Dear Honorable Anthony Principi
Chairman of the Base Relignment and Closure Committee
2521 South Clark Street, Suite 600
Arlington Virginia

Dear Chairman Principi,

I realize that the Pt. Mugu Base was not on the BRAC closure list, although it will undergo significant realignment. The purpose of my sending you all of the enclosed information is to present a case for the closure of the Pt. Mugu, Naval Base located just outside of Oxnard, California. All the information is self explanatory. The information is divided into two sections. A John Jay section and a Dale Benedetti section. In these two sections, me and my friend Mr. John Jay present a valid and cogent case as to why that nefarious Base should be closed down. The most compelling reason is management abuses of employees. Yet, there are many other reasons. What we, and many others, have endured during our employment tenures is something no American citizen should have to endure.

Please have a representative from your office have a long sitdown talk with Mr. John Jay and me about what has and probably is taking place on that Base. Mr. Jay has tons of documentation that backs up all of his claims.

Please read and consider everything I am sending. Also, I hope that every issue that we bring up can be investigated and proper administrative remendies can be undertaken, e.g. closing down that Base. You must get to the bottom of all the skullduggery or close the Base.

If managers continue to use the kind of tactics that are used against employees, then you better have heavy security at all Base work sites. Otherwise, a disgruntled employee will go Post Office.

Secretary of Defense Donald Rumsfeld never responded to all the documents, letters, newspaper articles etc. that I sent him. You now have in your possession everything I sent to Secretary Rumsfeld.

Finally, please see to it that the information that I am sending you gets into the hands of all members of the Base Realignment and Closure Committee. Hopefully, you will be able to do so. The BRAC Commission deserves to hear our complaints.

Dale Benedetti
274 North Ashwood Avenue
Ventura California, 93003
805 644

Dear Honorable Donald Rumsfeld
Secretary of Defense and Staff
1000 Defense Pentagon
Washington D.C. 20301-1000

Dear Secretary Rumsfeld,

I am aware of the fact that you will be submitting a list of military Bases that are to be considered for closure in the upcoming commencement of all members Base Realignment and Closure Commission. The recommendations are to be forwarded from you to the Commission by May the fifteenth of 2005.

The purpose of my sending you all of the enclosed information is to present a case for the closure of the Pt. Mugu, Naval Base located just outside of Oxnard, California. All the information is self explanatory. The information is divided into two sections. A John Jay section and a Dale Benedetti section. In these two sections, me and my friend Mr. John Jay present a valid and cogent case as to why that nefarious Base should be closed down. The most compelling reason is management abuses of employees. Yet, there are many other reasons. What we, and many others, have endured during our employment tenures is something no American citizen should have to endure.

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Dale Benedetti
274 North Ashwood Avenue
Ventura California, 93003
805 644-4401

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Dale Benedetti
274 N. Ashwood
Ventura Cal.
93003-1814

this is the only response I've received from the Secretary of Defense

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Honorable Donald H. Rumsfeld, Secretary of Defense, 1000 Defense Pentagon Washington D.C. 20301-1000

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☐ Addressee

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The John
Section

The John Jay
section

Subj:	**Re: A Short Written Case To Be Made Against Pt. Mugu**
Date:	2/9/05 8:03:59 PM Pacific Standard Time
From:	JJay943
To:	DBened8637

Dale:

Like I said before, the ONLY reasons the BRAC will listen to are something like the following, which I stated previously.

1. It has cost the taxpayers between $800 Million and $1.2 BILLION to clean up the hazardous/toxic waste materials at Point Mugu. And they are NOT finished yet! They have about 80% of it cleaned up, as far as I can tell, IF you take their reports seriously.

Can you take their reports seriously. They lie so much

2. Ventura County is an EXTREMELY expensive area in which to operate any business, defense or otherwise, due to the outrageous cost of housing. Most military personnel do NOT like to be stationed here, because they cannot even rent a dog house for less than $1,200 per month. Buying or renting a house is impossible for more than 95% of those who stay here more than a year.

enlisted personel are really affected

3. EVERYTHING NAWCWD does can easily be duplicated by Edwards AFB, Egland AFB, and China Lake. They do NOT need NAWCWD at all, except for the sea range. The air base and the sea range are the only things worth keeping. Everything else could be moved elsewhere.

an extensive cost benefit analysis should be done to ascertain if the sea Range and/or air base should be closed

4. Lawsuits, EEO complaints, MSPB complaints, whistle blower complaints by those who were victimized by evil managers and supervisors at NAWCWD, have cost the taxpayers over $2 MILLION, according to my own rough estimate. And that is only the cases I know about! There are probably many more cases I do not know about. The cost estimate is only for those cases, including my own, which I am aware of.

my two letters to Senator Boxer are not an aberration. The treatment I received IS rampant throughout the Base

5. The morale at NAWCWD, Point Mugu, is lower than whale poop, but that fact will likely NOT be of interest to the BRAC people.

morale and treatment of employees by managers is the most compelling reason the Base should be closed

The foregoing are the ONLY things which will get the attention of the BRAC officials. COST of operations and doing business is what they are focusing on.

John

Dear Brac Commission,
the DoD budget is 419.3 billion this year. The budget slice for education is 56 billion. It's reprehensible that we spend seven to eight times a much on defense (maybe defense isn't the right word) over education. Only a sick society is a guns over butter society.
Dale Paul Benedetti

Subj:	**My Letter To Email To Senator Boxer**
Date:	1/20/05 11:00:53 AM Pacific Standard Time
From:	DBened8637
To:	JJay943
CC:	DBened8637

What is enclosed should not be taking place in the U.S.A. let alone Ventura County.

Dear Senator Boxer,

You personally will probably never get this email but I would love to see Ventura Counties two Bases closed and the U.S. Navys presence removed from Ventura County. I would love to see the DOD budget cut by ninty percent and the intelligence communities completely dismantled.

You have received numerous letters, douments etc. from me John Jay and many others who have been victimized by the Naval and civilian authorities at Pt. Mugu, in particular, during our employment tenures. You have never responded! To respond by saying you are precluded by the Hatch Act from commenting to your constituents about this matter just doesn't cut it.

I have a copy of the August 25 and 26, 2000 editions of the Ventura County Star Free Press in which you say that the RIF of 11/19/1999, the destruction of documents and resulting coverup takes the entire matter to the highest levels of concern in you office. Did the Senator speak when she should not have? I lost my job as a result of that RIF. I sent you pages of written material detailing many of the abuses that I was on the receiving end while I was employed by the Pt. Mugu bastards.

Will the Senator help me, John Jay and others get before the BRAC commission so that we can present to the commission our case? Those two Bases are outright fascist. Nine out ten mailtary officers are far right conservative. It is about the same ratio among civilian managers. They treat their underlings like scum.

The following is a comment from my friend John Jay:

One reason that NAWCWPNS should be closed down is the cost to taxpayers. It cost a LOT of money to keep it going, AND they have had to
pay BIG, BIG amounts to dozens of litigants who have sued them
during the past 20 years. Also, they have spent over $800 MILLION
cleaning up hazardous waste at Point Mugu, and they still have a
LOT left to clean up! LItigation, environmental cost, and operting
cost! Those are the three BIGGIES to focus on. Also, a VERY
large and corrupt management structure. They are VERY top
heavy with management. They have a LOT of weaknesses.
The BRACK Commission may or may not want to hear about
it. Only way to find out is to show up and see IF they want to
hear what you have to say.

John Jay

Senator I feel that I should receive a personal response from you as a result of this email. Stop stonewalling us. It is a dusgusting turn of events when the most powerful elements of the military and the intelligence communities are far right reactionary. You Senator, should know the implications therein.

Dale Paul Benedetti of Ventura County
274 North Ashwood Avenue, Ventura Ca. 93003, phone:

805 644-4401

Text provided by John Jay (unedited by Whistleblower Com)
October 26, 1998
http://www.whistleblower.com/981026a1.htm

SUMMARY OF ALLEGATION:

The Navy base located at Point Mugu, California (Naval Air Warfare Center, Weapons Division or NAWCWPNS) has engaged in numerous, willful instances of human rights and civil rights abuses against its own employees. The abuses involve intimidation of and reprisals against whistleblowers, EEO complainants and anyone else who dares to critize management or exercise his or her free speech rights. All abuses are being done under color of ASSUMED AUTHORITY from a malicious, mean spirited personnel system called the NAVY-CHINA LAKE PERSONNEL DEMONSTRATION PROJECT. Constitutional rights, free speech rights, and other rights are ruthlessly suppressed under this personnel system, which gives management carte blanche to do any thing they want, howsoever unethical or unlawful. It is a base where the rule of law does not have meaning, and where the checks and balances existing under the old Civil Service system no longer exist.

1. WHERE the problem is:

Department of the Navy; Naval Air Warfare Center Weapons Division (NAWCWPNS), Point Mugu, California. 1992-1998 and ongoing.

2. WHY this is improper:

Violates Whistleblower Protection Act (5 USC 2302), Constitutional Free speech guarantee, Constitutional right to due process, 18 USC statute against Obstruction of Justice and Witness Intimidation, Civil Rights Act (all of them from 1866 through 1991 versions), and numerous ethical standards as well as human rights guarantees (United Nations standards).

3. WHAT HAPPENED:

A very lovely lady named Julie Butz just died after months of stress caused by abuse at a Navy base in California. Her case is only one of many. We can send a more detailed press release upon request. We can also fax a signed copy of the release, if you give us your fax number and point of contact. Can we prove that Julie Butz's death was related to stress put on her after she filed a sexual harassment complaint against a mean stupidvisor? IF we can get before a Federal Grand Jury, and put everyone under oath, I believe it can be proven. She had a heart problem. She was sexually harassed. She filed a complaint and now she is dead! Is there a connection? Maybe so. It bears a full scale investigation. Her death MUST NOT BE COVERED UP. We will not allow the Navy to cover up what happened to Julie Butz, one of the nicest ladies who ever lived. She was only 45 years old, and left a husband behind and a 15 year old son.

This is "Reinventing Government" at its worst. This base has been using a vicious personnel system, under authority granted by "Reinvention of Government" edicts. What happened to Julie Butz is only the tip of a VERY large iceberg. There have been many other abuses of civil and human rights at this mean spirited Navy base, since 1992, and these abuses are continuing today. Could all of the foregoing and TRUE events really happen in the United States?

YES. All of the foregoing have taken place right here in the USA, at a Navy base in California, under color of authority given to managers and supervisors in 1992 by a malicious and ill conceived personnel

system called the NAVY-CHINA LAKE PERSONNEL DEMONSTRATION PROJECT. The Navy base is the Naval Air Warfare Center Weapons Division (NAWCWPNS) located at Point Mugu, California. The abusive, malicious treatment of the workforce began in 1992, when the so-called Demo project was forced upon an unwilling, unsuspecting workforce at Point Mugu by malicious managers at China Lake (which was called the Navy Weapons Center prior to 1992).

The Navy bases at China Lake and Point Mugu merged in 1992, when the Pacific Missile Test Center (Point Mugu) and the Naval Weapons Center were forced into a merger, for budgetary reasons and because of the Base Realignment and Closure (BRAC) process enacted by the Congress. Employees at Point Mugu are working in fear, and NOT just because of the downsizing, which started in 1990 and continues to this day. Most of the fear is being caused by a small group of malicious supervisors and managers, who are using their authority and perceived authority, under color of the Personnel Demo system. The bad few (perhaps 10% or so) are getting encouragement from the good managers and supervisors, because the good ones are not speaking out and doing anything.

The fear being created by the ruthless, malicious minority and the equally malicious personnel system, have molded a workforce of conformists and toadies, who will carry out every order given (regardless of legality) without question. Non-conformists, free spirits, an nay sayers are viciously suppressed. File a complaint of any kind (discrimination, sexual harassment, whistleblowing, etc.) and management will come after you with all "guns" blazing, in a "take no prisoners" effort to nail you. The result is a totally subjugated, intimidated, and badly demoralized workforce. There are few smiling faces and rarely is any laughter heard. The hallways in most buildings are so quiet they are like a funeral home. The fear level is so great you can smell it as soon as you walk into any building on the base (outside of the Navy housing areas and restaurants).

The small group of malicious, mean spirited managers and supervisors are being protected and aided by officials in the EEO and Labor Relations offices at Point Mugu and China Lake. These officials help the ruthless managers and supervisors by telling them how to retaliate against the targeted victims (whistleblowers, EEO complainants, and non-conformists) and make it appear legal and proper. They also assist in the persecution of the complainants by suppressing or delaying valid complaints.
Many complaints are deliberately and willfully delayed so long that they become legally stale and witnesses can no longer recall what happened 5 or 10 years ago, since the complaints started. They also assist the malicious supervisors and managers in getting rid of the complainants by processing the paper work, correcting obvious mistakes, and covering up the truth with falsehoods or distorted versions of events.

As stated previously, the few malicious and mean spirited managers and supervisors (the rotten 10%) are giving the good or non-malicious ones a bad name. The truly sad thing is that the good ones have remained silent and done nothing to change the behavior of the bad ones. By their silence, they are condoning the evil actions of the bad apples. The bad ones are being protected by a non-functional EEO process, which is pro-management by design, full of bias and conflict of interest. It is run in such a way as to suppress and delay complaints until allwitnesses are dead, retired, or no longer able to recall the events which took place 5 years ago or longer.

Some complaints have been on the books for 10 years, without final resolution. Most employees cannot afford to hire a competent attorney. Those who can, and who do get their cases into Federal Court, win at least 70% of the time. Federal employees are not allowed to have a jury trial, as their counterparts in private industry have. They are not allowed to go directly to the Equal Employment Opportunity Commission (EEOC), as their counterparts in private industry are allowed to do. They have to go through an internal agency administrative process which is loaded with hurdles, delays, and conflicts of interest. They are not allowed to sue the malicious supervisors directly, with rare

exceptions, because of the wording in the Tort Claims Act and the "Sovereign Immunity" doctrine. In private industry, you can sue your supervisor directly, if you are abused in any way. Not so if you are a federal employee.

Therefore, the system not only protects willful, ruthless, and malicious behavior, it actually encourages such behavior. The so called Personnel Demo system further suppresses complaints by channeling everything into the biased EEO process or the whistleblower route (which is another horror story). All other avenues of redress are either closed off or controlled completely by management. When an investigation into wrongdoing occurs, it is usually controlled by the Navy, which is a big conflict of interest. It certainly is a conflict of interest when you are allowed to investigate your self or a friend or yours, which is tantamount to how the process works. The Navy most often (with rare exceptions) investigates itself, finds no problems, then helps the base go after the dirty dogs who filed the complaints. The process works to reveal who the whistleblowers are, so that they can be targeted by those the victims complained about.

Can these allegations be proven? IF WE GET A FAIR HEARING BEFORE A NON BIASED THIRD PARTY, LIKE THE FBI OR FEDERAL GRAND JURY, MOST OF THE ALLEGATIONS CAN BE PROVEN BY A PREPONDERANCE OF THE EVIDENCE, OR BY CLEAR AND CONVINCING EVIDENCE. THE CRIMINAL WRONGDOING REQUIRES GREATER PROOF, BUT SOME OF IT CAN BE PROVEN TOO. We have mailed and faxed requests for a Federal Grand Jury or FBI investigation to Janet Reno (Attorney General), Louis Freeh (FBI director), and 20 members of Congress. Our complaint to the Congress was entitled "PETITION TO THE CONGRESS FOR REDRESS OF GRIEVANCES" and was signed by 6 employees and ex-employees. The Petition now has 12 signatures. We also sent a copy of our complaint to the Secretary of the Navy (John Dalton), who passed it to the Navy Inspector General and NAVAIR Inspector General. Congressman Waxman, who received a copy of our Petition, passed it to Congressman Gallegly (who represents most of the area around Point Mugu). He merely passed it to the Admiral who runs NAWCWPNS. Now, we are waiting for the inevitable reprisals against those who signed the first complaint, and this press release.

4. HOW TO INVESTIGATE:

A VERY thorough investigation by the FBI, the Federal Grand Jury, and the Congress, with all of our witnesses being allowed to testify, is the best way to prove all of the allegations and clean up this base where lawlessness by management has gotten out of control.

5. WHO KNOWS ABOUT THIS:

The Attorney General (Janet Reno), FBI Director (Louis Freeh), Senator Kennedy, Senator Fred Thompson, Senator Carl Levin, Senator John Glenn, Senator Barbara Boxer, Senator Dianne Feinstein, Representative Elton Gallegly (represents district where Point Mugu is located), Rep. Eleanor Holmes Norton, Rep. Constance Morella, Rep. John Mica, Rep. Henry Waxman, Vice President Al Gore, the Navy Inspector General, the DOD Inspector General, the Naval Air Systems Command IG, The Office of Special Counsel (OSC), the Merit Systems Protection Board (MSPB), the Los Angeles Times, the Ventura/Camarillo/Oxnard STAR newspaper, and a few others.

6. ADDITIONAL INFO:

To date, NONE of those named above have done anything. All of the members of Congress passed our

Petition to Congress to the DOD IG or the Navy IG or the OSC. The Navy has essentially been asked to investigate the base, by members of Congress and the DOD IG. They passed the investigation on down the chain-of-command, asking the base to investigate itself. This is a GIGANTIC conflict of interest. The base investigated itself and found no wrong doing. In the meantime, one of the victims, JULIE BUTZ, died of a heart attack (at the young age of 45). Another victim, a kidney transplant patient, is being stressed out right now, to force him to quit or resign, so management can meet their downsizing quota. If the patient dies, they will NOT give a damn. The only thing that counts is meeting their monthly quota for downsizing. One of the Petition signers, DANNY LING (Chinese engineer) is being hounded and harassed very badly, to the point of nearly having a nervous breakdown, because he dared to sign the Petition to Congress. Other signers, who still work at the base, including JOHN JAY, BILL SOWELL, and ULYSES FARLEY have been put under VERY close surveillance by the base police and management administrative types, who watch every move we make, waiting for us to violate one of the 3,000 or so rules they have, so they can fire us or force us to resign or retire against our will.

If you want more details, write to or call one of the co-founders of the **Navy Employees Against Abusive Treatment (NEAT)** listed below.

