

Jeffrey G. Park
April 6, 2010

U.S. Office of Special Counsel
Lynn Alexander
Attorney, Disclosure Unit
1730 M Street N.W., Suite 218
Washington, DC 20036-4505

Re: OSC File No. DI-09-0033.

Dear Ms. Alexander:

I received your letter of March 17, 2010 regarding OSC File No. DI-09-0033. This letter provided me with the opportunity to respond to this case. Please consider this letter as my response, with full permission to distribute in any manner you determine appropriate.

After thoroughly reading the case file, it is my opinion this case was investigated professionally and thoroughly by the OSC. The outcomes were somewhat out of their control due to the retirement of the Mr. King. However, their recommendations and pursuit of a correct and proper action by the Forest Service were to be commended.

On the flip side, in my opinion, high level Forest Service leadership did not take this situation seriously enough. There are no indications that leadership was willing to make the tough decisions that were necessary and thus they failed to take direct and concise actions related to Mr. King.

Beyond the actions specifically related to Mr. King there are more significant and impacting issues here that I feel need to be elevated. These relate to inadequate protection for whistleblowers and a lack of action related to abusive leadership actions by a senior executive service (SES) member of Forest Service leadership. This includes:

1. Limitations placed on the OSC are too severe for the work that it does to be fully successful related to protecting whistleblowers. Related to whistleblowers, OSC relies on the Agency to investigate and is only an oversight party. Related to reprisal cases, OSC does investigate, but has limited authority with which to follow through on such investigative findings.
2. Inadequate concern from top leadership, with the personnel involved in uncovering this whistleblower activity.

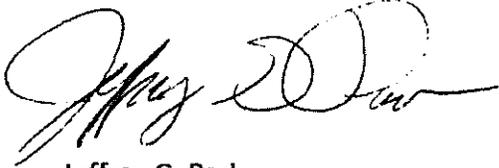
3. Hostile actions by a SES level leader that are tolerated by top leadership. I am specifically referring to the actions of Donna Carmical, Director of the Albuquerque Service Center-Budget & Finance (ASC-B&F). Following the whistleblower activities related to this case, at the hands of Ms. Carmical, I was the subject of reprisal and a hostile work environment including, but not limited to:
 - a. Threats by Ms. Carmical, specifically to change her opinion on a sexual harassment situation, previously closed for lack of merit, if I did not drop the reprisal case.
 - b. Documentation by Ms. Carmical, in my personnel file related to my performance rating, that I was not a good leader and a high maintenance manager in part due to my whistleblower activities.
 - c. Statements by Ms. Carmical that I was not seriously considered for promotion to the GS-15 Assistant Director position due to the whistleblower activity.
 - d. Loss of ability to function in my job due to continuous questioning of actions and rejection of work proposals.
 - e. Defamation of my character and performance by Ms. Carmical to at least one selecting official for jobs I applied for. I do not know how many times this may have occurred. What I do know is that I only received serious consideration for one job I applied for.

There was a settlement agreement between myself and the Forest Service, based on an OSC investigation (OSC MA-09-0154) related to the reprisal actions of Ms. Carmical. However the agency seemed to take little responsibility for her actions and I am unaware of any planned discipline related to Ms. Carmical and this case. Ms. Carmical has been allowed to be a toxic element in the Forest Service and has created a hostile work environment in every position I am aware of that she has held in the Forest Service. The negative and hostile work environment created at the ASC-B&F while she was the Director was immeasurable. While my reprisal case was ongoing the Agency promoted her to the position of CFO, following the retirement of Mr. King. Leadership's answers related to Ms. Carmical have been that she is "just that way".

I have a stellar career with the Forest Service, of over 30 years, including receipt of the prestigious Chiefs Award for Excellence in Budget and Financial Accountability in 2003 and 23 additional awards. The impacts on my career and finances, due to my involvement in this whistleblower complaint, were extreme. This case was very high profile and as a result of it I was subjected to significant reprisal. Advancement in my career with the Forest Service is for all intents and purposes ended. To protect my health and sanity I was forced to move, to remove myself from the hostile environment created by Ms. Carmical. This move resulted in financial hardship for me and my family in the six figure range. Those financial impacts are still

ongoing as my house in Albuquerque has still not sold. In no way did the settlement with the Forest Service fully account for these impacts.

I felt the agency abandoned me in this scenario. My disappointment in this agency that I have spent my career supporting, living with and improving at every opportunity is immeasurable.

A handwritten signature in black ink, appearing to read "Jeffrey G. Park". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jeffrey G. Park
Senior Systems Accountant
U.S. Forest Service