

Charalambe "Bobby" Boutris

Ms. Tracy L. Biggs
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1730 M Street, N.W., Suite 218
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Re: OSC File Nos. DI-07-2793 & DI-07-2868

Dear Ms Biggs:

This letter is in response to your letters dated March 3, 2009, and June 19, 2009 regarding my disclosure to the Office of Special Counsel (OSC) for the critical lapses in aviation safety. In reviewing the investigation report that you provided from the Office of Inspector General (OIG), it appears that the OIG investigation has done a good job in justifying and addressing the aviation safety issues I have raised. However, parts of the OIG report are too general and do not provide specific information (who, what, where, how, and when) therefore, I do not believe that all responsible parties related to this case have been identified and held accountable.

In reviewing the report I can not say that the OIG Investigation was complete/thorough because it does not address or provide information for several key elements that I disclosed to OSC which I believe are important. Pursuant to 5 U.S.C. § 1213(e)(1), I am providing the following comments:

- On March 29, 2007 (a year before the April 3rd 2008 hearing) during an FAA security investigation, I raised safety concerns (which later on became part of my OSC disclosure) to FAA special agent David Friant and gave him detailed information. However, I never received any feedback. Did the OIG ask Mr. Friant what he did with the information I gave him?
- The date as to when Mr. Sabatini and Mr. Ballough become aware of the critical safety lapses and my safety concerns is very important because in elevating the serious safety issues I followed the FAA chain of command and nothing happened (for 6 months) until I went outside the FAA. Did the OIG ask this question? Did the OIG provide the OSC with a copy of Mr. Sabatini's and Mr. Ballough's sworn statements regarding this matter?

- Almost immediately after I elevated the serious safety issues, the Federal Aviation Administration (FAA) removed me from my position (Aviation Safety Inspector) and placed me under an FAA security investigation due to an anonymous complaint with allegations against me they had received from Southwest Airlines (SWA). The timing of the anonymous complaint against me was very suspicious and questionable, especially coming from the airline in which I raised the serious safety issues against. While the FAA was refusing to tell me what I was being investigated for and what the anonymous allegations against me were, copies of the complaint with the anonymous allegations against me were floating around my office and in the hands of other FAA inspectors. In addition, another anonymous complaint with allegations against me was faxed to FAA security from my office fax machine by fellow FAA inspector/s that were part of the cover up of the safety issues I was raising and were supporting the FAA management's motive to punish and discredit the whistleblower. Later on, during the investigation against me, one FAA inspector from my office (Mr. John Bassler) went as far as giving a sworn statement to FAA security stating that I had smuggled contraband into the United States on a flight from Greece. The item that inspector Bassler is referring to in his sworn statement as contraband is Greek liquor called Ouzo. Inspector Bassler under oath stated: **"Ouzo is an alcoholic beverage and is not allowed into the United States"**. The truth is that Ouzo is not contraband and can be bought anywhere (duty free shops and any liquor store in the US). Even though the six month investigation against me failed to substantiate any of those reported allegations, the FAA never addressed inspector Bassler's lying under oath (Federal employee providing misleading information during a Federal investigation against a whistleblower). In addition, in reading the investigation reports for my safety concerns and from inspector statements it appears that inspector Bassler had engaged in a conversation with SWA personnel regarding my activities and interfered during the investigation regarding the safety issues I had elevated. I am very concerned with inspector Bassler's motive that made him turn against me (fellow inspector) who instead of supporting me in bringing to light the serious safety issues that affected the safety of the flying public, inspector Bassler went as far as providing false information under oath against me. Despite my stated concerns in reading the OIG report and the FAA investigation report they do not indicate that their investigations looked into this matter. FAA Order 8900.1, Volume 1, Chapter 3, Section 2, Paragraph 1-179, Item B15 regarding FAA Inspector Responsibilities, Ethics and Conduct states: **"Do not make irresponsible, false, or defamatory statements that attack, without foundation, the integrity of other individuals or organizations (Aviation Safety Inspectors are accountable for the statements they make and the views they express)**. This Order states that **FAA Inspectors are required to comply fully with the letter and spirit of conduct as set forth in the Order**. There is an ethics and accountability issue here that has not been addressed and instead of doing that the FAA gave more authority to inspector Bassler by promoting him to the Principal Inspector.
- The continuous attempts of fellow inspector/s to discredit me and have me removed were condoned by FAA management. On June 13, 2007 one of those inspectors made copies of my inspection reports that were over a year old and pushed them under the

assistant office manager's (Robert Naccache) door with an anonymous cover letter attached stating: "This needs to be looked into too". The OIG report does not address the reprisal by management and harassment by co-workers I have been subjected to. It is evident to me that the hostile work environment and the intimidating atmosphere was created by management with the support of some inspectors in their efforts to cover up my reported safety concerns and in the process divert attention and get rid of the messenger. During the April 3rd 2008 hearing the Inspector General stated that more time was spent on the messenger than the safety issues. However, there is no evidence that any follow up investigation was conducted and the involved parties (FAA management and inspectors) were not held accountable for their unethical actions/inactions.