	JOHN JAY	BILL SOWELL
	2440 W. Hemlock St.	5908 Heritage Place
	Oxnard, CA 93035-3361	Camarillo, CA 93012
Phone:	(805) 985-0273	(805) 987-2301
FAX:	(805) 985-0503	(805) 987-2301
E-mail:	JJay943@aol.com	wsowell@vcnet.com

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Report blasts job cuts at Mugu

Inspector General's Office says Navy discriminated against older workers

By Raul Hernández
Staff writer

Top civilian managers at the Point Mugu and China Lake Navy bases inappropriately, and perhaps illegally, cut more than 300 civilian jobs last year, according to a Navy probe into complaints that officials unfairly targeted older workers.

The report, by the Naval Air System Command's Inspector General's Office in Washington, D.C., contends these civilian managers also tried to stop the investigation into employee claims that officials rigged a job performance rating system by routinely posting poor reports for older employees.

The report, finished in April, was obtained this week by the Ventura County Star.

The Navy bases reduced the work force last year as part of the Pentagon's ongoing efforts to save billions by changing the way military bases do business.

Naval civilian managers have repeatedly maintained that employees were treated fairly during the so-called reduction-in-force, or RIF, job cuts and reclassifications.

But the Inspector General's 16-page report disputes this. It concludes that managers treated employees unfairly, engaged in a cover-up and ordered the IG's top investigator, Harry L. Carter, to stop the probe and destroy his findings.

Carter, however, refused to do so.

"It is impossible to conclude anything else except that the employees were not treated fairly during the RIF and possibly even treated illegally," Carter wrote in his report.

Carter said his investigation team, along with EEOC and Human Resources officials, were told repeatedly last year by an "overwhelming number" of employees that the RIF had major flaws.

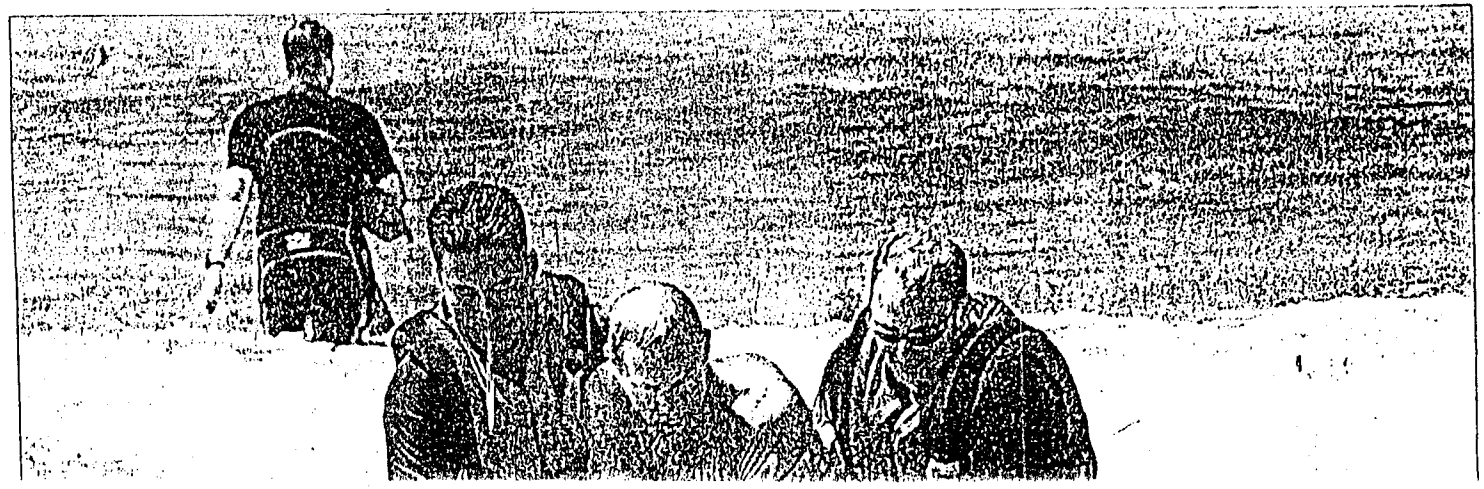
"People focus" sessions at Point Mugu and China Lake were held to deal with the reduction of jobs and to gauge morale.

But shortly after the meetings, base managers at the personnel department said reduction-in-force concerns and issues were never raised by employees at the meetings.

Please see **NAVY** *on* **A6**

Mother will have new trial in death

PREPARING FOR THE REAL THING



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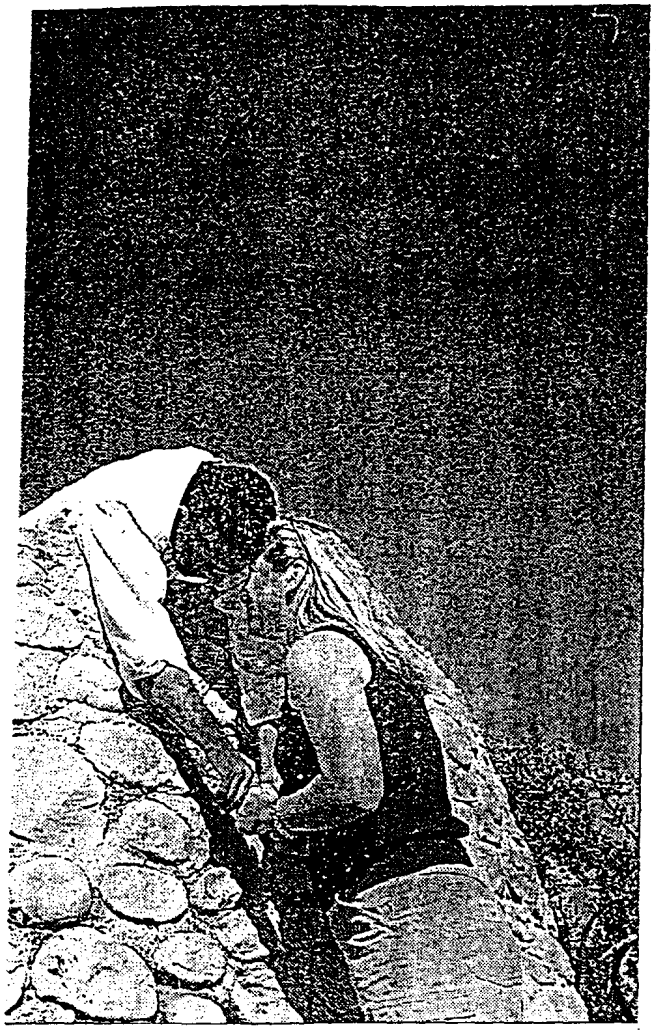

Staff photo by **Matt McClain**

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judge stood

began working together, Copple said, late-night juvenile crime dropped by 67 percent in two months.

That is the kind of coordination the Little Hoover Commission is hoping to develop in California, but commissioners repeatedly expressed frustration at the state's helter-skelter approach.

They upbraided the Office of Criminal Justice Planning for failing to evaluate existing crime-prevention programs and for not making broadly available information about programs that work.

"Dozens of agencies administer funding for hundreds of local programs designed to prevent youth violence," Chairman Richard Terzian said. "But efforts are often uncoordinated, difficult to quantify and the out-

NAVY: Report cites age discrimination

Continued from **A1**

Carter said he met in April 1999 in Washington with top civilian officials at the Naval Air Systems Command, and advised them to hold off on additional job cuts scheduled for November, pending the conclusion of the IG investigation.

But these officials, including Richard A. Findley, assistant commander for corporate operations, and Linda E. Eldridge, supervisory management analyst, ignored his advice, Carter wrote.

"(Findley) did nothing and let perhaps dozens of innocent ... employees be unfairly impacted by RIF," Carter said.

Carter declined to talk about the investigation Thursday, saying Navy rules require reporters to first go through the Navy's Public Affairs Office. Findley is retired and couldn't be located.

Lola Hilton, spokeswoman for the Naval Air Systems Command in Washington, D.C., referred questions to Steve Boster, head of public affairs at Point Mugu.

Boster, in turn, said he would fax any questions back to Washington.

He said it would take time to prepare a response to the report. "We are not prepared to make any comment at this time beyond that."

Discrimination suits

Many employees who lost their jobs have been very vocal, filing grievances and lawsuits, and writing letters to Congress complaining about the personnel system they claim discriminates against older workers.

Carmichael Smith-Low, an attorney representing 57-year-old John Jay, who lost his electronic engineer post at Point Mugu after 32 years, said it's no secret what base officials intended.

"The purpose was to get rid of the deadwood, which translated into getting rid of the old people," he said.

Ironically, Carter contends in his report that command management was banking on the premise that employees affected by RIF wouldn't be smart enough to successfully challenge the Navy.

"Basically, a decision was made by these command officials that if any employee tried to challenge the validity of RIF, they would not be smart enough to bring up the right issues to cause us liability in court," Carter

Zellner concludes in a three-page 1999 statement that there existed a "disparate impact discrimination against older workers" in the pay-for-performance scores from 1992 to 1998 at the Naval Air Warfare Center Weapons Division, Point Mugu and China Lake.

Futoran explained that some military bases and federal agencies, including Point Mugu and China Lake, have for years cut jobs through a personnel system that scores job performance higher than seniority or veteran status.

The idea, he said, was to rid the federal government of lazy, unproductive workers.

"There is nothing wrong with the theory," Futoran said.

But now, he said, the federal government wants to broaden the use of this job performance system to implement RIF job cuts.

The problem, he said, is that this leaves too much control to managers, who can use it to give higher ratings to young workers and dole out poor performance scores to older workers.

"This system gives managers all sorts of authority that they did not have before, and they have skewed the (RIF) results," Futoran said. "There are actually ramifications nationwide."

Cover-up attempt

Carter wrote that the top civilian brass wanted to wrestle the investigation out of his hands in February and put it into their domain. Carter stated in the report that this move was an attempt to cover up his findings.

"The report would then not be releasable to complainants/or those interviewed during the investigation," Carter surmised in the report.

When this didn't work, Carter said civilian officials and base lawyers began to question the validity of the Inspector General's investigation.

"Legal expressed the opinion tha the findings of the investigation ha not been substantiated so, therefor were not legitimate findings. Durin this meeting (Findley) reiterated hi position that he was never full briefed as to what our (investigativ team) findings were. Both precedin comments struck (and still strike) m as amusing," Carter wrote.

Carter stated he told his detractor that he's conducted many similar i vestigations for the Navy over near

7 a.m.
ent, the
irts —

— Timm Herdt's e-mail address is Herdt@insidevc.com.

will be under house arrest

The Associated Press

Wen Ho Lee being led by an FBI agent on Dec. 10 ome on charges of downloading classified material.

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overnment,

confinement in a prison in Santa Fe, N.M., had been shackled until recently for his brief periods in an exercise yard, is shackled when he travels to the courthouse to work on his case with his lawyers, and can see his family for one hour a week, and then only with a law enforcement official close at hand.

Although the government has insisted in several hearings that Lee was engaged in what amounted to one of the most serious cases of espionage since the dawn of the nuclear era, he is not actually charged with spying in his 59-count indictment. He was investigated for several years on suspicions that he passed secrets on a sophisticated warhead to the Chinese government, but prosecutors now say there is no evidence for this and they will not raise the matter at trial.

Lee is charged with illegally downloading

said.

But instead, Jay and other employees, former and current, hired attorneys, filed appeals and lodged age-discrimination suits.

Jay alleges in his lawsuit that those who got low job performance ratings were given pink slips or put in the so-called available talent pool, "the Corporate Resources Availability Program List or CRAP List." He alleges this list contained a disproportionate number of older workers, disabled workers and those who filed complaints with the Equal Employment Opportunity Commission.

Jay's suit, which is pending, alleges age and disability discrimination. He is seeking more than $1 million in damages. Jay is appealing his job loss with the Merit System Protection Board in Washington.

Navy management maintains he voluntarily agreed to leave the post.

Job performance

To shore up discrimination claims for the lawsuit, Jay's lawyers, Smith-Low and Jack Futoran, hired economics-discrimination expert Harriet Zellner, a professor at Rutgers University.

"I have never been questioned by legal on any other investigation," he said.

Carter stated in the report that Findley and others then began attacking his character.

Findley accused him of having a "hidden agenda" and of "inventing problems" where they didn't exist. Carter also was accused of "falsifying the investigation by intentionally asking misleading questions in order to get the results we wanted," the report states.

Carter said he told Findley that it was "impossible" to falsify the results. Findley backed off, the report states, but told Carter and his team of investigators to suspend their investigation until he talked to base lawyers about who should be conducting the IG RIF investigation.

Carter backed off.

Findley, however, never gave Carter and his team the green light to proceed, Carter said in his report. And Findley allowed the job cuts to proceed on schedule.

— Raul Hernandez's e-mail address is rhernandez@insidevc.com.

JOSELIN: Tot's mother to be retried

Continued from A1

couple, the appellate court decided.

While overturning Gabriela's case, the court affirmed her husband's conviction.

Gabriela Hernandez, 22, was sentenced to 15 years to life in prison for second-degree murder. She continues to serve time in state prison for felony child abuse convictions that were not overturned.

She will be transferred to Ventura County Jail in the near future and a new trial will be scheduled, probably sometime in the next few months, Holmes said.

Prosecutors will not oppose allowing testimony from doctors who found that she suffered from battered woman's syndrome, Holmes said.

The appellate court "clearly mandated that the experts should take the stand," he said.

During the first trial, a psychiatrist and clinical neurophysiologist were ready to testify about a series of tests they performed on the Oxnard woman, according to court

it was necessary to comply with her husband to avoid further violence to Joselin.

Ines Monguio wrote that Hernandez "perceives herself as powerless and helpless. While living with Rogelio, she knew that resistance would be useless or would bring even more damage to herself and Joselin."

In its decision, the appellate court said such testimony could have shown that Gabriela Hernandez possessed neither the malice nor the intent needed for a murder conviction.

Any defense of Hernandez will have to overcome evidence that she not only stood by silently while her daughter was abused but also helped cover up the abuse.

That abuse began when Joselin was only weeks old, when a trip to the hospital revealed nine broken ribs, third-degree burns and fractured ankles.

She was removed from the home by county social workers, but returned to her parents two months before she died.

During these months, soci

SCRIPPS HOWARD

8 sections ▪ 130 pages

Navy will review job bias charges

CUTS AT MUGU, CHINA LAKE:
Admiral promises to start independent study.

By Raul Hernandez
Staff writer

Navy officials are going to seek an independent review of allegations raised by employees at Point Mugu and China Lake concerning a personnel system that workers say was tainted — and ultimately cost them their jobs.

Several employees contend officials rigged a job performance system, tabbed the Demonstration Project, by routinely posting poor reports for older employees.

Rear Adm. Jeffrey Cook, the new vice commander of the Naval Air Systems Command, said Friday in a one-page press release that the Navy will investigate the employees' concerns.

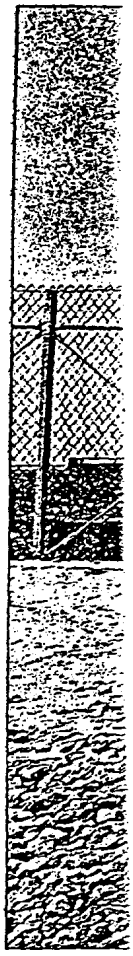
"NAVAIR is dedicated to being fair to all of its employees, and we take these concerns at the Naval Air Warfare Center Weapons Division very seriously," he stated.

Please see **NAVY** *on* **A6**

Boxer speaks

Senator says she's shocked by allegations that Navy tried to cover up misconduct involving job cuts at two bases. — **A6**

Nurses argue understaffed



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NAVY: Review

Continued from **A1**

"The Demo Project is a performance-based personnel system that has been at China Lake for many years, and more recently introduced to Point Mugu.

"There has been a great deal of management attention given to the Demo Project and the recent Reduction in Force process issues at NAWCWD.

"That management attention is continuing. However, to ensure that we are doing the right thing, we have decided to seek independent review of any allegations raised."

Steve Boster, spokesman for Point Mugu and China Lake, said he couldn't say who will conduct the review, when it will be conducted or how long it will take.

"Don't have that yet," he said.

Navy bases reduced the work force last year as part of the Pentagon's ongoing efforts to save billions by changing the way military bases do business.

Point Mugu and China Lake cut more than 300 jobs.

Naval civilian managers have repeatedly maintained that employees were treated fairly during the so-called reduction-in-force, or RIF, job cuts and reclassifications.

But many employees who lost their jobs or were demoted to lower posts have been very vocal about it, filing grievances and lawsuits, and writing letters to Congress.

Navy Command, in response to employees' complaints, put together an investigative team last year headed by Harry Carter, who is also an Equal Employment Opportunity manager at the Command.

In his 16-page report, Carter wrote that he believes many of those who lost their jobs were treated unfairly, and perhaps illegally.

Although Carter's report never directly addresses the issue of whether the Demonstration Project was tainted, it notes that some 200 employees were interviewed and "an overwhelming number" had lodged complaints about the performance rating system.

The report also alleges that the civilian managers engaged in a cover-up, abused their authority, attacked the probe's validity and as a last re-

and as a last re-

Boxer speaks

Sen. Barbara Boxer, D-Calif., said Thursday that she was shocked by allegations of misconduct and cover-up by civilian managers at Navy bases at Point Mugu and China Lake.

She said she became aware of the allegations through her constituents and has been in contact with Navy officials this summer, according to her spokesman, Matthew Kagan.

"The charge of cover-up and attempted destruction of records clearly takes the allegations to the highest level of concern," Kagan said, reading Boxer's statement. "I plan to follow these charges with the Department of Defense, immediately."

pending RIF cuts in November until the IG investigation ended.

But before he could finish his report, Carter wrote, he was told by Findley to suspend the investigation until Findley could determine whether Carter had the authority to conduct the investigation.

Findley never got back to Carter, however, and allowed the job cuts to continue.

Employees sent petitions in 1998 to 25 members of Congress, including Rep. Elton Gallegly, R-Simi Valley.

In 1999, workers sent petitions to 50 members of Congress, including Gallegly and Sen. Barbara Boxer, D-Calif., according to former employee John Jay, 57.

The petition, which contains 35 signatures, alleges problems with the personnel system, age discrimination, favoritism, Navy officials churning out misleading reports about the popularity of the Demonstration Project, low morale as a result of this personnel system, and the removal of workers' appeal rights.

