

Ms. Andrea Miller,
Attorney, Disclosure Unit
1730 M ST. N.W. Suite 218
Washington D.C. 20036

RE: OSC file no. DI-12-2455

Dear Ms. Miller

I am responding to the inaccurate statements presented by Mr. Kennedy they are as follows:

Whistleblower allegation #1: Bus 1723 broke down last week during the bus' first run after being serviced by a vendor, and had to be towed to a vendor to be serviced again that same day.

My response to Mr. Kennedy's answer is the fact still remains the equipment that is in service has continuously placed lives in danger without regard for the safety of the public and most of all me a Department of State employee. This is not the first time equipment has returned from the shop as more indifferent as before it had gone to fix one problem and another exist this is not cost efficient, very time consuming and reduces productive work habits to continue in this pattern of repetitive behavior.

YES! Buses are leased through GSA I am also knowledgeable and understand that ultimately the responsibility lies within the department's appropriate officials to identify stabilize and then rectify the current situation.

Title 41: Public Contracts and Property Management

PART 102-34—MOTOR VEHICLE MANAGEMENT

Subpart D—Replacement of Motor Vehicles

§ 102-34.275 May we keep a Government-owned motor vehicle even though the standard permits replacement?

Yes. The replacement standard is a minimum only, and therefore, you may keep a Government-owned motor vehicle longer than shown in §102-34.280 if the motor vehicle can be operated without excessive maintenance costs or substantial reduction in resale value.

The best analogy I can give is if I need a heart I don't go to a kidney specialist. That's spinning wheels, wasting time and resources while the problem still exists and compromising the safety of so many.

As I have read the OIG report # ISP-12-51 I understand there are vehicles that are essential to certain areas. However GSA stated the department also lease vehicles from outside vendors are all the buses in operation GSA leased only? If so why do the repairs come at such a cost that it compromise the Department and not

GSA and as stated by GSA under recommendation four paragraph three "GSA does not dictate

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What kind of leased vehicles the Department would get."

As I have been a Motor vehicle Operator for the Department for the past six years the equipment has always been a serious issue. I have done my homework and GSA has always had in existence , if I may " **Chargeback Mechanisms:** According to GSA, chargeback mechanisms make it easy for fleet managers to see the costs of underutilized vehicles and take appropriate corrective actions to remove them from fleets. Funding offices can more readily identify vehicle costs and implement life-cycle replacement through chargeback mechanisms. In principle, all Department vehicles, regardless of funding source, could be operated with a chargeback mechanism and a centrally managed life-cycle replacement mechanism. Within the Department, GSA fleet vehicles operate on a full chargeback system; overseas, ICASS vehicles operate on a chargeback system, but costs are aggregated into various cost centers and functions codes and are not readily visible to embassy managers. DS, INL, OBO, and program vehicles are not operated on a chargeback system".

Whistle blower allegation #2: Bus 1723 was returned to the active fleet on October 10, 2012, to replace bus 273 which had a natural gas leak and needed service. The whistleblower noticed that the retread on the back tire was still falling apart such that she could put her finger through the hole, even though the whistleblower reported this problem to management on September 27, 2012. Fleet Supervisor Shantay Neuman required the whistleblower to drive the bus on October 11, 2012 and, only after the normal route, could the whistleblower take bus in for service.

My response your investigation was not thorough sir fact one misrepresented there is NO BUS in our fleet with tag (G32-0723).

Fact two I noted in the log book of bus 1723 dated September 27, 2012 tire was gouged out along with the bus engine failure while in transit with passengers. The log sheet was hand delivered to the office by me in the form of written notices from the log book that makes you aware.

Fact three misrepresented supervisors' correct name is (Chantay Newman).

Fact four if my supervisor Newman and the dispatcher Hilton were truthful they both would have expressed I spoke to both of them on the morning of October 11, 2012. In fact I told Hilton I refused to drive the bus for safety reasons called back several times and was told by Hilton " I don't have anything else for you to drive you are the only person complaining". It was a total of forty five minutes before I spoke with Newman and I referenced with Newman about the tire previously being written in the log book as dated September 27, 2012 I asked why it was returned to service it just left the shop yesterday. Newman said "I am aware of the gouge in the tire" go ahead and drive the bus and take the bus to (Rice Tire) for tire service after the run is complete". I never made it to the tire repair shop.

