



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

2010 JAN 27 11 19 06
GENERAL COUNSEL

1200 New Jersey Ave. S.E.
Washington, D.C. 20590

January 22, 2010

Catherine A. McMullen, Esq.
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, NW, Suite 300
Washington, DC 20036-4505

Re: OSC File Nos. DI-08-2778

Dear Ms. McMullen:

This is in response to your December 10, 2009, letter, which I received on December 18, 2009, in which you requested a status report on disciplinary actions planned by the Federal Aviation Administration (FAA) in the whistleblower complaint (DI-08-2778) filed by Mr. Stanley Brasch.

By letter dated January 11, 2010, I responded to your request, stating that FAA advises that on October 29, 2009, written reprimands were issued to 10 of the 12 employees found to have violated the prohibition in 5 CFR 2635.202 against accepting gifts from a prohibited source. The remaining two employees received admonishments. Upon receipt of my January 11 letter, Karen Gorman requested by e-mail dated January 21, that we provide the names of the two employees who received the admonishments.

As you know, the names of the 12 employees found to have violated the prohibition are listed in the investigative report. The two employees who received admonishments, Margaret Ann Barnes and Michael Green, were admonished for their conduct due to the level of their positions. Ms. Barnes, a secretary, was issued an oral admonishment and Mr. Green, a non-supervisory computer specialist at the time of the violation, was issued a written admonishment. (Note that the investigative report erroneously states that Mr. Green was a manager at that time.) All 12 employees were required to repay the amount of their meals. In addition, Richard Boe, a Supervisor, was also issued a reprimand even though he did not attend the event in question due to his overall responsibility under the Dell contract. The reprimands are final and have been placed in the employees' Official Personnel Files.

Sincerely,

Judith S. Kaleta
Assistant General Counsel for General Law