Jay, who filed a lawsuit after his electronics engineer job was cut, said federal lawmakers, with the exception of Boxer, simply turned over their allegations to the Navy.

"All he's (Gallegly's) done is give it to the Navy, so they can go ahead and continue to investigate themselves," Jay said.

Cook questioned Carter's integrity.

"The comments were made in an effort to intimidate me to 'back off' the investigation's findings," Carter wrote.

Further, Carter wrote, he was ordered by the command's civilian managers to stop the investigation and destroy his findings.

"The purpose of any investigation is to find the truth," he wrote. "Once found, it is inappropriate and against Title VII regulations to 'water down' or ignore the truth because of any circumstance (embarrassment and/or liability)."

Carter wrote that he advised Richard A. Findley, assistant commander for corporate operations, in April 1999 not to go forward with

Tom Pfeifer, spokesman for Gallegly, said his office doesn't have a copy of the IG report.

"We will review it," he said.

Pfeifer said Gallegly's office will take action if it is deemed necessary. Pfeifer said he can't comment on Jay's remarks about the petition to Gallegly unless Jay signs a release.

Specific reporter's questions about the findings in Carter's report were faxed Thursday to the Command by Boster but they were not addressed by Cook in his statement.

"At this point, we have no other comments other than the statement that was issued," Boster said.

— Raul Hernandez's e-mail address is rhernandez@insidevc.com.

EMERGENCY ROOM: Nurses call for competi

Continued from **A1**

care, many patients ended up in waiting rooms, unattended.

"We don't get to take a break, go to lunch, use the bathroom or get a drink of water because we're taking care of patients," Hunter said.

Hospital officials, however, said Monday's incident is not an everyday occurrence. They also said that one critical care nurse was assigned to the emergency unit to help as part of a contingency plan that is in place.

"There were busy times in the ER on Monday and there's no doubt our nurses worked very hard," Rita O'Connor, hospital spokeswoman, said. "The hospital is staffed for normal volumes. When situations changed, supplemental staff was brought in. St. John's has a busy ER, typical of what you'd find in most ERs. Volumes are unpredictable and fluctuate."

According to officials with Ventura County Emergency Medical Service, there are times when all hospitals need to put some patients on the back burner.

"There are varying degrees of severity in the condition of the patient having strokes or seizures," Barbara Brodfuehrer, EMS administrator, said. "The staff would take all those things into consideration when they have to choose what patient to treat first."

The nurses agree, but stress this shouldn't happen as often as it does.

Cardiologist Richard Rothschild, who sees many patients at St. John's although he is not employed there, was a witness to Monday's scene.

"Things were pretty crazy and I don't think it was different from many other

Navy job cutbacks earn new scrutiny

FIRINGS: *Two probes to determine if Mugu, China Lake actions were discriminatory.*

By Raul Hernandez
Staff writer

The National Academy of Public Administrators will review the Navy's personnel system at the Point Mugu and China Lake bases to determine whether a disproportionate number of women, minorities, older workers and employees with disabilities lost jobs or were demoted as a result of last year's job cuts, according to Navy officials.

However, Rear Adm. Jeffrey Cook, vice commander, Naval Air Systems Command, stated in a press release Monday that the Navy inspector general will look into the separate and more serious allegations raised in a Navy report released in April through the command's own investigator, Harry Carter of Washington, D.C.

"NAVAIR is dedicated to communicating with the work force about the findings of the final report and actions, if any, which will be taken as a result," Cook stated.

Carter found the job cuts "highly questionable" and issued a thick and scathing report that criticized how employees were fired, demotions handled, and questioned the tactics and motives of top-level managers.

Carter and his investigative team also alleged that top civilian officials engaged in a cover-up and abused their authority, questioned the probe's validity, and even attacked Carter's integrity. Carter said he was ordered to stop the investigation and destroy his findings.

Navy officials have adamant-

Marsu madne Ventur

UNWELCOME: *One the growing population is to cat food left outside*

By Charles Levin
Staff writer

Donna Curry thought feral cats w managers at the Ventura Marina Mc the traps. Instead, she found an opo side the trap one morning.

Curry's not the only one at the tell you a story about the beady-eye population there has been growing fo off lately.

"Everybody has had some type of here," Curry said. "I think the op

Staff photo by

CAUGHT RED-PAWED: A
opossum caught in th
escorted out of an O
residence.

Thompson found the su
can.

Despite the increase
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Feral cats at the mo
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Tripp takes the ca
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Theories abound
neighbors who leave
rule. But Tripp know

Tripp speculated
trict to catch mice ar
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Navy officials have adamantly denied the allegations, contending that they don't discriminate. But two reports issued by top managers projected that reductions in force or RIFs at the Navy bases last year would have a disproportionate impact on women, minorities, older workers and employees with disabilities. Navy officials wound up cutting more than 180 jobs.

The Navy has refused to provide a demographic breakdown of the workers let go.

Attorney Jack A. Futoran, who represents six fired workers, said there is no need for another Navy probe. However, he said the Navy doesn't like Carter's findings and ignored his report. Now, Futoran said, Navy officials, under pressure from some congressional rep-

Please see **NAVY** *on* **B2**

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The city of Ventura, county Commission on Women, Ventura Adult Education and the Senior Employment Business Advisory Council are sponsoring the job fair.

More than 50 employers will be represented, and people should bring resumes. Admission is free and no reservations are needed. Call 654-7745 for more information.

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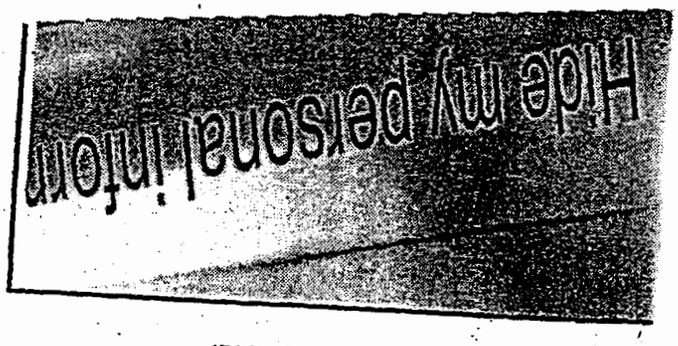
OJAI

Design for new park ready for review by public

An advisory committee will hold a workshop Wednesday night to get public input on final design plans for a new park in Ojai.

The workshop begins at 7:30 p.m. at Ojai City Hall, 401 S. Ventura St. For more information, call 646-5581.



NAVY: 180 workers fired

Continued from **B1**

resentatives, are getting the Navy Inspector General's Office to whitewash Carter's serious allegations.

"In the past, nearly every Navy investigation has come out the way they wanted, regardless of the truth," he said. "I think it still shows that they still just don't get it."

Futoran said this independent review should have been conducted last year, when Carter warned the Navy about possible legal and other ramifications if it went ahead with the pending job cuts.

Matthew Kagan, spokesman with Sen. Barbara Boxer, D-Calif., said, "(Boxer) is very concerned about the situation and will be watching this investigation closely."

Boxer is also asking the Department of Defense to step in and investigate Carter's allegations.

The Academy of Public Administrators, a nonpartisan organization chartered by Congress, will conduct "an independent review of the alternative personnel management system" — known as the Demonstration Program — used at by the Navy Point Mugu, China Lake and White Sands, N.M. facilities.

Cook stated that a final report with recommendations and findings will be released in 120 days.

"There will be no further interviews regarding this issue while the review team conducts its work," Navy spokesman Barry McDonald said a statement. "That would be inappropriate."

Meanwhile, Chris Brouwer, spokesman with the Academy of Public Administrators in Washington, D.C., said the nonprofit group finished another report two or three weeks ago for the Navy concerning its civilian personnel management system.

"It has not been officially released," Brouwer said.

Brouwer said he didn't know whether the Academy of Public Administrators is doing a follow-up on that report at Point Mugu or China Lake.

Brouwer referred specific questions about the report to Frank Cibolla, who is the director of human resources and management with the Academy of Public Administrators.

Cibolla couldn't be reached for comment.

Many of the civilian employees who were fired or demoted have complained Navy civilians and officials rigged a personnel system to routinely post poor reports for older workers, minorities and handicapped employees to target and fire or demote them.

Carter said in his report he interviewed 150 employees and 70 supervisors at Point Mugu and China Lake about the personnel system.

"A view of the entire portrait (as brought out in the interviews) clearly documents interviewed supervisors stating the 'system' has forced them to adversely affect some of their employees by giving them less than they deserve," Carter noted in his report.

Even in light of the Navy's contention that it doesn't discriminate, Carter said, any system, including the Demonstration Program, that appears to be "neutral" nevertheless might also be illegal if it has "an adverse impact" on minorities, women, handicapped or older workers.

Oxnard c

By Raul Hernandez
Staff writer

The Oxnard City Council is considering selling 14 acres of municipal land, and the Community Development Commission agreed to sell a chunk of downtown real estate for $1 million.

A recent "strong demand" for vacant land has prompted city staff to determine the feasibility of selling the property, according to city records.

Mayor Manuel Lopez said there aren't any plans to begin selling a lot of city land. He said the staff looks at land throughout the city and determines whether the city needs to continue hanging on to it or sell it.

Councilman Tom Holden said the city shouldn't be in the real estate business. He said property the city has should be for public use or sold so it can be put on the tax rolls.

Lopez said the city also can use

Investigators su alcohol in fatal

From staff reports

An Oxnard man killed when his out-of into a utility pole in El Rio might have the crash, investigators said Monday.

Arturo Murillo Aguirre, 23, died in which occurred about 10:20 p.m. Sund one-half mile south of Central Avenue, Medical Examiner-Coroner's Office r Monday indicated the cause of death wa injuries.

Aguirre was driving at a high rate o control, said California Highway Patrol (

The northbound car veered off the r utility pole. The car's front end was sl about 30 feet. The rest of the car, with ed inside, was stuck on the pole, Webb the car, was dead when rescue workers

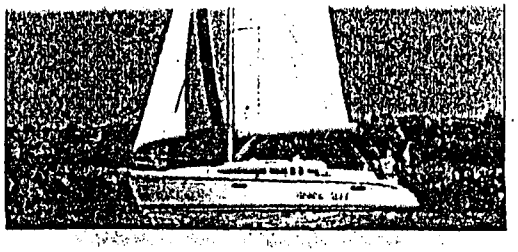
Investigators noticed a strong alcoho said, but they can't determine if he was fluence until blood tests are completed

Aguirre is survived by his mother, E but names of other relatives were not man lived with his mother, reported which did not know his occupation.

Funeral arrangements were being n ary in Oxnard.

CORRECTION

A story on Monday about a new law r interest by public officials contained i AB1838 is a legislative directive and



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Former Navy employees to air grie

REDUCTION IN FORCE:
Some ex-employees doubt review will be any benefit to them.

By Raul Hernandez
Staff writer

Disgruntled former Navy employees who lost their jobs last year as a result of a reduction in force at Point Mugu and China Lake will have a chance to air their grievances beginning Monday.

But at least one worker is skeptical it will make any difference.

"It could be the real thing or it could be a delay tactic, which is the Navy's standard operating procedure until a lot of people forget or die," said Ron Porter, a Point Mugu computer technician for 25 years who was let go as part of the Navy's reduction in force, or RIF, last November.

An eight-member team from the National Academy of Public Administration's Center for Human Resources Management will be on the bases for five days conducting interviews with current and former Navy employees. NAPA is a Washington, D.C.-based nonprofit organization chartered by Congress to improve government at all levels.

Attorney Jack Futoran, who represents 10 people affected by RIF, believes the NAPA team will conduct a fair review of the performance-rating process, or Personnel Demonstration Project, used to determine which employees would be terminated or reassigned.

Critics say the system unfairly targeted minorities, women, older workers and people with disabilities. Many of the nearly 200 people who lost their jobs or were demoted have been very vocal, filing grievances and lawsuits, and writing letters to Congress.

Naval civilian managers, however, steadfastly maintain that al employees were treated fairl during the job cuts and reclassifi cations, part of the Pentagon's ef fort to save billions by changin the way the military does busi ness.

Navy spokesman Steve Boste didn't return calls seeking com ment on the NAPA review.

Harriett G. Jenkins, NAPA pro ject leader, also would not com ment on the review, but in an Oct 27 letter to RIFed employees, sh

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WEST COUNTY

Inside

Looking Back — B3

Scooter laws — B4

Sheen visits county — B5

Milestones/obituaries — B6

Opinion — B7

mployees to air grievances

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Navy spokesman Steve Boster didn't return calls seeking comment on the NAPA review.

Harriett G. Jenkins, NAPA project leader, also would not comment on the review, but in an Oct. 27 letter to RIFed employees, she said NAPA wants to make sure the system didn't result in "improper treatment" of current and former workers based on age, race or other inappropriate distinctions.

Although he thinks the review will be fair, Futoran said he was concerned NAPA team members might not connect all the dots and get a complete picture of the way people lost their jobs.

He compared the NAPA team

Please see **GRIEVANCES** *on* **B10**

"I feel OK; we feel saved. I was scared. I just thought of my

GRIEVANCES

Continued from **B1**

to eight blindfolded people looking at different parts of an elephant, i.e. its leg, trunk, ear and mouth, instead of the entire animal.

"No one is going to realize that they are talking about one elephant," he said.

Futoran also noted that some employees who were going to be fired were offered a government incentive of $25,000 to voluntarily leave their jobs.

"I have a client who they told, 'you are going out Nov. 19 (1999) either with or without the $25,000,' " Futoran said.

He said some workers accepted the money to make mortgage payments and support their families — and then their names failed to show up on the bases' final tally of RIFed workers, thus skewing the numbers.

Futoran also accused local Navy officials and civilian managers of hiring new employees and job recruiting for engineers and technicians at California State, Northridge, instead of rehiring the RIFed workers.

He predicted the Navy would hire more new workers after today, the date when RIFed employees are taken off a national federal job registry set up as a requirement by the Department of Defense.

The Navy, meanwhile, will launch a separate inquiry into a rash of allegations made by Navy investigator Harry Carter following his investigation of how the RIF process was handled locally, according to Rear Adm. Jeffrey Cook, vice commander, Naval Air Systems Command.

Carter's report, released in April, found last year's job cuts to be "highly questionable" and possibly illegal. The report criticized the way employees were fired and demoted, and questioned the tactics and motives of top-level Navy civilian managers.

Carter's report also alleged Navy managers engaged in a cover-up, abused their authority, questioned his probe's validity and attacked his integrity. Carter said he was ordered to stop the investigation and destroy its findings.

— Raul Hernandez's e-mail address is rhernandez@insidevc.com.

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Editorials

Navy must explain base layoff policy

UNFAIR: *By stonewalling, military gives credence to charges of discrimination.*

Like other major employers, the military finds it necessary from time to time to lay off civilian employees. Although it does not compete in the marketplace of goods and services the way profit-seeking businesses do, the various service branches are not immune to economic forces: Their budgets fluctuate at the whim of politicians, and falling revenue forces managers to cut costs.

But if the military is not immune to economic forces, neither is it exempt from federal discrimination statutes. When it fires people, it must do so in a way that respects their civil rights.

It appears that top civilian managers at the Point Mugu and China Lake naval bases chose to disregard that obligation last year when they lopped more than 300 jobs from the payroll. According to a report by the Inspector General's Office at the Naval Air System Command, a disproportionate number of the workers who lost their jobs appear to have been minorities, women, disabled or older than average.

It's illegal to fire people because of their age, race, sex or disability.

Managers have denied they did anything wrong, but they have refused so far to release data that would prove their contention. Until they do, it is fair to assume that the inspector general's allegations — which mirror those in a slew of wrongful-termination lawsuits facing the Navy — are accurate.

Even if the civilian managers did not single out people and fire them just because they were old, or female, or black, or whatever, a policy that has a disproportionate impact on such groups is still unacceptable. And two months before the firings began, Navy analysts warned that the process managers were about to launch would have just such a disproportionate impact.

The inspector general's report also accuses top civilian managers of attempting to orchestrate a coverup of the investigation. If that's true, it is as reprehensible as the misdeed being alleged.

Military secrets are defensible if national security is at stake. That's not the case with the charges of discrimination at Mugu and China Lake. It's time for the Navy to either prove that the termination policies were fair, or to acknowledge that they weren't, apologize and provide proper compensation for those who were wronged.

Sen. Barbara Boxer has already asked the Department of Defense to investigate. If the Navy keeps stonewalling, the area's representatives in Congress, Rep. Elton Gallegly and Rep. Brad Sherman, should also start twisting some arms.

Problem needs fixing

Let's hear it for U.S. District his judicial powers to set things

Surviving

HILLARY CLINTON: *First lady showed she's tough in the middle of a tough fight.*

BUFFALO, N.Y. — Hillary Rodham Clinton was feeling on top of the world. She had a flawless makeup application. She wore a new teal suit that made her look like a million dollars. Even her aides were wowed.

And she had just knocked out her Democratic primary opponent, a surgeon from New York City, with political ether, getting 82 percent of the vote, making her the first American presidential spouse to win an election.

Then came the question in her first political debate with her GOP opponent Rick Lazio, a Long

Ex-Navy workers get to sound off

REVIEW: *Team from nonprofit group follows up on complaints about job cuts.*

By Raul Hernandez
Staff writer

Former Navy employee Andy Prokopow said he's pleased he had an opportunity to air his grievances against his old boss, the Naval Base Ventura County, which gave him a pink slip last year.

Prokopow was one of several former Navy workers who lost their jobs in November 1999 as a result of a reduction in force at Point Mugu and China Lake, and who were interviewed recently by an eight-member team from the National Academy of Public Administration's Center for Human Resources Management.

"It (the interview) went very well, actually," Prokpow said. "They were very, very nice to me."

NAPA, a Washington, D.C.-based nonprofit organization chartered by Congress to improve government at all levels, is reviewing the fairness of the Navy's so-called Demonstration Project, a 20-year-old system at the China Lake and Point Mugu bases that stresses job performance rather than seniority.

Harriett G. Jenkins, NAPA project leader, couldn't be reached for comment.

Steve Boster, spokesman with Naval Base Ventura County, said the Navy will not comment on the NAPA review until a report is issued. That date has not been released.

