any or all of the materials referenced in this letter, we are happy to provide that. Should you have any questions about these matters or wish to speak with some of the current and former employees victimized by these actions, PEER stands ready to assist you.

Sincerely,

Jeff Ruch
Executive Director

Cc. Interior Secretary Sally Jewell