- Mr. Terry Lambert is an FAA manager at the Regional office who had conducted the initial investigation regarding the safety issues I had elevated. During the April 3rd 2008 hearing Mr. Lambert stated under oath that FAA inspector Mathew Crabtree received training outside the FAA for which our supervisor Mr. Douglas Gawadzinski paid \$1,200.00 out of his own pocket. In talking to Mr. Lambert, I was told that this training was not position essential for inspector Crabtree and also was not FAA recognized. In addition, it appears that inspector Crabtree received this training for personal development while remaining in pay status by the FAA. Need to note that inspector Crabtree was Mr. Gawadzinski's assistant, was very close to him and accomplished most of the administrative work for Mr. Gawadzinski. According to Mr. Lambert's investigation report, Inspector Crabtree had knowledge of the VDRP regarding the 47 aircraft that were allowed to continue flying with the overdue AD inspections because Inspector Crabtree had completed the VDRP response for Mr. Gawadzinski. In addition, according to the same report once this serious safety issue was elevated, Inspector Crabtree was concerned about action taken against him. In reading the OIG report, I do not see any evidence of any investigation that would answer any relevant and key questions such as: Did FAA management allow inspector Crabtree to receive this training while remaining on FAA payroll, and what was the motive?, Did Inspector Crabtree use his FAA official credentials to enroute to and from the training?, Did Inspector Crabtree use tax payers money for his hotel accommodations, meals and rent a car? Also there is no evidence that the OIG looked into the allegation that Inspector Crabtree had knowledge of the unsafe condition regarding the 47 aircraft that kept flying paying passengers with the overdue AD inspections. Without an investigation, I do not believe that the accountability for abuse of authority and abuse of public funds questions can be answered.
- During the April 3rd 2008 hearing the FAA manager Mr. Terry Lambert stated under oath that he was directed by FAA regional management (Mr. Steve Douglas) to destroy documents that were related to the investigation regarding my disclosure. It is important to note that this took place after the FAA management became aware that Congress was looking into this matter. Since then the FAA promoted Mr. Douglas and he transferred to Washington D. C. In reading the OIG report, I do not see any investigation results regarding this matter. Need to note also that other FAA

personnel (management and inspectors) that were involved and should have been investigated and held accountable for their actions were instead promoted by the FAA.

- It appears that due to the FAA's delayed action, Mr. Gawadzinski (Principal Inspector derelict in the performance of his duties) was able to retire prior to the FAA putting the Notice of Proposed Removal in his Official Personnel File. It would appear that since he retired with a clean record, he could return to the FAA or any other government job at any time. The OIG report should have addressed this issue.
- The Division manager (Mr. Thomas Stuckey) and his assistant (Mr. Ron McGarry) as early as a year before the April 3rd 2008 hearing were fully aware of the critical safety issues that I later disclosed to the OSC and other than removing me from my inspector position and placing me under FAA security investigation it does not appear that the serious safety issues were addressed until Congress became involved. Mr. Stuckey was able to retire after a long paid administrative leave and Mr. McGarry is still on administrative leave with pay for over a year now. I do not believe that the tax payers should keep paying for this.

As FAA Safety Inspectors we have taken an oath to ensure that the airlines provide safe transportation for the flying public. The tax payers who pay our salaries have entrusted us to do just that. By not holding individuals (FAA Management and Inspectors) accountable for their actions/inactions sends the wrong message to the Inspector force and erodes the foundation by making it hard for those of us who follow the rules and put our jobs on the line in order to do the right thing. By promoting individuals instead of holding them accountable gives the appearance that the FAA condones this type of behavior and rewards it. Nothing will change the business as usual attitude unless we have accountability throughout the ranks. On a daily bases I hear the word transparency but I have yet to see it.

With this letter I am requesting that your office look into my comments and provide feedback for my disclosed concerns that have not yet been addressed. In addition, I am requesting that your office forward my comments to the agency head, the President, and the appropriate congressional oversight committees in accordance with 5 U.S.C. § 1213(e)(3).

Thank you for your time and if there is anything I can do to be of help, please do not hesitate to contact me at any time.

Respectfully



Charalambe "Bobby" Boutris
Aviation Safety Inspector