Ron Porter, also let go in November 1999, said NAPA interviewers asked him a lot of questions about how to fix the personnel system.

"They did seem to be concerned about being very thorough with the interview," he said.

Porter, however, expressed skepticism about the review, as opposed to Prokopow, who remains optimistic.

"I am always skeptical of an investigation, although I hope they are fair," said Porter, a former computer assistant at China Lake.

Prokopow said he thinks NAPA officials will identify some "shortfalls" in the personnel system.

"But whether or not they (Navy officials) are going to do anything about it, that's another question. I am optimistic that the NAPA report is going to be accurate," said Prokopow, a former airborne-telemetry engineer at Point Mugu.

Critics say the system unfairly targeted minorities, women, older workers and people with disabilities. Many of the nearly 200 people who lost their jobs or were demoted have been very vocal, filing grievances and lawsuits, and writing letters to Congress.

Naval civilian managers, however, steadfastly maintain that all employees were treated fairly during the job cuts and reclassifications, part of the Pentagon's effort to save billions by changing the way the military does business.

Nonetheless, the Navy's Inspector General's Office is conducting a separate investigation into a report by a team of Navy inspectors critical of the way employees were fired and demoted. The report questioned the tactics and motives of top-level Navy civilian managers who proceeded with the RIF despite concerns raised months before by supervisors at China Lake and Point Mugu.

According to a three-page memo from Navy inspectors Harry Carter, Gwendolyn Hicks and Ernestine Briscoe to Navy officials, "... of the supervisors who voiced their opinions, all felt that the RIF was (implemented) to 'replace old employees with young ones, most noticeably, recent college graduates.' It should be noted that it was observed that even the supervisory/managerial participants who did not verbally comment on this subject (replacing an older work force with a younger one) basically agreed with the premise of those who did by nodding in agreement as they listened."

— Raul Hernandez's e-mail address is rhernandez@insidevc.com.

Donor advocates supporting social service

From staff reports

Jacqueline R. Niland gave to the Bellringer campaign this year because she believes Americans follow her lead to help create an America void of

with the newspaper publishing lists of readers' contributions daily. Though the newspaper acknowledges all contributions,

Today's total: $130
Previous: $365
Grand Total: $495

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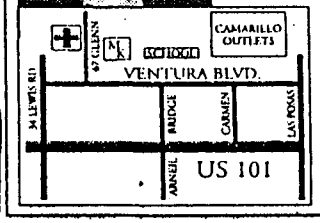

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IF SO SPANISH HILLS
DOCTORS VICTOR ALCOCER,
ROBERT O'HARA AND
HANS VON TRAMPE
ARE PLEASED TO ANNOUNCE
THEIR NEW PHYSICIAN.
KSENIJA PEHARDA, M.D
Internal Medicine

Navy job cuts don't last long

Report: Almost as many hired as lost jobs

By Raul Hernandez
Staff writer

The Navy cut more than 300 jobs last year to save millions of dollars at Point Mugu and China Lake. But, so far, it has hired more than 270 new workers on these bases, according to data released by Navy officials.

Information released by the Navy on Friday shows that a total of 348 workers lost their jobs, were reassigned or demoted as a result of the reduction in force plan at China Lake and Point Mugu last year. The Navy then turned around and hired 276 people on the two bases between March 1, 1999, and Aug. 31, 2000. China Lake hired 203 workers and Point Mugu, 73. These positions included aerospace engineers, electronics engineers, ordnance equipment mechanics, physicists, accountants and a computer clerk.

Navy officials and civilian managers have come under fire from former employees who claim the Demonstration Project had a disproportionate impact on women, minorities, handicapped and older workers.

Attorney Jack Futoran, who represented six civilian workers who were fired or demoted under the Navy's Personnel Demonstration Project, a performance system, said the numbers clearly indicate that they were letting older workers go to hire younger employees.

"We are not trying to change the total number of people, we are trying to get rid of the older Point Muguvians and hire younger people at China Lake," he said.

Of the total 348 employees affected by the project and the standard civil service procedures, 265 were over 40; 59 were Hispanic; 41 were handicapped; and 137 were female.

Of the 102 who were affected by just the demonstration project, 79, or 74 percent, were over 40 years old; 23 were minorities; 30 were females, and 14 were handicapped.

A few of the people released or reassigned were at White Sands, N.M., which was part of the program.

Navy officials met Thursday to explain to supervisors at Point Mugu and China Lake the employee demographic breakdown of those who were let go in the Naval Air Warfare Center Weapons Division's RIF.

Steve Mendonca, Naval Air Warfare Center Weapons Division director, gave the presentation and explained the data, which included demographic information on the employees who were hired.

On Friday, Steve Boster, spokesman for the Weapons Division, was tight-lipped about the demographic data, the RIF and other employment information.

"We have no comment. We are waiting (the National Academy of Public Administrators) to review the system to see that we did it correctly, and if the system works the way we think it did. We present the figures and they speak for themselves."

The academy, a nonprofit organization, is expected to conduct a review of the personnel system that was used at Point Mugu and China Lake.

The Navy bases reduced the work force last year as part of the Pentagon's ongoing effort to save billions by changing the way the military does business.

The Navy's own investigator, Harry Carter, of Washington, D.C., and his team wrote a critical report that described the Demonstration Project as "highly questionable" and possibly illegal in the way employees were fired. He also accused Navy officials of engaging in a cover-up; abusing their authority; questioning his integrity and deceiving Navy higher-ups. Carter said he was ordered to stop his investigation and destroy the findings.

— Raul Hernandez's e-mail address is rhernandez@insidevc.com.

Police arrest two alleged burglars

From staff reports

Two Camarillo men were arrested Friday evening after leaving a Ventura department store in the Pacific View mall without paying for goods, police said.

David Mora, 23, and Sergio Mendoza, 19, were arrested on charges of burglary.

Mora and Mendoza fled on foot.

Ventura police officers eventually arrested the two suspects after a lengthy pursuit.

Officers reported that the stolen property was recovered.

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A BRIEF SYNOPSIS OF WHAT HAPPENED TO JOHN JAY AT NAWCWD, POINT MUGU AND WHY

WHO: I am John Jay, former GS-12 (DP-3) Electronics Engineer who was employed at the Naval Air Warfare Center, Weapons Division (NAWCWD), Point Mugu, from 1985 to 1999. I worked for the Department of the Navy at other bases from 1974 to 1985. I served in the Navy, in uniform, during the Vietnam War, and was briefly in Vietnam itself, during the summer of 1967. I served on two different ships while on active duty, and was discharged (Honorably) in 1972. Between 1974 and 1985, while working for various commands in San Diego and Port Hueneme, California, I visited roughly 60 different Navy ships, including the Battleship New Jersey (BB-62). I was on "INSURV" Teams, Tech Assist Teams, Combat Systems Ship Qualification Testing (CSSQT) Teams, and a PACFLT Link 11 Groom Team.

WHERE: Point Mugu, California, Naval Air Warfare Center Weapons Division (NAWCWD)

WHEN: 1995 to 1999

WHAT HAPPENED: Starting in 1995, I began to blow the whistle on many management abuses of civilian personnel civil rights and human rights at NAWCWD Point Mugu. Of the more than 50 complaints I submitted to Inspector Generals of the DOD and Navy, and members of Congress, were complaints about the following:

1. Management retaliation against and harassment of anyone who dared file any type of discrimination (EEO) complaint.

2. *Management retaliation against and harassment of anyone who dared* to blow the whistle on fraud, waste, and/or abuse.

3. Discrimination against employees over 40.

4. Contractor abuses.

5. Sexual harassment against women.

6. The fact that a young lady of 35 filed a sexual harassment complaint against a malicious manager and supervisor then died less than 6 months later from a heart attack, which was partially caused by management *retaliation. The lady's name was* ***Julie Butz****, and she died in July of 1998*, after months of harassment and intimidation, because she had dared to file a sexual harassment complaint against this evil manager/supervisor.

I reported this case of probable negligent homicide to the Navy and DOD IG, as well as 25 members of Congress (including Senators Boxer and Feinstein). **The evil manager/supervisor who contributed to Julie's early demise was never punished to any significant degree. He was only told to attend a sensitivity class and EEO training. What kind of punishment is that???**

7. Extreme discrimination against black employees at Point Mugu, a nearly extinct species at that evil Navy base. In promotions, pay increases, "Value to the Organization" reports, and many other ways, blacks were severely mistreated. In one group at the base, blacks were considered by one or more managers to have the "least value to the organization".

8. Assault and battery against two females and one male. The male, who was assaulted, at work, by his supervisor was later fired for complaining about it to the police, IG and others. The man's name: **Robert Wilson.** *As of this date (June 2003) his case has moved to the U.S. Supreme* Court, after the Ninth Circuit Court of Appeals ruled against him. **The supervisor who assaulted Wilson was never punished, but Wilson was, after he complained about it.**

9. Hantavirus cover up on San Nicholas Island. Management knew that rats on the island were infected with Hanta Virus (Sin Nombre type) three years before they bothered to inform the employees about it or made serious attempts to decontaminate the island.

10. An enormous rash of cancer among employees at Point Mugu.

11. Misuse of a malicious personnel system called the Navy-China Lake Personnel Demo system. I filed more than 25 complaints about the way NAWCWD management misused and abused the unlimited *authority they were given under this evil personnel system, which was* foolishly adopted by Point Mugu in 1992. It's apparent aims, **in the way it was used by management** was two fold: (1) Get rid of older workers, and whistleblowers, and (2) and destroy the Civil Service system at Point Mugu, so that contractors could be brought in to take over all functions.

MORE ABOUT WHAT AND WHY:

There were other problems I reported as well. I also made the mistake of helping two black employees with their EEO complaints, and my supervisors found out about it in 1998. I also made the mistake of filing 5 EEO complaints of my own. Result: I was forced to retire against my will in November of 1999, after 32 years of flawless and honorable service! After my **wrongful termination,** I focused on

reporting the abuses to the news media. **I caused 15 news reports to appear in local newspapers** (Ventura County Star and Los Angeles Times). Stories I gave these papers included the illegal nature of the 1999 Reduction In Force (RIF), the abusive nature of the Demo System, and the air crash which killed two military pilots during the 2002 Point Mugu Air Show.

Prior to my whistleblowing activities, I had received 30 or more letters of appreciation, and other types of awards for my achievements and work efforts, as well as 4 promotions. After I begans blowing the whistle, I received NO *promotions, and NO awards, except for a 30 year award prior to my wrongful* termination in 1999.

I fought my wrongful termination in court, and before the MSPB. I lost in both arenas because of an incompetent attorney who still works in Ventura County. One example of this attorney's incompetence: He submitted a request to the federal judge (Los Angeles) on November 19th, 1999, to halt the 1999 RIF but the judge threw out the request because the RIF was over. The judge scolded him, in one document, stating "A request for injunctive relief is submitted before the fact, and NOT after the fact." I had a request for injunction (TRO) ready to submit more than 30 days earlier, and the idiot attorney told me not to submit it, because "I am going to do it myself." I still have my EEO cases on appeal, before the EEOC in Washington DC. That is all I have left, other than the meager retirement pay I have been receiving.

DATE: 6/10/03 SIGNATURE: John Jay

PERMISSION TO USE NAME AND RELEASE

J. Jay

I, John Jay, hereby give permission to ~~Dave Schnieder~~ Dale Benedetti to give my name and tell my story to the news media or any representative thereof, so long as the facts are true and correct. I further release Dave Schnieder from any liability for doing this, so long as he relays facts about me which are true and correct.

DATE: May 5, 2003 SIGNATURE: John Jay

FEOC D.C.
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JOHN JAY
2440 W. Hemlock Street
Oxnard, CA 93035-3361

COMPLAINT OF WRONGDOING AND ABUSES WHICH HAVE TAKEN PLACE UNDER COLOR OF AUTHORITY AT THE NAVAL AIR WARFARE CENTER WEAPONS DIVISION, POINT MUGU AND CHINA LAKE, CALIFORNIA

Kneemeyer

This is the true story about what has been taking place at a Navy base in California called the Naval Air Warfare Center Weapons Division (Point Mugu and China Lake), hereafter abbreviated NAWCWD. I thought it might interest you, because it tells the truth about what has been going on there. The truth is something you will never hear from the Naval Air Systems Command (NAVAIR) Officials NAWCWD Technical Director Karen Higgens, and other Dept. of the Navy (DON) officials who have mismanaged that once great facility and abused the work force in ways not seen in this country since the Great Depression. This is but part of a much greater story, about abuses of the work force, which have been taking place ever since the so called Navy **Personnel Demonstration** System was unlawfully forced upon the unwilling work force at NAWCWD, Point Mugu. **The double whammy of the Demo system (with its total lack of constraints on management), and malicious, incompetent managers has caused all of the following to take place:**

- **Lowest morale at Point Mugu since 1973.** The fear level at Mugu is so great, I could smell it in any building, before I was wrongfully terminated in November of 1999. It is so quiet in every building, you would think you are in a funeral home or monastery. The RIF alone has not led to this problem. The "MANAGEMENT BY FEAR" techniques used by STEVE MENDONCA, SANDY ROGERS, and other malicious managers is mainly responsible!

- **Vicious treatment of handicapped employees,** including heart patients and cancer patients. Some examples: John Jay (me), Bill Sowell, Dr. Michael Sullivan, and Julie Butz (who may have died from abuses from a malicious manager named CLINT SEAL). **Forcing me to retire against my will, was extremely stressful to me,** and I was a KNOWN heart patient. Bill Sowell is a KNOWN cancer patient. Dr. Sullivan is a KNOWN cancer and heart patient.

- **Eradicating most of the black work force.** Since 1992, over 50% of the black work force at Mugu has been eliminated, while only 30% of the remaining work force has been eliminated. The black work force, at Mugu today, is much less than 3% of the total work force, while black employees comprise about 17 percent of the federal work force generally. RACIAL PROFILING FOR CERTAIN!

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- Covering up a rash of cancer cases that cannot be explained away with normal statistics. I, and others, estimate that more than 70% of the work force either had cancer, has cancer now, died from cancer, or has a close friend in one of the foregoing categories. What is causing the extremely high percentage of cancer cases? We do not know for certain, but it could be the huge amount of toxic and hazardous waste that was located all over Point Mugu (and which was mapped during the 1992 to 1996 Base Realignment And Closure (BRAC) process. One reason Point Mugu did NOT get closed down during the BRAC, was the gigantic cost of cleaning up this toxic mess! The Dept. of Navy told the BRAC Commissioners that it would cost at least $850 MILLION to clean it all up, if the base were to be closed down. The BRAC Commission, acting on this information, decided it would cost too much to close down Point Mugu, so it was taken off the "hit list" in 1995/96, after being placed on the list around1994. Also, the rash of cancer could be due to dozens of VERY HIGH POWER RF emitters located all over Point Mugu.

- Allowing bigoted whites to hound, harass and intimidate a black man (named Ulysses), with the aid and consent of supervisors and managers. They made up stories about Ulysses, defamed him in false reports to management, then physically threatened him, harassed and intimidated him to the max, when he complained about it to the EEO Office and Command Evaluation.

- Sexual harassment against females, and instant reprisals against any who report it (such as JULIE BUTZ who died in July 1998 after filing a sexual harassment complaint against an abusive, malicious supervisor from China Lake).

- Support for the abusers, such as the one who "eliminated" Julie Butz and who is now after another victim (cancer patient Bill Sowell), and Steve Mendonca and Sandy Rogers who are dumping on another cancer patient (Dr. Mike Sullivan, who is also a heart patient).

- Harassing and intimidating ANYONE who submits any kind of complaint (EEO, Safety, or other). Ditto for those who dared to talk to the IG or who sent letters to members of Congress. This instant retaliation against anyone who says NO, is the primary reason why 90% of the work force is now comprised of total TOADIES (YES MEN/WOMEN). They say yes to every order given, regardless of hazard or legality, and rarely say no to anything management wants. This atmosphere leaves the doors wide open for rampant fraud, waste, and abuses, especially abuses! **Having a work force comprised of "YES" men/women, might be OK in a wartime combat situation, but it is poor business, to say the least, under any conditions short of war. When the C.O. never hears a dissenting opinion, he or she is essentially operating in ignorance, and sooner**

Ohmstead

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or later will be "steam rolled" with a tremendous disaster. Disasters such as the BATTLESHIP IOWA explosion and the TAIL HOOK scandal occurred largely due to the "TOADY FACTOR"! People who knew the dangers were scared to speak out, and all others were "YES" men/women, who carried out all orders given (lawful and unlawful) and looked the other way when they saw something wrong, so everything got out of control. I could easily list a dozen other examples, but it would just waste space and time.

- Covering up Hantavirus problems, by the safety officials (George Wadley and others), until long after many workers were possibly exposed to it, at San Nicholas Island and Santa Cruz Island. Environmental health and safety knew in 1993 about the Hantavirus at the islands, but did NOT warn the workers out there until 1996 to 1998.

- Withholding over $1 MILLION DOLLARS in per diem pay from hundreds of employees who worked at San Nicholas Island, Santa Cruz Island, and San Clemente Island from 1992 to 2001. Where did the money go? The workers were shortchanged by $17 PER DAY PER EMPLOYEE. WHO GOT THE MONEY? WAS EMBEZZLEMENT AT PLAY? WAS THERE MIS-APPROPRIATION OF GOVERNMENT FUNDS??? WHO KNOWS???

- The most unlawful Reduction In Force (RIF) ever to take place in Civil Service history: Reference the series of reports written by HARRY CARTER (Deputy EEO Officer for NAVAIR), during 1998 to April 2000, and NAVAIR IG reports from 1998 to July 2000. Harry Carter did NOT tell any lies, but many of the managers at Mugu (Dr. Karen Higgins, Steve Mendonca, et. al), as well as NAVAIR (Dr. A.R. SOMOROFF, Admiral John Lockhard, et al) lied every time their lips moved! No exaggeration intended! Why was the RIF unlawful? Because it was primarily the PROTECTED groups (whistleblowers, EEO complainants, handicapped employees, employees over 40, and black employees) who were targeted. More than 95% of the employees adversely effected or impacted by that RIF (including ME) were in one or more of those categories. This violated MANY statutes on reprisals, retaliation, and discrimination: i.e. The Americans With Disabilities Act, Civil Rights Act of 1964, Civil Rights Act of 1991, Whistleblower Protection Act of 1989, and others.