Fact five bus number 273 is one of the buses in our fleet that operates on natural gas.

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Upon entry of the bus the smell of natural gas was evident. I exit the bus for inspection of the bus along with another driver the fuel was dripping from the attachment device. I immediately went to the location where the sticker is applied for month and year of inspection the sticker had been removed.

I reported to both Newman and Passmore verbally on May 9, 2012 about the bus inspection Newman replied "oh yah I was preparing to send buses that needed inspection we will send it to be inspected." At the time we were discussing issues with bus 722. Several buses' natural gas inspections were past the date which is required for inspection every thirty six months because these fuel gages have a pressure locking valve to add fuel to vehicles.

As being informed by Mr. Passmore we are governed by the Virginia (DMV) guideline which is regulated by the American Federal Transit Authority (DOT). I have included for your knowledge the correct information a commercial motor vehicle operator must adhere to for the purpose of safety before boarding passengers and it is as such (see attached pre trip inspection guide). This is from Virginia (DMV).

I never reported the tire was a dual shared on the same axle thereby providing safety that only applied if the defective tire is removed and thereby the rear is in operation of three tires for a limited time. Sorry sir but I didn't have the time strength or equipment to change a 26001lb bus tire.

Inspection, repair, and maintenance

§ 396.7 Unsafe operations forbidden. (A) General. A motor vehicle shall not be operated in such a condition as to likely cause an accident or a breakdown of the vehicle. (b) Exemption. Any motor vehicle discovered to be in an unsafe condition while being operated on the highway may be continued in operation only to the nearest place where repairs can safely be affected. Such operation shall be conducted only if it is less hazardous to the public than to permit the vehicle to remain on the highway.

I have included for your understanding a link with a bus inspection complete by officers and the tire you will see is in much comparison to the tire on 1723.

<http://pittsburgh.cbslocal.com/2011/08/22/casino-charter-buses-undergo-spot-inspections/>

As a response to what was said or not by (Rice Tire) I can't answer to that however that information can be retrieved for record sake I believe.

Whistleblower Allegation #3: Bus 393, which was a new bus purchased from GSA, broke down the first day it was used.

My response is the bus wasn't new it is a 2008 bus that was not working properly

nor was there a warranty to repair any deficiency's before the bus was acquired from

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GSA.

When the operator's went to retrieve the bus there was a thorough inspection done by the driver as defects were noticed right away the bus wasn't operable it sat on the lot at GSA for weeks before it was added to our fleet.

However upon the knowledge of the condition of bus 393 managing officials pursued the matter with the acceptance of the bus.

As your first noted recommendation 4, page 8 it would appear to me your management staff have not adhered to the recommendations of the OIG.

Whistleblower Allegation #4: Bus 277 had a broken rearview mirror with zero visibility for months.

My response is the bus doesn't have a rearview mirror it has a passenger view mirror inside for safety reasons and outside the bus there are right and left mirrors located in front near the windshield. The facts as I know of this bus are as stated. On 08-09-2012 I was assigned a run with bus 277 I called down to dispatch to turn in a blackberry that was left on the bus. I then showed Mr. White the new dispatcher the mirror on the right was taped up and it had a spot mirror with zero visibility on it and a tire on the right rear that was unevenly worn and the tire wall was mangled from drivers not able to see rear of bus this is a regulation violation. Upon my entrance to C ST. an hour later Mr. Sampson supervisor approached the bus with Mr. Passmore the deputy to the chief. I explained the mirror was not regulation approved and the spot mirror wasn't useful I ask Passmore to look from the driver's seat at the mirror he said " I can't see anything" he stepped off the bus and Sampson said "Mrs. Thompson that mirror came on the bus like that trust me yes it did" and he was adamant to Passmore "trust me no driver would own up to the damage." I called Mr. Fox another driver and ask if he knew how long bus 277 was like this. He responded " it's been two months because I put the tape on the mirror and both Sampson and Newman are aware of the situation they took bus to shop but they couldn't get the correct part for the mirror so no they are aware of me taping and adding the spot mirror to the bus." The next day I spoke to Passmore and told him this is something that is commonly done to me by Sampson and I explained about the driver acknowledging the problem with the mirror and the bus had been taken to the shop and placed back in service while the bus shouldn't be in service it should be deadline he agreed.

