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tel. (503) 710-1515

Thursday, December 9, 2010

Joann Noonan
FAA HQ, FOIA Office
800 Independence Avenue, SW
Washington, DC 20591

Dear Ms. Noonan,

Please accept this as a request for copies under the Freedom of Information Act (FOIA).

I am researching the FAA Administrator's Hotline. Toward this end, I am attaching the first page of an AHIS printout¹ for a Hotline complaint filed anonymously on 2/7/07. Please note the data-fields indicated on this complaint: Region (AWP), State (CA). For the record, although the subject is unnamed, the complaint was related to me and incidents that eventually resulted in the production of an Accountability Board Report of Investigation.²

To fulfill this FOIA request, I request that you provide copies of all pages of all AHIS printouts for Hotline complaints filed between 8/1/06 and 3/1/07 at all FAA ATCT facilities in the state of California. I also request minimally-redacted copies of all action office Hotline response letters created in response to all these complaints.

I understand that FOIA Exemption-6 exists to reasonably protect personal privacy. However, I do not care to know the identities of the subjects of any of these complaints. So, please feel free to fully protect this information with simple names-only redactions. If you feel you also need to redact the facility-name, I will accept that, too...provided it is only the facility name/location.

Please advise if I need to agree to a fee in excess of \$25. Also, call if you have any questions. I thank you for your assistance.

Sincerely,



Jeff Lewis

¹ This copy obtained July 2007 via FOIA.

² As shown in the attached ROI portion, this Hotline complaint was submitted anonymously on 2/7/07, but refers to a conversation held in the CCR tower cab on 1/21/07. In this conversation, I stupidly quoted a Randy Newman lyric with the n-word, during a discussion about the oppression and hazing common to ATC training. This was the only conduct issue in my 22-year career. I was removed on 11/6/08.

FAA ADMINISTRATOR'S HOTLINE INFORMATION SYSTEM

Call Date: 02/07/2007 Region: AWP Control Number: 200702070001

Name: Telephone: Address: City: State: Zip: Rte.Symbol: Facility: ATCT City: CONCORD State: CA

PLEASE DO NOT RECONTACT THESE

OK TO RECONTACT

Are you an FAA employee? YES
Is your position covered by a bargaining unit? YES
Is this matter currently being considered under any other kind of dispute or settlement procedure? NO
Have you discussed this with your supervisor or any other FAA manager? YES

Action Office: AWP-1 Info Copy: ATO-1
AO Date: 02/07/2007 Info Copy: ACR-1
Due Date: 02/28/2007 Info Copy:
Response Date: 03/01/2007 Info Copy:
Subject: 7000 Info Copy:

PLEASE RECONTACT NAMES ONLY

What do you want to talk about?

Caller reported that an unnamed Caucasian ATCS constantly makes racial comments concerning African-Americans. Caller said that recently the unnamed employee came into the control room and said aloud: "Are you holding a nigger down".

Operator ID = KS0

** CALLER WISHES TO REMAIN ANONYMOUS **

PRIVACY ACT INFORMATION

The information contained in this form is protected by Public Law 93-579 (Privacy Act of 1974). The information is part of the Privacy Act system of records, DOT/FAA 845, Correspondence Control and Information System, and is subject to the published routine uses of that system.

While at work in the Concord tower did you make a statement similar to "us niggers can't get any leave"? No

"THE INCIDENT"
↓

While at work in the Concord tower did you make a statement similar to "they're trying to hold us niggers down"? No. As for similarity, the reference is to a lyric I quoted (and explained) from a Randy Newman song called "Rednecks". The song is about oppression and ignorant rednecks, given no respect by urban northerners, but finding solace in the feeling they are "keeping the niggers down". The comment was made during a Sunday morning discussion with John and James; it followed James' comments likening ATC training to the "hazing" that goes on in fraternities. I said, roughly: *"yeah, it's like the lyric in Randy Newman's song, keeping the niggers down... the CPC's have a chance to assert their pecking order, so the step on the trainees"*.

Did anyone tell you that type of speech was inappropriate and tell you to stop making that type of statement? No. For the record, the night before the 1/21/2007 incident, James had set up his PC on the LC console with a DVD called "Boondocks". I watched with him for an hour or so (Andrew was there, too, but less interested in the DVD) and heard the n-

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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
SECURITY AND HAZARDOUS MATERIALS DIVISION

IL word used dozens of times in a couple animated episodes. I never would have felt a reference to Randy Newman's lyric would be acceptable had I not shared this DVD with James and Andrew.

While at work in the Concord tower did you make a statement similar to "how are all you niggers doing?" No. This is unbelievable, how made-up these allegations are.

After having a disagreement with Ken Moyer over how he should address you when coordinating with you did you request sick leave and have it denied? Yes, and I was denied. Patricia told me roughly, *"just because you don't feel well doesn't mean you can have sick leave. We can't keep letting you go every time you get upset."*

After having been denied sick leave did you tell someone from Travis Approach that you had a migraine headache? Yes. Travis called to coordinate an arrival. I could not focus on the letters I was trying to right on a strip. I mentioned the migraine so Travis would slow down and give me time to double-check my strip-marking was correct.

After being denied sick leave while working ground control did you tell a pilot you had a migraine headache and that you were unable to see or take leave? I told the pilot I had a migraine and I had difficulty seeing. I had previously twice told Patricia I could not focus and might need to tell the next pilot I have a migraine and was losing my vision; she twice ignored me. The pilot call happened first, then the Travis coordination, at which point Patricia unplugged and told me to leave on sick leave.

Do you get migraine headaches very often? No, but I started getting them when I arrived at Concord and I started having them 2 or 3 times a week. I have had them for many years.

SOURCE: Rol AWP-20070078; p 63-64