- Speaking of whistleblowers, ALL KNOWN WHISTLEBLOWERS at Mugu and China Lake (Ron Porter, John Jay, and Andrew Prokopow) were unlawfully terminated, wrongfully discharged, or constructively discharge in November 1999.

- **Giving special protection to some, during the 1999 RIF (JAMES SOHN, and** JON HAUSELMAN for example), while giving NO protection to me (JOHN JAY). Managers created special contractor billets for SOHN and HAUSELMAN during the RIF, then put them back in the same civil service positions they previously held. The did NOTHING for me, other than force me to retire against my will.

This is only the tip of a VERY BIG ice berg. IF you send a reporter out here I would be happy to talk to them. I will NOT talk to a cover up crew again, like the National Academy of Public Administration (NAPA). I am willing to talk to someone from the news media or from Congress. Talking to the Navy is what got me terminated (forced retirement against my will) in November of 1999, therefore I do not want to talk to these evildoers again, except when they are under oath. Even under oath, they would not likely tell the truth about what they know and what they have done at Point Mugu.

Many of these things happened on RADML Johnston's watch, with his full knowledge and consent (especiall the 1999 RIF). He was Commanding Officer of NAWCWD during 1999. But to be fair, a number of them happened before he became commanding officer of NAWCWD. **Regarding the things that happened on his watch, let me ask this:** WHAT DID RADML JOHNSTON DO ABOUT THEM (THE UNLAWFUL RIF FOR EXAMPLE)?

He sat there and watched as the National Academy of Public Administration (NAPA), and high level officials at NAVAIR personnel (AIR 7.0) engaged in massive cover up efforts. NAPA published a report in 2001 which was one of the most fraudulent studies and results report ever released in modern U.S. history. We will tell anyone who asks why is was fraudulent, and show them hard, documented evidence, and give sworn testimony to back up this claim of fraud.

All of the foregoing indicate abusive management, incompetent managers, or both, big time! You need to start firing those who have abused their workers, starting with Clint Seal, Steve Mendonca, and Sandy Rogers, and those who have stood by doing nothing to correct the problems, like RADM Johnston and Karen Higgins. You also need to fire those in Labor Relations and the EEO Office at Mugu who help cover up the abuses and protect the abusers, starting with the following: Jan Meadows, Arlene Black, Mary Wedel, Chris Perkins, Mr. Cracraft, and Ed Rockdale. These are some of the most uncaring and malicious managers I ever saw, met, or heard about during my 30 years of service with the Navy, prior to my constructive discharge in November 1999.

In the meantime, you might want to prevent the death of Dr. Mike Sullivan and Bill Sowell. Both are cancer patients and both are being stressed to the max, by Steve Mendonca, Sandy Rogers, Clint Seal, the Labor Relations people I just named and the EEO official I just named. Dr. Sullivan, in particular is in a BAD situation because he also has a bad HEART problem. Why are they dumping on Dr. Sullivan you might ask?

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Because he had the supreme courage to stand up for a well know whistleblower, who kept trying to get upper management to stop these abuses (ME, JOHN JAY). Backing me up in my EEO complaints and MSPB complaint, was his only crime. That is why Steve Menonca, Sandy Rogers, Labor Relations, and EEO are trying to kill him with stress. Why else did they sic the NCIS (the Navy's goon squad) on Dr. Sullivan if not to kill him with stress??? That is why the NCIS confiscated his computers and software. Any lies to the contrary are just that, LIES! There was and is NO other TRUTHFUL reason for what they have done to Dr. Sullivan. They are definitely trying to kill the man, with DELIBERATE, WANTON, STRESS, just because he helped back me up in my VALID EEO complaints and MSPB complaint.

HERE, BASICALLY, IS WHAT I AM PROPOSING TO CLEAN UP THIS NEST OF VIPERS AND EVILDOERS:

1. GET RID OF THE MALICIOUS MANAGERS AT CHINA LAKE AND POINT MUGU, AND FIRE THOSE WHO HAVE TRIED TO HARM JOHN JAY, BILL SOWELL AND DR. SULLIVAN. DITTO FOR THOSE WHO PLANNED AND EXECUTED THE 1999 RIF.

2. MAKE THEM HIRE BACK ALL OF THOSE THEY UNLAWFULLY TERMINATED DURING THE REDUCTION IN FORCE OF 1999, WITH FULL BACK PAY AND BENEFITS.

I hope I have enlightened you all and not bored you or needlessly distracted you. In the meantime, I and my family are continuing to live in conditions bordering on poverty, thanks to the malicious behavior of Steve Mendonca, Sandy Rogers, RADML Johnston, Karen Higgins, Dr. Somoroff, Admiral Lockard, and others at NAWCWD and NAVAIR.

DECLARATION

I, JOHN JAY, declare, under penalty of perjury, according to the statues of the United States of America, that all of the foregoing is true and accurate, to the best of my knowledge and recall.

DATE: 4/6/2002 SIGNED: John R. Jay

(JOHN R. JAY)
Phone: (805) 985-0273
Fax: (805) 985-0503

MALFEASANCE, MISFEASANCE, AND NONFEASANCE IN EEO PROCESS AT CALIFORNIA NAVY BASE AND PARENT COMMAND

An investigation was conducted by NAVAIR IG team, at the **Naval Air Warfare Center Weapons Division** (NAWCWD) Point Mugu/China Lake CA, during 1997 or 1998. The IG team included the Deputy EEO Officer for NAVAIR (Mr. Harry Carter). Mr. Carter focused on the EEO process at Point Mugu, stating in his report that "the EEO process was in total disarray." He concluded that the EEO process at Point Mugu at Point Mugu was completely dysfunctional, pointing out the following (among numerous other points):

1. Complaints being held up for 18 months or longer
2. EEO counselors writing two sets of reports; one set containing TRUE facts, which they kept or hid, and the other set (which was turned in) containing half truths or falsehoods
3. EEO and Labor Relations officials doing EEO complaints together as a team, in CLEAR violation of EEOC regulations requiring complete separation of the EEO and Labor Relations functions

In conjunction with an EEOC hearing for WILLIAM V. SOWELL, an employee of NAWCWD (Pt. Mugu), a deposition was taken from Mr. Harry Carter, on December 3, 2001 by a local attorney (John Futoran). The NAVY representative (Mr. John Wright) immediately wrote to **EEOC Administrative Judge (AJ), Eleanor Laws**, to request that the deposition be sealed, and placed under a "Temporary" Protective Order (TPO), to

ıt its release to Congress or any other interested parties. This writer (John Jay), who

ng as Mr. Sowell's representative (during the EEOC administrative process),

submitted a STRONG written objection to the TPO. Judge Laws overruled my objection and issued the TPO in LESS THAN 24 HOURS. This writer now believes that this AJ unlawfully issued the TPO to help the NAVY cover up the massive malfeasance and misfeasance which were detailed by Mr. Carter in the December 3, 2002 deposition. (A COPY OF THIS DEPOSITION IS ENCLOSED).

During an EEOC hearing, on January 28-29,2002, I tried to introduce the Harry Carter deposition as evidence, to show how Mr. Sowell's older EEO complaints had been tainted by the malfeasance and misfeasance Mr. Carter detailed in the deposition. The presiding AJ (Eleanor Laws) refused to accept the deposition and overruled me when I strongly objected to her decision. She said she had "NO JURISDICTION TO CONSIDER WRONGDOING BY THE NAVY, IN THE WAY IT RUNS ITS EEO PROCESS" or words to that effect. She stated that neither she nor the EEOC could "TELL THE NAVY HOW TO RUN ITS EEO PROCESS", nor could she "ORDER THE NAVY TO TAKE CORRECTIVE ACTIONS" or words to that effect.

Harry Carter's deposition mentioned NUMEROUS problems with the EEO process at NAWCWD Point Mugu (SEE PGS. 104-115). Here are just a few of the MANY points Mr. Carter made, in pages 104-115 of the enclosed deposition:

1. EEO and LABOR RELATIONS OFFICIALS WORKING TOGETHER, *which was a gross violation of EEOC rules and regulations stated at* EEOC MD-110 (Chapter 1), because of the OBVIOUS conflicts of interest.

2. EEO counselors keeping TWO sets of reports regarding each EEO complaint they had to investigate. One report, which contained the TRUE facts, was kept by each counselor in their office desk or filing cabinet. The other report, giving a watered down version (to protect management and reduce command liability) was turned in as the "official" counselors report of record. Again, this was a GROSS violation of EEOC regulations.

3. Prior to 1998, the head of Labor Relations, EVA BIEN, was acting as the deciding official for EEO complaints and performing other EEO functions, because NAWCWD did NOT have a Deputy EEO officer prior to 1998.

4. EVA BIEN, head of Labor Relations, was directing counselors to rewrite their reports to reduce command liability, or she herself was rewriting them. She was also acting as the deciding official in making decisions on which issues to accept and which issues to reject (from those written by the complainants).

There were NUMEROUS other points made by Harry Carter, which indicated misfeasance, malfeasance and nonfeasance in the EEOC process (at NAWCWD, Point Mugu).

ONE of the foregoing problems was corrected in 1998, when the commanding officer appointed a former Labor Relations official (Ms. ARLENE BLACK) to act as Deputy EEO Officer (DEOO) for NAWCWD. Labor Relations and EEO functions were separated for one or two years, then they were joined together again (somtime in 1999 or 2000) when the Human Resources Office (HRO) was moved from a big building (211) to a far smaller building (373) at Point Mugu.

Labor Relations and EEO at Point Mugu, began acting as a SINGLE, UNITED TEAM, right after the move to Bldg. 373. They are still together as of the date this document was written. They work so close together that you cannot tell where EEO begins and where Labor Relations begins. They are in big rooms together, separated only by room spacers. Their computers are linked together via a local area network (LAN) and they share e-mail and data bases with each other. I have seen this with my own eyes, after several visits to Bldg. 373.

CONCLUSION/SUMMARY

Since AJ Eleanor Laws refused to address any of the foregoing and refused to accept Mr. Carter's deposition (prior to and during the EEOC hearing for Mr. Sowell), there is NO alternative left except to bring this matter to the attention of the Congress.

In 1999, the EEOC changed its rules, where SPIN-OFF complaints (about agency EEO malfeasance or misfeasance) would NO longer be accepted and investigated. These changes, published in the Federal Register sometime in July 1999, essentially stated that the EEOC would no longer process complaints about wrongdoing by Agencies, in the way their EEO "investigations" are conducted, nor would they tell agencies to correct any problems if EEO complaints were processed wrongfully or illegally.

REQUEST

In view of the foregoing, we believe that a detailed investigation (by the Congress or the GAO) is the only remedy to address this serious malfeasance, misfeasance, and nonfeasance. This is a VERY SERIOUS MATTER, which is destroying the EEO rights of federal employees at this evil Navy base.

We therefore request a FULL inquiry by **Congressional Committees and/or the GAO**. Also, new legislation to force the EEOC to investigate this type of wrongdoing within the Dept. of Navy and all other federal agencies, to VOID the changes made by the EEOC, in 1999, regarding SPIN-OFF complaints.

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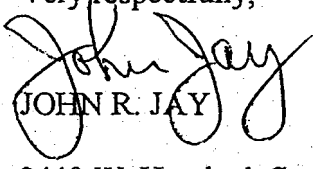
ISN

Very respectfully,



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ENCL:
Deposition of Mr. Harry Carter (132 pages)

ARBARA BOXER
CALIFORNIA

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION
ENVIRONMENT AND PUBLIC WORKS
FOREIGN RELATIONS

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510–0505
(202) 224–3553
senator@boxer.senate.gov
http://boxer.senate.gov

April 3, 2002

Mr. Dale Benedetti
274 North Ashwood Avenue
Ventura, CA 93003-1814

Dear Mr. Benedetti:

I am writing to acknowledge your correspondence to Senator Boxer, regarding a matter related to your employment with Department of the Navy at Point Mugu.

While Senator Boxer may be sympathetic with your situation, there is a provision in the Hatch Act Reform Amendments of 1993 (5 U.S.C. 3303) which prohibits Members of Congress from making certain statements regarding personnel actions for all non-political Federal employees. This limits our ability to make inquiries with management on behalf of federal employees who are seeking assistance on a personnel action, or in support of one's application for civil service employment.

Thank you for writing to Senator Boxer. I regret this response could not be more favorable; however, I hope this information is helpful to you.

Sincerely,

Eric J. Vizcaino
Director of Constituent Services

EJV:clj

ENCLOSURE 1

☒ 1700 MONTGOMERY STREET SUITE 240 ☐ 312 N. SPRING STREET SUITE 1748 ☐ 501 'I' STREET SUITE 7-600 ☐ 1130 'O' STREET SUITE 2450 ☐ 600 'B' STREET SUITE 2240 ☐ 201 NORTH 'E' STREET SUITE 210

FROM THE DESK OF JOHN JAY
2440 W. Hemlock Street
Oxnard, CA 93035-3361
(805) 985-0273

DATE: April 13, 2002

The Honorable Barbara Boxer
United States Senate
Hart Senate Office Bldg., Suite 112
Washington, DC 20510-0505

Dear Senator Boxer:

I would like to take this opportunity to comment on responses that your various offices have given to those of us, like me, who were wrongfully terminated during a grossly unlawful Reduction In Force, conducted by the Naval Air Warfare Center Weapons Division (NAWCWD) and Naval Air Systems Command (NAVAIR) in 1999. We have been trying for a long time to get a GAO investigation or investigation by CONGRESSIONAL committees or subcommittees. To date, what we have received in reply have been unsatisfactory, half baked responses, non responses, and ludicrous responses.

Under the category of ludicrous responses is the one that Mr. Dale Benedetti just received from Mr. Eric Vizcaino of your San Francisco office. A copy of that response is enclosed (ENCLOSURE 1). Mr. Vizcaino told Mr. Benedetti, FALSELY, that the Hatch Act prohibits Congress from investigating personnel matters at federal agencies. He quoted 5 USC 3303 (Title 5, US Code, Section 3303). I am enclosing a full copy of that part of the U.S. Code (ENCLOSURE 2). There is NOT one word which states what Mr. Vizcaino quoted in his letter. I am also enclosing a report from the Congressional Research Service entitled "**Congressional Oversight**" (ENCLOSURE 3), which clearly states Congress's vast authority to investigate any executive branch entity at any time. There is another much bigger report, which I have not enclosed, (CRS Report 95-464: "**Investigative Oversight**"). This much bigger report goes into great detail about the history and use of Congress's oversight authority.

Mr. Vizcaino clearly misled my friend, Mr. Benedetti. I think you should reprimand Mr. Vizcaino for giving a voter and citizen such an idiotic response. Clearly Mr. Vizcaino is ignorant of what Congress can and cannot do. Why is he therefore in your employee??? Either that or he knew and deliberately lied to Mr. Benedetti. If he lied, he should be fired.

ALL OF THE FOLLOWING VICTIMS OF ABUSIVE, MALICIOUS MANAGEMENT BEHAVIOR AT NAWCWD, POINT MUGU, CALIFORNIA, HAVE WRITTEN TO YOU IN THE PAST 5 YEARS ASKING FOR YOUR HELP: JOHN JAY (me), RON PORTER, DAVE SCHNIEDER, GERALD CONWAY, and VICTOR ACAYAN, plus a few others. I am in possession of the letters sent by your offices to these people. The responses most often promised to do

something then nothing more happened. In other cases you let the Navy investigate itself, then you reported their finding. In EVERY case **the Navy LIED to you or grossly misled** you about the findings. The Navy "investigators" told you that they could not "find any evidence to substantiate the allegations" (a BIG LIE), or told you that they were no problems (another BIG lie). Why have you allowed the Navy to investigate itself? Isn't it a GIGANTIC conflict of interest for a someone to be allowed to investigate themselves??? **That is tantamount to allowing the Mafioso to investigate itself.** Here is a BRIEF list of NOTORIOUS cases where the Navy investigated itself then lied, grossly misled Congress, or covered up the findings:

- **"PORT OF CHICAGO" incident, in San Francisco Bay area, during 1943,** where 135 black sailors were killed in a gigantic explosion while loading ammunition onto ships in extremely unsafe conditions, while being supervised by malicious white officers who did NOT give a damn about safety, because the sailors were black. The Navy lied about the entire matter for over 30 years, until the truth came out, and NO Navy officials could be punished (because of the statute of limitations expiration).

- **"TAIL HOOK" convention in Las Vegas Nevada in 1993.** You and everyone else remember that one, and how the entire Navy chain of command lied, to protect the Navy officers (including Admirals).

- **"BATTLESHIP IOWA" explosion, around 1990,** when Navy officials tried to blame deaths of 20 (or more) sailors on one sailor, Clayton Hartwig, claiming that he was gay and that he committed suicide by blowing up the forward gun turret. Later revelations, by OTHER investigators, found the entire story to be a flagrant lie, and exonerated Clayton Hartwig.

- **"NAVY ACADEMY CHEATING"** scandal in 1990s.

- **"SEXUAL HARASSMENT OF WOMEN"** at Navy Academy and all over the Navy, during 1980s and 1990s.

These are only the most notorious cases, but there are a lot more examples besides the above. YOU, Senator, knew or SHOULD HAVE KNOWN about these Navy lies and cover ups, because they were all well known to the American public and available to any reader who has ever read about TRUE Navy history or read national magazines.