The incident dated August 21, 2012 I am only knowledgeable the bus sat in the cage for some time before the mirror was repaired.

Whistleblower Allegation #5: Other buses have continuous problems, such as the ABS light remaining on to indicate a potential problem with the brakes system, and the rear exhaust not properly expelling gases.

My response to this is as a driver regulated by (DOT) mandates (CDL)/P to keep accurate records for the sake of maintenance records and for safety while transporting passengers. I know that we drive a wide range of vehicles and school bus type equipment is one of them so for your understanding and enlightenment I have added this site for you.

http://www.doe.virginia.gov/support/transportation/school_buses/preventive_maintenance_manual.pdf

In response to the concerns of OSC and answers provided by the Department I don't know if there are any new implicated structural events since our last communication. Since stated by my doctor I have not driven a vehicle since October 11, 2012.

OSC Concern #1 State's OIG confirmed that "at least on occasion, driver comments regarding mechanical problems with buses were not acted upon quickly," but no recommendation for fixing this problem was provided to OSC.

I am not aware nor have I heard of an implementation of a SOP to provide as a guideline to all for the purpose of better operating practices with the projected date of October 31, 2012.

Who is this Inventory Management Specialist (IMS) haven't met with this new employee as of yet.

The motor vehicle operators are currently performing in all the functions listed by the selected remedies.

The dispatchers and supervisors have continuously displayed lack of leadership roles and behaviors to ensure the operation is one of a safe, efficient and non-costly production. Examples if a light comes on the dash as required by law we must watch gauges and dials on dash periodically during times of operation of commercial vehicles. Once dispatch is notified the lack of acknowledging and accountability is ever present. Preventive maintenance is the key to success in the transportation industry. Brake test performed as noted by VA (DMV) once completed and noted in log book my experiences have not been of such answers provided to this concern, especially since the (OIG) conducted interviews.

OSC Concern #2: State's OIG confirmed passengers were thrown from their seats during two accidents due to the perimeter seating of the buses, but no remedies were provided to OSC.

My comment to this statement is this is the most accurate information I have found on this document no there are no regulations for perimeter seating however if the proper research had been conducted along with the inner city driving which the fact that the metropolitan area is the #1 worst area of driving for many apparent reasons. There are times when defensive driving may need to be applied to reduce the fact of two vehicles occupying the same space simultaneously. The fact remains there are no seatbelts, railings and the constant rush hour overloading of buses to supply the demand which leaves the (DOT) regulations for tire pressure and bus support structure not supporting the weight of the bus.

OSC concern #3: Although management officials informed motor vehicle operators they are not required to operate vehicles that they perceive to be Unsafe, this finding does not address the issue that dispatchers and fleet managers simply assign another driver to that potential ally unsafe bus without inspecting the bus or sending it for repairs.

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The record doesn't show because the names I provided as proof of the incident which occurred on May 9, 2012 were not interviewed the record clearly showed by the driver log and verbal command given by Passmore to take bus to the shop with all the concerns and then the next twenty minutes the bus was assigned to drivers by Hilton and Newman after Passmore said don't continue in service with the bus. More exact when the bus was to be taken to the shop Hilton asked me to drive the bus and I refused her exact words, "where is Butler he will drive it".

Yes driver told the OIG we don't drive buses if we feel they are unsafe however when told by supervisors to go ahead and drive the bus this cancel the action of (DOT) regulation and then responsibility lies on the department if such incidents demand accountability.

Sincerely,
Nicole Thompson 11-17-2012

Nicole Thompson