As I stated, above, a LOT of those who were victimized by wrongdoing at the Naval Air Warfare Center Weapons Division (NAWCWD) have tried, in vain, to get you to start a NON DOD or NON NAVY inquiry, in Congress. So far you have done NOTHING but allow the DOD and NAVY to conduct the investigations, and produce the

usual LIES and COVER UPS. **WHY???? WHERE IS YOUR CONSCIOUS???** You were elected to represent US, the taxpayers, and NOT to represent the DOD or Navy. Why are you not doing what you were elected to do??? I have a mountain of documents I have sent to you in the past 5 years, detailing all of the wrongdoing at NAWCWD Point Mugu. You do not need any more evidence. **In 2000 and 2001, I sent you a big set of reports from a NAVAIR EEO official named HARRY CARTER.** Carter stated more than 20 things which were wrong with the 1999 RIF at NAWCWD, **and how his superiors at NAVAIR, including Dr. A.R. Somoroff, Personnel Director (AIR 7.0), and head of NAVAIR (Admiral John Lockard at the time), ignored his pleas to stop the RIF.** They proceeded to carry it out, in spite of Mr. Carter's detailing the potential wrongdoing. They even threatened Mr. Carter and told him to destroy his reports, which (thank God) he refused to do! **As a result, I and more than 300 other NAWCWD employees were WRONGFULLY TERMINATED! The NAWCWD officials who conspired to carry out the unlawful RIF, on orders from NAVAIR, were as follows: Karen Higgins (Technical Director), Rear Admiral Charles H. Johnston (Commanding Officer), Steve Mendonca (head of Sea Range Dept.), Labor Relations (Don Shibley, Chris Perkins, Ed Rockdale, Jan Meadows, Mary Wedel, et al), and the EEO Office (Arlene Black, et al). ALL of these officials knew they were carrying out an unlawful RIF, because Mr. Carter told them so, but they did it anyway, causing untold damage to me, my family, and 300 other innocent employees of NAWCWD.**

I am very tired of this nonsense Senator! In spite of spending thousands of dollars of my own money, fighting in court, the EEOC, and MSPB, I have NOT been able to get my job back. The system is stacked against me. The Navy has UNLIMITED resources, and hundreds of lawyers they can rely on, all at TAXPAYER expense. I do NOT have such resources, and I have access to only one attorney (who is no damned good). Where is the fairness???

Anyway, Senator, as I said, **I am tired of these futile efforts to get you to help me and others who were wrongfully terminated in 1999.** I have copies of letters you sent to RON PORTER, JOHN JAY (me), DALE BENEDETTI, DAVE SCHNIEDER, MYRA WILSON, and others. **I am going to turn these letters over to all of the following, in 60 days, UNLESS YOU DO SOMETHING POSITIVE: 60 MINUTES, 20/20, 48 HOURS, DATELINE NBC, PRIME TIME LIVE, WASHINGTON POST, NEW YORK TIMES, SAN FRANCISCO CHRONICLE, AND LOS ANGELES TIMES. You have 60 days Senator, to begin a CONGRESSIONAL inquiry, or GAO inquiry. I will give you that long.** In the meantime, my wife, and two teenage children continue to live in conditions bordering on poverty, because YOU would not act on our behalf, and because the Navy refused to hire any of those back who were UNLAWFULLY, WRONGFULLY terminated in the 1999 Reduction In Force.

FROM THE DESK OF JOHN JAY
2440 W. Hemlock Street
Oxnard, CA 93035-3361
(805) 985-0273

Thank you for your time and attention. I am sending this by Priority Mail, with PROOF OF RECEIPT requested, so you will NOT be able to deny that I mailed it. I also have a witness to the mailing. I await your response Senator. **I will not wait longer than 60 days, as I stated.**

Very respectfully,

JOHN R. JAY

P.S.

I am also enclosing a copy of the most recent response I got from you, Senator, regarding the wrongdoing at NAWCWD, and the role played by former NAWCWD Commanding Officer, Rear Admiral Charles H. Johnston (ENCLOSURE 4). I am NOT satisfired with that response. You were given enough material, in my package to you LAST YEAR, to start several Congressional inquiries, and all you can say is "Thank you for contacting me regarding the nomination of Navy Rear Admiral Charles H. Johnston." WHERE IS YOUR PRIDE??? WHAT KIND OF RESPONSE IS THAT???? WHERE IS THE CONGRESSIOAN INQUIRY I AM SEEKING, INTO THE GROSS ABUSE OF AUTHORITY AT POINT MUGU, AND THE ROLE PLAYED BY REAR ADMIRAL CHARLES H. JOHNSTON, AND OTHERS AT NAVAIR AND NAWCWD????

Enclosures: 4

~~ORIGINAL~~

REPORT ON GROSS ABUSE OF AUTHORITY TO THE OFFICE OF SPECIAL COUNSEL AND PETITION TO THE UNITED STATES CONGRESS FOR REDRESS OF GRIEVANCES

Title 5 of the United States Code, Section 7211, allows Federal employees to petition the Congress for a redress of grievances, a right which may not be subverted or prevented by management. Under this section (5 USC 7211), we the undersigned former and current employees of the Naval Air Warfare Center Weapons Division (NAWCWPNS), located at Point Mugu California, do hereby submit this petition for a redress of grievances as enumerated below, under protection of the Whistleblower Protection Act:

1. Whereas we have all submitted EEO or whistleblower complaints about various management officials and have suffered from reprisals and harassment after doing so;

2. Whereas others (known to us) have been subjected to assault and battery, after filing a EEO complaints based on sexual harassment or other factors;

3. Whereas at least two of us have suffered jeopardy to our lives;

4. Whereas one of us was subjected to the humiliation of having a key witness arrested, on the base, after said witness testified in favor of complainant in a sexual harassment case;

5. Whereas some of us have been fired or threatened with firing, after having filed EEO complaints or testified for women who filed sexual harassment complaint;

6. Whereas some of us have been subjected to mental exams, by the government, after filing EEO or sexual harassment complaints;

7. Whereas some of us have been given low performance marks by supervisors after having files EEO complaints on racial discrimination or other discrimination;

8. Whereas management has subjected all of us to a constant, continuous, hostile work environment, retaliation, harassment, and intimidation for having filed EEO complaints or been witnesses for EEO complainants;

9. Whereas the EEO office at this base, and other Civilian Personnel offices assisting them, have aided and abetted the management abuse and harassment, by perverting the entire EEO counseling and investigation process.

We hereby allege that some supervisors at NAWCWPNS Point Mugu have engaged in and/or condoned one or more of the following potentially criminal acts and civil rights violations, all under color of an Alternative Personnel system, instituted here in 1992, and which was formerly called the "Navy or China Lake Personnel Demonstration Project":

1. Conspiracy to deprive EEO complainants of their civil and Constitutional rights, and/or
2. Conspiracy to obstruct justice, and/or.
3. Conspiracy to commit great bodily harm (at least 2 counts), and/or
4. Threatening and intimidating witnesses, and/or.
5. Subjecting EEO complainants to mental exams under false pretenses and/or
6. Providing false, perjured testimony in several instances, to the EEOC and other investigators, and/or
7. Making defamatory and slanderous statements about EEO complainants, thereby causing grave, irreparable damage to their careers, and/or
8. Coercing some of us to retract our accusations, and/or
9. Denying us due process and equal access to justice, and/or
10. Abuse of authority, under color of an Alternative Personnel System formerly called the "Navy or China Lake Personnel Demonstration Project".

We request that the OSC and the Congress conduct a full investigation, using the FBI, or some other investigatory body NOT associated with or influenced by either the Department of Navy or the Department of Defense. IF the investigation proves that most of our allegations are true, we request the following remedial actions:

1. Payment of all legal fees to our attorneys.
2. Monetary damages in the amount of ~~$500,00~~ $300,000 per petitioner, whose signatures appear below.
3. Prosecution of all managers and supervisors who have engaged in any of above alleged crimes or potential crimes. Do the same to all EEO officials on this base, and to other Navy officials who have helped and protected management or otherwise failed to correct the problems identified herein.
4. Abolish the Alternative Personnel System and restore the Civil Service system which existed at Point Mugu prior to 1992, with all of its checks and balances to prevent management abuse.
5. Full protection from reprisals, harassment and retaliation, guaranteed by the Office of the Special Counsel under the Whistleblower Protection Act, and guaranteed by an act of the Congress, during the investigation and after the investigation. Protection for all petitioners and their witnesses.

~~ORIGINAL~~

6. Restore all duties formerly held or requested by the exonerated petitioners and their witnesses. J.Jay

7. Expunge all bad records in every data base, which have a negative reflection on the exonerated petitioners and their witnesses. J.Jay

8. Remove all authority from this base to conduct EEO investigations and give that authority to the EEOC or some other agency not associated with the Navy.

9. Rehire all EEO complainants who have been fired, with full back pay and payment of all attorney fees, plus unspecified punitive, compensatory, and liquidated damages.

10. Remove the "Sovereign Immunity" protection from abusive Navy managers and supervisors on the base and elsewhere, who had any connection with causing damage to the lives and careers of the petitioners and their witnesses, so that said managers and supervisors can sued further, under civil statutes, by the petitioners and their witnesses.

11. Direct the Secretary of the Navy to offer a written apology to all petitioners and their witnesses and promise that such infractions enumerated herein will not be allowed to reoccur now or in the future. Direct the Commanding Officer, NAVAIR, NAWC, and NAWCWPNS to endorse the written apology.

PETITIONERS

Printed Name	Signature	Date
* John R. Jay	John R. Jay	4/8/98
DAVID R. BIENIEWSKI	David R. Bieniewski	4/7/98
SHARON A. Collins	Sharon A. Collins	4/9/98
* WILLIAM V. SOWELL	William V. Sowell	4/11/98
BILLY R. DAVIS	Billy R. Davis	8/22/98
* DANNY LING		4/11/98
* FRED LOVELL	Fred Lovell	4/28/98
DREW Hollingsworth	D. Hollingsworth	5/16/98
* Ulysses Farly III	Ulysses Farly III	6-7-98
John E. Hart	John E. Hart	6-10-98
MARK LEACH	Mark Leach	15 JUN 1998

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★ DANNY LING		4/11/98
★ FRED LOVELL	Fred Lovell	4/28/98
DREW Hollingsworth	D. Hollingsworth	5/16/98
★ Ulysses Farly III	Ulysses Farly III	6-7-98
John E. Hart	John E. Hart	6-10-98
MARK LEACH	Mark Leach	15 JUN 1998
ROOSEVELT BOLDEN	Roosevelt Bolden	14 NOV 1998
HISAKO OWEN	Hisako Owen	12-5-98
CHARLES A. WILSON	Charles A. Wilson	12-5-98

ORIGINAL

A PETITION TO CONGRESS FOR REDRESS OF GRIEVANCES

THE FIRST AMENDMENT TO THE CONSTITUTION GUARANTEES ALL CITIZENS THE RIGHT TO PETITION THE CONGRESS FOR REDRESS OF GRIEVANCES. TITLE 5 (US CODE), SECTION 7211, GUARANTEES THE SAME RIGHT SPECIFICALLY TO FEDERAL EMPLOYEES. A COURT DECISION (STECK V. CONNALLY, DCDC 1961, 199 F.Supp. 104) DECLARED THAT SUCH PETITIONS MAY BE PASSED AROUND AND SIGNED DURING OFFICIAL WORKING HOURS AT THE GOVERNMENT FACILITY WHERE FEDERAL EMPLOYEES ARE WORKING, PROVIDED THE WORK IN PROGRESS IS NOT SUBSTANTIALLY DISRUPTED.

In accordance with the foregoing, we hereby petition the Congress as follows:

WHEREAS the "Navy/China Lake Personnel Demonstration Project" at the Naval Air Warfare Center Weapons Division (NAWCWD) has become extremely unpopular with a large majority of the workforce;

WHEREAS the aforementioned personnel demo project has caused morale at Point Mugu and China Lake to fall to a record low;

WHEREAS some managers and supervisors, under color of actual and perceived demo authority, have abused the civil rights, human rights, and constitutional rights of the workers, retaliating against and intimidating anyone who submits EEO or other complaints;

WHEREAS high performance ratings have been awarded in a highly selective and discriminatory manner (i.e. to "friends of management" and "yes men"), thereby fostering rampant favoritism and toadyism;

WHEREAS the performance system under demo has been a "salary managed" system rather than a bonafide "pay for performance" system;

WHEREAS officials at NAWCWD, China Lake, have given misleading reports to the OPM and Congress about the popularity of the demo system;

WHEREAS the demonstration system has removed most appeal rights formerly granted to workers under 5 USC and other statutes;

WHEREAS the demonstration system has been operating a de facto and illegal reduction in force process, while ignoring reduction in force rules spelled out in 5 USC and 5 CFR;

PETITION

WHEREAS the demonstration project has created a double standard, whereby workers not in demo have full rights, while those under demo have extremely limited rights;

WHEREAS many other abuses of process and authority have taken place, too numerous to address herein, all under color of demo authority and perceived authority;

We therefore respectfully request that all authority to operate any personnel demonstration project at Point Mugu and China Lake be terminated, and that the current system be abolished in its entirety, with a return of civil service rules and regulations used at federal agencies where no demonstration project exists.

NAME	ADDRESS	DATE	SIGNATURE
John Jay	2440 W. Hemlock Oxnard, CA 93035	11/28/98	John R. Jay
William V. Sowell	5908 Heritage Pl. Camarillo, CA	11/28/98	William V. Sowell
Billy R. Davis	6503 Dume Dr., #A Malibu, CA	11/28/98	Billy R. Davis
Danny Ling	3626 N Baldwin #B El Monte, CA 91731	11/28/98	[illegible]
Frederick W. Aylard	424 Harbor Lights Ln Port Hueneme, CA 93041	12/1/98	Frederick W. Aylard
Dennis Skocovsky	1512 Old Ranch Rd Camarillo CA 93012	2/16/99	[illegible]
Charles A. Wilson	2701 Wood Opal Way Oxnard, CA 93030	12-5-98	Charles A. Wilson
David E. Paggen	173 Rubio Avenue Camarillo, CA 93010	12-7-98	David E. Paggen
Gary B Matthews	733 Ursula Drive Oxnard, CA 93030	2-17-99	[illegible]
Mike E. McWherter	5850 Terra Bella Ct Camarillo, CA, 93012	2-17-99	[illegible]
Stan Lefkowitz	116 Taft Ave Ventura CA 93003	2/18/99	[illegible]
Billy R. Davis	6503 Dume Dr #A Malibu, CA 90265	4/30/99	[illegible]
Dennis Skocovsky	1512 Old Ranch Rd Camarillo, CA 93012	4/30/99	[illegible]
Edward Moore	1121 Alameda Place Oxnard, CA 93030	4/30/99	Edward Moore

SIGNATURE PAGE FOR PETITION TO CONGRESS

WE, THE UNDERSIGNED, HAVE READ THE ATTACHED PETITION TO CONGRESS, AND AGREE WITH ITS CONTENTS, AS SIGNIFIED BY OUR NAMES, ADDRESSES, AND SIGNATURES BELOW:

PRINTED NAME	ADDRESS	SIGNATURE	DATE
RONALD L. PORTER	300 W. MOYER RIDGECREST, CA.		4-30-99
CHAN M LUM	1655 Daphne Av Ventura CA 93004		4-30-99
BERNIE CANILAO	2268 CHAYOLERST CAMARILLO CA 93010		4-30-99
LOU ARBOLEDA	2055 FALKNER PL. OXNARD 93033		4/30/99
JOYCE C. STUDEBAKER	2099 GLENBROOK, CAM, 93010,		4-30-
Joyce E. Hart	994 Nelson Ave Oxnard CA 93030		4-
Sandra L DeHilliger	1468 Durra Mahr		1-20
Jan Thompson			
Fred Aylard	424 Harbor Lights Ln., Port Hueneme, CA 93041-2119		
Sandra C. Petersen	1645 Lejon Ct, Cam. Ca 93010		
JIM REYNOLDS	6030 VIA MONTANEZ 93012		4/30/99
WILLIAM V. SOWELL	3903 HERITAGE PLACE		4/30/99
Alene McKnelsen	461 Haversside NP, CA 91320		4/30/99
Donald McKnelsen	461 S Haversside Newbury Park		30 AB
Dorene Valleda	2456 MANZANITA DR. OXNARD, CA 93033		
Nolan Oshiro	1300 Saratoga #1434 Ventura Ca		14 May 99
JOHN L. HART	1109 GRAVES CT, CAMARILLO, CA 93010		28 May 99
DUANE L. DESALVO	4034 Columbia Dr. OXNARD, CA 93033		28 MAY 99
MONA J. TRACY	4573 Leatherwood St. Camarillo 93012		5/2
VICTOR ACAYAN	11512 HARVARD DR NORWALK, CA 90650		

Friday, February 01, 2002

POINTS TO BRING UP WITH SENATOR BOXER

Cathe:

When you talk to Senator Boxer or her staff members, PLEASE get in the following hot documents:

1. Harry Carter's set of reports which I obtained via FOIA in July of 2000.

2. Harry Carter's Deposition of Dec. 3, 2001.

Regarding #2 (the depo), let me say this about that:

1. Judge "Lawless", during Bill's hearing, seemed VERY perturbed about my arguments against the Temporary Protective Order and gave numerous hints that it may not have been a proper TPO. She said she had doubts about her authority to use a TPO for the reasons the Navy specified in their request (i.e. cover up of wrong doing). She stated that "When I render my decision on this first set of cases, for Mr. Sowell, the TPO will become void. The TPO canNOT continue after my decision has been made, because I will no longer have jurisdiction at that time". That is an EXACT quote, verbatim.

2. Again, on #2 (the depo): You have MY permission, as Bill's rep. to release Harry Carter's Deposition to ANY member of Congress who may have an interest in it or a need to see it, and I do mean ANY (starting with Boxer). If anyone squaks, tell them to direct their words to me because I am the one authorizing its release to Congress. Even Judge "Lawless" told me, during a break in Bill's hearing, that she could NOT stop me from giving copies to members of Congress.

Therefore, when you see Senator Boxer or her staff members, give them everything that I stated above, and ask for the following:

1. A GAO investigation of what Carter said, and another investigation about how the NAPA "inquiry" was conducted in 2001. They did their study to help the Navy cover up the unlawful 1999 RIF, violating their Congressional Charter in doing so. They also used an unlawful contract vehicle (which was actually NOT a contract at all). They did a study, under orders from Betty Welch, to answer questions that the NAVY was asking, and NONE of the questions would have yielded any valid, meaningful answers. They violated ALL standards ever set forth by the Gallup Poll organization and other groups for conducting FAIR studies. A study where the answers are all predetermined by the questions and work order, is NO study at all. That is what they did. The answers the Navy wanted were stated in the tasking order. They answered ONLY questions the Navy told them to answer, using a VERY unlawful contract vehicle in doing so.

Friday, February 01, 2002

2. A Congressional inquiry focusing on the foregoing plus the unlawful and discriminatory nature of the 1999 RIF, plus their unlawful termination of me, Ron Porter, and all other whistleblowers they could identify. ALL of those whose received a RIF notice, or who were otherwise adversely impacted by the 1999 RIF, fell into one of the following categories: Whistleblowers, over 40 years of age, blacks, young Asians, and people who had EEO complaints on file. Those categories ALL have something in common: They are SUPPOSED to be PROTECTED by law (EEO statutes, Civil Rights Act, ADEA, Whistleblower Protection Act, etc.). What NAVAIR and NAWCWD did in 1999 was a flagrant violation of those laws, in a deliberate showing of contempt for Congress (which passed the laws) and the EEOC and OSC (which are supposed to enforce the laws). Dr. A.R. Somoroff, Betty Welch, Mr. Flanagan (NAVAIR), and others conspired together to violate these laws, with malice aforethought. There should be a BIG Congressional inquiry into this extremely serious matter. I want to testify, IF they do hold an investigation. Ditto for Ron Porter. I can line up about 15 other witnesses as well.

Please keep me informed. I too believe that Boxer MIGHT do something, IF you approach her the right way, and tell her we are going to talk to 60 Minutes about all of the foregoing before this year is over.

V/r

John Jay

From the desk of JOHN JAY
2440 W. Hemlock Street
Oxnard, CA 93035-3361

DATE: July 7, 2002

REBUTTAL TO LETTERS FROM THE DEPT. OF JUSTICE AND FBI REGARDING ALLEGATIONS OF CRIMES COMMITTED BY NAVY OFFICIALS AT THE NAVAL AIR WARFARE CENTER WEAPONS DIVISION (NAWCWD) OF POINT MUGU, CA

This is a response and rebuttal to two letters I recently received, one from the Dept. of Justice (Washington, DC) and the other from the FBI (Washington DC). Copies of the two letters in question are enclosed.

REBUTTAL TO LETTER FROM DOJ:

1. First, the letter was from the "Office of Consumer Litigation". My complaint was NOT a consumer complaint; it was a CRIMINAL complaint (about perjury by a Navy official).

2. The response were ludicrous in the extreme. For example, the respondent, Mr. Ayers, ***Consumer Affairs Specialist***, stated

> ***"I contacted Jeanne Hayes, an OCI Sacramento (EEO) investigator (for the DOD), and was informed that your case is being reviewed by the EEOC, the agency that is concerned with the subject matter of your complaint." (bracketed words were added by me)***

3. Why was the DOD OCI, which looks into EEO complaints, contacted? This was a CRIMINAL complaint, and the DOD OCI does NOT do criminal complaints. The DOD OCI merely looks into EEO complaints for DOD agencies and help the agencies support their defenses against the complainants. They are strictly dedicated to defending the wrongdoing committed by DOD agencies. Again, they do NOT do CRIMINAL investigations.

4. The CONSUMER AFFAIRS SPECIALIST then stated that

> ***"The Dept. of Justice is NOT generally authorized to provide legal advice to private parties, to perform private legal research, or to intervene in private legal disputes. Accordingly, ..., the Department may NOT be of direct assistance to you". (Emphasis added for effect)***

5. What this CONSUMER AFFAIRS SPECIALIST stated it patently and categorically misleading, in the extreme! Misrepresentation of the facts, also! I did NOT ask them to do legal research. I did NOT ask them to intervene in a PRIVATE LEGAL DISPUTE. I asked them to investigate a CRIMINAL ACT (PERJURY). This type of response is laughable, and points to bureaucratic doublespeak OR gross incompetence, by someone in the DOJ who is paid a HIGH salary, using TAXPAYER dollars, to mislead someone who filed a BONAFIDE CRIMINAL complaint. This is a waste of taxpayer dollars, to say the least. Why are we paying these bureaucrats to turn down bonafide CRIMINAL complaints for trivial and frivolous reasons????

6. What the letter from Mr. Ayers is REALLY saying is "NO matter what crime is committed by a federal agency, we are NOT going to get into it, IF it is in the EEOC process." Absolute hogwash! That means that agency officials have a license to commit ANY crime, as long as they can do it under cover of an EEO complaint! THIS IS A DANGEROUS LEGAL PRECEDENT, WHICH NEEDS EMERGENCY CORRECTIVE ACTION!

REBUTTAL TO LETTER FROM THE FBI:

1. The individual responding to this one, Ms. Nancy Bronstein, did not get into bureaucratic doublespeak and nonsense to the extent the DOJ respondent above did, but the response was nevertheless UNACCEPTABLE, for the following reasons:

A. The FBI respondent stated that *"In order for the FBI to initiate an investigation on any complaint we receive, specific facts must be present to indicate that a violation of federal law, within our investigative jurisdiction, has occurred. Based on the information you provided, we are unable to identify ANY violation of federal law within the investigative jurisdiction of the FBI."*

2. The statement made by Ms. Bronstein is TOTALLY false. I certainly DID allege that a federal crime had been committed: The crime of FORGERY and PERJURY, both of which are federal crimes with TITLE 18, U.S. CODE (Criminal Code). I provided

the FBI with clear and convincing evidence, with multiple enclosures, to support my allegation that Navy officials working for the Naval Air Systems Command (NAVAIR) and the Naval Air Warfare Center Weapons Division (NAWCWD) did, **with HIGH probability**, engage in FORGING a signature (of NAVAIR EEO Officer, HARRY CARTER) on one document presented at an EEOC hearing I was involved in, with the intent to persuade an EEOC Administrative Judge (AJ) that Harry Carter's prior documents (about the UNLAWFUL nature of the 1999 NAWCWD RIF) were incorrect. I enclosed a dozen examples of Harry Carter's REAL signature, and the one page document which had a FAR DIFFERENT SIGNATURE on it. That is PRIMA FACIE evidence of FORGERY, by any definition (FBI or other).

2. In my prior complaint to the FBI, I also enclosed evidence that a Navy official committed PERJURY, in the statement allegedly signed by HARRY CARTER (the same document which may have had the forged signature). Either the signer of the document committed PERJURY, in the false statement (signed under oath) OR the signature of Mr. Carter was FORGED. ONE OR THE OTHER TOOK PLACE BEYOND ANY REASONABLE DOUBT. There was either PERJURY, FORGERY, or BOTH! ABSOLUTELY PROVABLE that one or the other or both took place. I can prove it. Any competent attorney can prove it. CERTAINLY the FBI, with its vast array of crime fighting resources SHOULD BE ABLE to prove it!

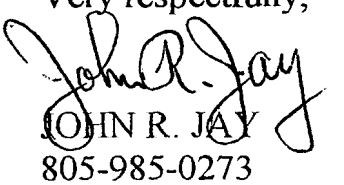
CONCLUSION

What we have here, is **clearly** MALFEASANCE, MISFEASANCE, and NONFEASANCE, by bureaucrats who want to use any excuse possible to ignore complaints from JOHN JAY, regardless of the weight of evidence submitted. Incompetence??? May that too. CLEARLY this is a serious matter which needs to be checked out, in GREAT detail, by the ATTORNEY GENERAL himself, and members of the Senate Judiciary Committee.

I request REAL response this time, and a REAL investigation, and that NAVY and DOD investigators be told to keep out of it. This matter **should and must be investigated by the FBI** or someone else in the Criminal Division of the DOJ. It is a tremendous conflict of interest for the DOD or Navy to be investigating each other. In ALL past cases which I

brought to the attention of the DOD IG, they merely passed it to the Navy! The DOD IG in every instance allowed the Navy to investigate itself, the believed the lies, half truths, and misrepresentations told by officials at NAVAIR, and NAWCWD, concerning my allegations and their findings. This is tantamount to allowing the Mafioso to investigate itself and see if they can find any wrongdoing by one or more members of one of the "families".

Very respectfully,



JOHN R. JAY
805-985-0273

Enclosures:

1. ***Letter from the Dept. of Justice to John Jay, dated July 1, 2002***
2. ***Letter from the FBI to John Jay, dated June 26, 2002***

CC:
The Honorable John Ashcroft,
U.S. Attorney General

Chairman, Senate Judiciary Committee,
and members thereof

SUMMARY OF CIVIL SUITS FILED AGAINST THE NAVY IN 9TH CIRCUIT, CENTRAL DISTRICT, LOS ANGELES

The following is a fairly complete listing of all civil suits filed by Navy employees against the Navy, in the Central District of the Federal 9th Circuit, in Los Angeles. Central District is comprised of the following California Counties: Ventura, Santa Barbara, Los Angeles, Orange, San Bernadino, San Luis Obisbo, and Riverside. Note that 90% of Navy facilities are located in Ventura or Los Angeles Counties, with the vast majority being in Ventura County. Only years ~~included are~~ 1989 thru 2000 are listed.

NOTE: Names in ***BOLD ITALICS*** are litigants who were/are employed at the ***Naval Air Warfare Center, Point Mugu, CA.***

Plaintiff	Defendant (Sec. Navy)	Case No.
John D. Horton	Lawrence Garrett III	96CV00762
Jennifer Morrow	" " "	***91CV02925***
James B. Spaan	" " "	91CV06070
Armstrong	" " "	
Tongejan	" " "	
Kelley (2 cases)	" " "	
Rosenthal	" " "	
Peterson	" " "	
Hill	" " "	
Maxim	" " "	
Edralin	" " "	
Solero	" " "	
Garg	" " "	
Halien Besaw	Gordon R. England	01CV07114
Victor Acayan	" " "	***01CV06491***
Victor Acayan	" " "	***01CV01002***

Herbert W. Hauschild	Richard	Danzig	00CV11950
Marilyn Livingston	"	"	99CV00409
David J. Mueller	"	"	98CV09495
Ester Long	"	"	00CV10762
Kevin D. Cox	"	"	00CV07442
William Tyler	"	"	00CV00409
JOHN R. JAY	"	"	***99CV07827***
Yes - Brian Power (NAWCWD)	"	"	99CV06770
Gerald Conway	"	"	***99CV06015***
Golden Rain	"	"	99CV01595
William Tyler	"	"	99CV01445
Harold Brooks	"	"	99CV00366
Victor Acayan	"	"	***00CV01002***
Timothy Holmes	"	"	00CV01839
Thomas W. Huey (NAWCWD)?	"	"	***99CV08590***

Willie C. Lawson	John	H.	Dalton	00CV04342
- Angelito Marquez	"	"	"	99CV00167 - Long Beach NSY
Jacqueline Johnson	"	"	"	99CV00100
Kellie Jean Watts	"	"	"	98CV07598
Jacqueline Johnson	"	"	"	98CV06838
Judith Barron	"	"	"	***98CV05063***
Gerald Dembro	"	"	"	98CV04499
Valerie B. Boston	"	"	"	98CV03163
Jennifer Hutcherson	"	"	"	***98CV00487***
Dorothy Nelson	"	"	"	***97CV07873***
Boyce Clark	"	"	"	97CV07112
Kelada	"	"	"	97CV04314
Debra Schrader	"	"	"	97CV03550
Thomas	"	"	"	97CV03538
Deborah Varos	"	"	"	97CV00424
Polk	"	"	"	96CV07652
Colleen Specht	"	"	"	***96CV07064***
Larry Jones	"	"	"	96CV07006
David Schneider	"	"	"	***96CV06665***
Marvel Murrell	"	"	"	96CV05300
Herman L. Thomas	"	"	"	96CV02727
Denise Barnes	"	"	"	96CV01685
Cynthia M. Donahue	"	"	"	96CV00343

John A. Futoran	***John H. Dalton***	***95CV07749***	
Herman L. Thomas	" " "	95CV07480	
Nina J. Burgert	" " "	95CV05836	
Valerie B. Boston	" " "	95CV05703	
Boston	" " "	95CV05696	
Beverly L. Damron	" " "	95CV05687	
Antonio B. Espinoza	" " "	95CV04767	– National Archives
Danny K. Nix	" " "	95CV04380	
Steven R. Welch	" " "	95CV04122	
David Schneider	" " "	***95CV02189***	
Susan Ann Polk	" " "	95CV02133	
Steven W. Murphy	" " "	95CV00207	
Drake	" " "	95CV00130	
Valerie B. Boston	" " "	94CV05858	
Danny K. Nix	" " "	94CV05047	
Roger De Filippo	" " "	94CV04789	
Gerald Conway	" " "	***94CV01703***	
Drake	" " "	94CV00477	
Newland	" " "	93CV01250	00-55281
Robert C. Wilson	" " "	***98CV02474***	– App. to 9th Cir.
Jaime H. ~~Espinvera?~~ Espinueva	" " "	97CV01585	– NOT NAWCWD EMF
Fred Lovell	" " "	***97CV00199***	
Chadidah Avraham	" " "	96CV06393	
Matthew A. Monforton?	" " "	95CV00424	
Lynton Keith Porter	" " "	95CV00383	
Brooks	" " "	93CV07252	
Bailey	ADM Frank Kelso ***(acting)***	93CV04767	
Maxim	" " " "	93CV03877	
Jonge Jan ?	Sean O'Keefe	92CV05991	
Bray ET AL	" " "	92CV05108	
Bonnie K. Jenkyn	" " "	92CV04885	
Bonnie K. Jenkyn	US Navy	92CV04896	

VICTIMS & ~~WHO~~ WITNESS WHO MIGHT TESTIFY AG. VILLIANS

1. Maryland Houck
2. Billy Davis (Retired)
3. Bill Sowell
4. John Jay (Retired)
5. Ed Moore
6. CRISTEL GARTMAN
7. ULYSES FARLEY
8. Jennifer Hutcherson
9. ~~James Bo~~
10. Myra Wilson (forced out)
11. Deborah Guiterrez (?) - (forced out)
12. ★ RON PORTER (Ridgecrest / forced out)
13. Drew Hollingsworth (forced out)
14. Judy Barron
15. Claire Henry
16. Sharon Collins
17. Dave Bienewski
18. Dave Paggen
19. Dennis Sockousky
20. AL DORFMAN (Ridgecrest)
21. Andrew Prokopaw (forced out)
22. HARRY CARTER (NAVAIR / Pax. River)
23. Dale Paul Benedetti (anti-fascist pro-democracy)

List of people the FBI should talk to

VILLIANS / ABUSERS / AGRESSORS

~~1. Cristel Hartman~~

★ 2. Jan Meadows
3. Chris Perkins
★ 4. Mary Wedell
5. Cec Colley
★ 6. Ed Rochlde
★ 7. Mike Pulliam

} ★ Arlene Black (EEO) mgmt. "hit" team + cover up crew

★ 8. Clint Seal
9. Steve Mendonca
10. Jess Sandoval
11. Mike Escoto
★ 12. Susan Hinds
13. Don Hilliard
14. Dennis Leffler
15. Mary Norwood

} Head of the Sea Range when Alaska Flight 261 went down on 1/31/2000. Tom Curtis is his #1 junkie. Agressors who are attacking victims

16. Frank Just
17. Mike Nakamura

} CEO / cover up crew

18. Scott Wales (by direction)
19. Randy Langham
20. Sandy Rogers
21. Steve Mendonca

} messed with John Jay

22. Janet Reid (Retired)
23. Ed Kutchma (Retired)
24. EVA BIEN (Retired)

...ep dogs
~~...~~
...rchestra
...onductors)

25. Duwayne DeSalvo > Wentcatterlly
26. James Doty

27. Dr. A.R. Somoroff (NAVAIR ØØA)
28. Nancy Crawford (China Lake)

STATEMENT FOR THE RECORD: ALLEGATIONS CONCERNING POSSIBLE CANCER EPIDEMIC AT POINT MUGU

Prior to my involuntary retirement in November 1999, I was employed as an Electronics Engineer at POINT MUGU. At that time, I had been working at Point Mugu for about 15 years. I had a total of 32 years of Federal service, which included 6 years in the military (Navy) during the Vietnam War. During my 15 years at Point Mugu, I was employed in the Range Operations Dept. at the Naval Air Warfare Center Weapons Division (NAWC-WD).

During my 15 years at Mugu, I noticed a LOT of people under the age of 60 who were getting cancer or dying from cancer. I personally knew 10 people who died from cancer, in the Range Operations Dept. at Mugu, including Faye Blunt Ingersoll, Anna Taylor, Almeda Harcus, Larry Pruitt, and Tex Schroller. Many others I knew, who are still at Mugu or who used to work at Mugu, (over 25 people) have cancer but are still alive, like Fred Aylard, Dr. Mike Sullivan, and Bill Sowell. I estimate that, for every person I knew of, there were probably 50 to 100 more who had cancer, that I did not know of. The base is VERY secretive about how many cancer cases there are. A female employee I talked to, at Point Mugu, was keeping a list of people who had died from cancer, within the Range Operations Dept. The last time I saw her list (1998), it had 35 names on it. I cannot reveal her name, because she would be fired if I told anyone about her and the list she has been keeping.

Three years prior to retirement, I started talking to employees at Mugu, within the Range Operations Dept. and Public Works, to see how many people knew of the scope of the possible cancer epidemic at Mugu. I continued to poll those at Mugu I could still reach, after retiring. All together, I queried more than 50 people. The basic question I asked all of them, by phone or e-mail, was this: "Do you have cancer or do you know anyone else personally who has cancer or who died from cancer?" Not a scientific question, to be sure, but the answer was over 75% positive and less than 25% negative. Since there was such a large percentage who DID know of other cancer cases at Mugu, or who had cancer themselves, I extrapolated this figure and came to the conclusion that far beyond 50% of those who had worked at Mugu (for at least 5 years) had cancer or died from cancer. While cancer will generally strike 30% to 50% of every living person (depending on where they live), at some point during their lifetime, it is unusual to find a place where the percentage APPEARS TO exceed the 50% level. My informal survey and methods are clearly NOT scientific, but I found out enough to know I am on to something big here! There is definitely some type of toxic material or other environmental effect which is causing a large epidemic of cancer at Point Mugu, with the largest concentration apparently being in the Range Operations Department.

Many things can cause cancer: PCBs, MTBE, high power radiation from Radars and other emitters, and asbestos. Point Mugu has ALL OF THESE in GREAT abundance! A report from the State of California, Environmental Protection Agency, Dept. of Toxic Substances (DTSC), dated June 24, 1997 (copy attached) entitled "DEPARTMENT CERTIFIED REMOVAL ACTION AT POINT MUGU" stated that "The removal action consisted of excavation of 14,000 CUBIC YARDS of soil CONTAMINATED WITH PCB AND METALS."

During the Base Realignment and Closure Process (BRAC) of 1994-95, the Navy told the BRAC Commission that it would require over $800 MILLION to relocate all of the systems at Mugu, clean up the hazardous waste, and close down the base. That figure included $200 MILLION just to clean up the hazardous waste and toxic substances, and they said that was a conservative estimate. I am attaching a report I obtained from a friend, which is entitled "1995 CPEO MILITARY LIST ARCHIVE", "Subject: $100 MILLION DOD CLEANUP CLUB". It has a list of DOD facilities where the cost of cleaning up hazardous waste and toxic materials was over $100 MILLION. POINT MUGU is on the list with 39 SITES, and a total of $113 MILLION, just in FY 94 and FY 95 alone!

I have far more evidence, both real and hearsay. Enough to prove that Point Mugu is a dangerous place to work and that there is VERY HIGH potential for exposure to substances KNOWN to cause cancer. I believe this problem requires further research and investigation. I am willing to cooperate with any FAIR, and IMPARTIAL investigators who want to study this problem further and find out how to "fix" it, IF it can be "fixed". There is DEFINITELY an epidemic of cancer at Mugu, and this should NOT be covered up. Everytime I tried to query people in the Safety Office at Mugu, they went into a state of near panic, and clamed up. George Wadley, in particular, would NOT give me any info whatsoever, while I was still at Point Mugu. The Ventura County Dept. of Public Health, Epidemeology group, would not help either. They told me they could NOT find out or track cancer at Point Mugu, but they did have data for Ventura County generally and California. One lady I talked to gave me a chart (copy attached) which indicates that Ventura County is VERY high on the list for California counties in cancer deaths.

That chart OBVIOUSLY includes people who died from cancer during or after employment at Point Mugu. In fact, it is POSSIBLE that deaths from cancer at Point Mugu are skewing the Ventura County data. Over the past 30 years, more than 25,000 people have worked at Mugu (long term and short term) and retired from there. That includes MILITARY PERSONNEL AND CIVILIAN PERSONNEL, from all of the Navy activities located at Mugu (NAWS, NAWCWD, NAVSOC, etc.). There is a signicant percentage of such people in Ventura County, and MAYBE enough to skew the Ventura County data, thereby causing Ventura County to be high on the list of counties with high cancer death rates. In my opinion, the high rate of cancer in Ventura County can only have a few likely causes: Point Mugu, agricultural spraying of farms in the area, or being exposed to air pollution from Los Angeles. I believe that we would ALL benefit from knowing which of the three is causing the high rate of cancer in Ventura County.

To make a long story short, I will now close, to avoid going over my ALLOCATED TIME LIMIT.. Thank you for your time and this opportunity to make comments.

John R. Jay

JOHN R. JAY
2440 W. Hemlock St.
Oxnard, CA 93035-3361
(805) 985-0273
Fax: 985-0503

ATTACHMENTS

1. State of California, EPA, DTSC report on "Department Certifies Removal Action At Point Mugu", dated June 24, 1997.

2. Internet site printout entitled "1995 CPEO Military List Archive, Subject: $100 MILLION DOD CLEANUP CLUB", dated August 29, 1995.

3. Chart entitled "Ventura County's Health Status Profile for 1999".

NOTHING BELOW THIS LINE:

Subj:	**MORE STORIES FOR THE PRESS**
Date:	7/5/02 5:38:23 PM Pacific Daylight Time
From:	JJay943
To:	DBened8637

Dale:

Here are a few more stories to add to the list for the news media. Put this together, with the others I sent today. Sooner or later, we will have a BIG, composit story. Have to whittle them down to a reasonable size (no more than 1,000 words).

JOHN

"TRUE LIFE HORROR STORIES ABOUT MANAGEMENT BY FEAR, INCOMPETENCE, ARROGANCE, TYRRANY, AND STUPIDITY AT NAVY BASE LOCATED AT POINT MUGU CALIFORNIA" by John Jay (Oxnard, CA)

1. The big problem with managers and supervisors at NAWCWD, Point Mugu is that they have been getting away with their crimes and abuses for so long, that they thought they could get away with anything forever, without fear of consequences. They are abusive, malicious, and rule by fear rather than by example. When they fired Schnieder, it had a chilling effect on all other potential whistleblower in the QF4 Test Squadron. Those who knew what was going on became too fearful to report the problems and potential problems to those above their managers and supervisor, or to outsiders. The end result was the tragedy we witnessed last Saturday.

Schnieder was the first one in that test squadron to blow the whistle. His story has merit. You should print what he has written and print a story about why and how he was fired in 1996. He acted, in 1996, for unselfish reasons; to save lives. He lost his job for speaking out. Someone like him, who sacrificed his job on the alter of whistleblowing should be recognized for the good that he tried to do. His story has never been told in public before now. Please tell it like it is and do him justice. He has thus far not gotten any justice in court, because the system is stacked against anyone who tries to sue the Navy. They have refused to hire him back. IF they had an ounce of decency (which they do NOT have) they would have hired him back and given him a bonus, a reward and a promotion. Then they should have fired those who persecuted Schnieder. Most have merely been transferred or allowed to retire with clean records. In the meantime, Schnieder is struggling to make ends meed and would have gone down the tubes a long time ago if he were not receiving a small military retirement

check for his military service.

2. I (JOHN JAY) am giving you the name of an aircraft worker at Mugu, who KNOWS what has been going on in the NAWCWD Air Test Squadron at Point Mugu, and what LIKELY led to the air crash, during the Point Mugu Air Show on Saturday. His name is GERALD CONWAY. His home phone number is 981-1750. He has a very HOT story to tell you, and I want you all to remember who gave you this news tip. Gerry Conway has a story to tell about how bad morale, extremely poor leadership, failure to follow safety procedures, and loss of many highly skilled mechanics and technicians (again due to poor management and poor leadership) MAY have led to the loss of the QF-4 aircraft and the two pilots yesterday. Conways phone number at home is 805-981-1750. By the way, *Mr. Conway does NOT want his name mentioned on the news, nor does he want to appear on camera at this time, since he still works at Point Mugu. This is IMPORTANT.* He will talk, but only as an anonymous source.

3. Another person who has a good (and true) story to tell is Mr. David Schnieder. He was fired around 1996 because of complaining to higher level Navy officials about poor safety procedures in the Air Test Squadron at Mugu. He used to work on the same aircraft that crashed yesterday. He believes that the same problems he noted prior to his termination probably led to the crash yesterday. He was and is an expert on air safety systems and ejection systems, having taught many courses on these subjects. Mr. Schneider's phone number is 805-525-0824. His e-mail address is "escapac1c@aol.com".

I used to work at Point Mugu, in the Sea Range Department, until I was forced to retire against my will for blowing the whistle on management's abusive and authoritarian behavior towards the civilian work force. After 32 years of honorable service, including 6 years in uniform (Navy), during the Vietnam War, I was forced to retire against my will. NAWCWD, Point Mugu targeted blacks, whistleblowers, EEO complainants, old workers, and those who had workers compensation complaints on file, when they conducted the 1999 Reduction In Force (RIF).
There are many other things besides this, but right now the focus should be on how and why those two aviators died during the Point Mugu Air Show last Saturday.

END

Subj: ONE OF SCHNIEDERS STORIES
Date: 7/5/02 5:45:54 PM Pacific Daylight Time
From: JJay943
To: DBened8637

Dale:

Add this story, from Dave Schnieder, to your data base of stories about Point Mugu.

John Jay

AIR CRASH AT POINT MUGU MAY HAVE BEEN CAUSED BY MANAGEMENT NEGLIGENCE (by Dave Schieder)

According to a retired Air Force Sergeant with many years of jet engine maintenance experience, with many on the J-79 engine in the F-4, states that the J-79 engine is too rugged to be put out of commission by a bird strike. It would ingest a bird without effecting any noticeable performance loss. This same individual once worked on the QF-4 aircraft at Point Mugu as a civilian and has since retired from that civilian job. Much of his experience prior to Point Mugu was in combat situations in Vietnam where the engine is really subjected to many more opportunities of suffering FOD (Foreign Object Damage), such as ingesting a bird.

The problems the activity has in getting experienced aircraft mechanics is because management chases away so many very good experienced mechanics because of favoritism, racism and blatant lack of respect for most of the maintenance personnel in general. If they were truly competent managers, getting and retaining personnel would be no problem.

You stated in the article that the activity has a 90 day course to train new personnel in the systems. This is truly bogus information as the activity has no such training course other than On-The-Job-Training. In the very early 1990s the activity was offered the entire training curriculum -- including lesson plans, training aids and even an F-4 aircraft that was cut-away in vital areas for training purposes. This offer was flatly refused as management at the time stated they did not need such materials for training as the materials were designed for military personnel and they (meaning civilians) did not need such training. Then why do the airlines place so much emphasis on training and re-training – even their very experienced maintenance personnel?

Manuel Quiroz told Gerald Conway that both aviators should have survived the accident. Until he was transferred out of the activity by management, Manuel Quiroz was one of those who inspected the ejection seat systems in the QF-4 aircraft at Point Mugu. The reason they did not survive is because the ejection seat system did not function properly. As early as 1990, while still employed at the activity, I warned management that not all of the personnel they had performing maintenance on or inspecting the ejection seat systems were not qualified to be assigned to these tasks. This in violation of OPNAVINST 4790.2 series. I did report the violations to the Navy Inspector General, but all I received for my efforts was harassment and eventual termination. I am a retired Navy Chief Petty Officer and my specialty during 20 years of active duty was maintaining ejection seat systems.

David Schneider

135 N. 4th Street Apt 306
Santa Paula, CA 93060

Phone 805-525-0824
FAX 805-525-0824

The best time to call is any day except Monday and Tuesday, but on these days you can call me at 805-933-1788

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WRONGDOING AT POINT MUGU

JOHN JAY - 02:13pm Feb 26, 2001 PST

IN 1999, THE NAVAL AIR WARFARE CENTER WEAPONS DIVISION (NAWCWD), POINT MUGU, CONDUCTED THE MOST DISCRIMINATORY REDUCTION IN FORCE IN U. S. HISTORY. WHY IS THAT SO? THEY TARGETED ONLY GROUPS WHICH WERE AND ARE PROTECTED BY FEDERAL STATUTES: BLACKS, OLDER WORKERS, HANDICAPPED, EEO COMPLAINANTS, AND WHISTLEBLOWERS. IN 2001, THEY TRIED TO COVER UP THIS UNLAWFUL ACTIVITY WITH A STUDY, WHICH WAS CONDUCTED BY THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION (NAPA), WHICH WAS PAID FOR WITH NAVY MONEY, TO ANSWER QUESTIONS ASKED BY THE NAVY. THE STUDY REPORT COVERED UP AND SUPPRESSED FINDINGS WHICH WOULD HAVE EMBARASSED THE NAVY AND NAWCWD. THERE IS NO SPACE TO PROVIDE MORE DETAILS. CALL 805-985-0273 IF YOU WANT TO KNOW MORE.

NAWCWD WORKERS SCARED TO TALK (new)
WHY IS THE STAR IGNORING THIS??? (new)
WALL OF SILENCE GROWS - PART 2 (2 messages)
WALL OF SILENCE GROWS - PART 1 (new)
OUTRAGEOUS PROPOSAL TO PROMOTE NAWCWD C.O. (2 messages)

JOHN JAY - **02:30pm Sep 10, 2001 PST**

On May 21st, President Bush sent a proposal to Congress to promote RADML Charles H. Johnston, Commanding Officer of NAWCWD (Point Mugu/China Lake). This is outrageous for the following reasons: Johnston knew that the RIF of 1999 was unlawful, because he was told as much by a high level official at NAVAIR (Harry Carter, Deputy EEO Officer for NAVAIR). Yet, without any hesitation, he allowed the RIF to proceed. The RIF violated EEO and other statutes by targeting the following "protected" groups: Blacks, handicapped, whistleblowers, EEO complainants, those over age 40, and and young Asians. He then presided over a flagrant cover up attempt, when he invited the National Academy of Public Administration (NAPA) to do a study on the RIF. Johnston should be DEMOTED rather than promoted! JOHN JAY (805-985-0273)

JOHN JAY - **02:36pm Sep 10, 2001 PST** (#1 of 2) Reply

PROFESSIONAL COVER UP AT MUGU

Continuing the foregoing post, here is how the cover up of the RIF wrongdoing went: A contract was issued by Dept. of Navy (Betty Welch), who APPROVED the unlawful RIF! Contract was NOT a valid contract, using normal Federal contract processes. NAPA came in, did a study, answering ONLY questions asked by the NAVY. They NEVER answered the REAL critical questions, concerning unlawful actions pointed out by Bill Sowell, Ron Porter, John Jay, Harry Carter (NAVAIR), and MANY others! They published a report that was laughable, because it was such an OBVIOUS cover up attempt. Since RADML Johnston gave his FULL approval to this study, he should be demoted and kicked out of the Navy. Navy regulations make his actions a court martial offense, so why has he not been court martialed???? JOHN JAY (805-985-0273)

JOHN JAY - **02:37pm Sep 10, 2001 PST** (#2 of 2) Reply

COVER UP OF MALFEASANCE AT MUGU

Continuing the foregoing post, here is how the cover up of the RIF wrongdoing went: A contract was issued by Dept. of Navy (Betty Welch), who APPROVED the unlawful RIF! Contract was NOT a valid contract, using normal Federal contract processes. NAPA came in, did a study, answering ONLY questions asked by the NAVY.

They NEVER answered the REAL critical questions, concerning unlawful actions pointed out by Bill Sowell, Ron Porter, John Jay, Harry Carter (NAVAIR), and MANY others! The published a report that was laughable, because it was such an OBVIOUS cover up attempt. Since RADML Johnston gave his FULL approval to this study, he should be demoted and kicked out of the Navy. Navy regulations make his actions a court martial offense, so why has he not been court martialed???? JOHN JAY (805-985-0273)

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A blank line starts a new paragraph. A line starting with 'b ', 'i ', 'c ', '* ', '] ', or '> ' provides simple formatting. You may use HTML and links to previous messages. See the quick-edit help for more information.

Title:

Warfare Center to bolster work force

NEW JOBS: Navy plans to hire average of 200 each year through 2005.

By Raul Hernandez
Ventura County Star writer
Saturday January 15, 2000

The Naval Air Warfare Center Weapons Division is hiring more people and its future looks very bright, Navy officials said Friday.

People weren't hired the last five years, but now, because of the increase in workload, the Warfare Center is adding new jobs to its ranks and replacing others.

Work force projects show there is a need to hire 75 college graduates for the Engineering and Science Development Program in the next year.

The Warfare Center already has hired 37 new employees for the program, according to Capt. Bert Johnston, commander of the Warfare Center.

In addition, there also will be a need to hire an average of 200 people a year through 2005 as much of the center's work force retires, Johnston said.

Military and civilian personnel were given glimpses into the Warfare Center's plans Wednesday as Johnston and Karen Higgins, executive director of the Warfare Center, gave several "state of the command" messages to the work force at its bases at Point Mugu and China Lake.

The Warfare Center employs 3,002 civilians at China Lake and 1,700 at Point Mugu.

"We are in a new environment, we've turned the corner," Higgins said. "We're no longer looking at the internal turmoil caused by a long period of change and reorganization. We're looking at why we're really here, to the future and what we can do for our customer."

Johnston and Higgins discussed many things, including Warfare goals, weapons systems, accomplishments, training; and the Business Development Office, which is a partnership between the business community and the military to create jobs.

Johnston said no more reductions in force are expected at the Warfare Center.

Also, Commercial Activity studies that scrutinize Navy

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functions and determine whether private contractors can do the work cheaper, aren't expected to increase because the Warfare Center is proving to the Pentagon that it is "a lean, mean and efficient" organization by winning its bids.

"We are winning the CA Studies," Johnston said.

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Analyses gave early warning on Navy cuts

Mugu, China Lake: Higher slashes predicted for women, minorities, older workers and disabled.

By By Raul Hernandez
Ventura County Star writer
Sunday September 3, 2000

Two months before civilian employees at Point Mugu and China Lake began receiving pink slips, top managers projected job cuts at the Navy bases would have a disproportionate impact on women, minorities, older workers and employees with disabilities, according to two Navy analyses.

But the cuts were made anyway -- despite warnings from the Navy's Inspector General's Office that they could be illegal.

The Navy analyses envisioned jobs held by minorities, women, the elderly and the disabled would be slashed by at least a third, a much higher percentage than for young, white men.

A demographic breakdown of the more than 189 workers eventually let go was unavailable, despite repeated requests by the Star and at least one court motion.

But if the flurry of after-the-fact lawsuits, letters to Congress and interviews with ex-employees are any indication, the final cuts mirrored the projections.

"These numbers are going to reflect that it was much more on minorities, disabled and older workers," said attorney John Futoran, who is suing the Navy on behalf of one fired employee.

"I suspect that they don't give us the numbers because it'll just prove that they discriminate. E This may eventually turn into a class-action suit."

The Navy bases reduced their work force last year as part of the Pentagon's ongoing effort, called Reduction In Force, or RIF, to save billions by changing the way the military does business.

The civilian employees were fired or demoted under the Navy's so-called Personnel Demonstration Project, a 20-year-old program that stresses job performance over seniority.

Top Navy officials laud the program, saying it allows them to keep and replenish employee ranks with the best and

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brightest engineers and workers, while washing out workers who are unproductive.

Search In
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But some ex-workers claim the Demonstration Project was deliberately set up to rid the base of certain groups of people, including those who filed Equal Employment Opportunity grievances or were perceived to be troublemakers.

Harry Carter, Naval Air System Command's investigator in Washington, D.C., looked into the allegations of unfairness and found last year's job cuts to be "highly questionable."

Carter's 16-page report, released in April, criticized how the employee firings and demotions were handled, and questioned the tactics and motives of top-level managers.

He stated that the Navy would be hard-pressed to explain the job reductions in court.

"While there is never a guarantee that we would win or lose a court case if challenged, I believe we would be in for some extremely embarrassing days in court if complainants (or their attorneys) learned how to challenge this system properly," Carter wrote.

The numbers

The first round of job cuts was made in April 1999. The second round took place in November.

But two months before the first round of cuts, the first signs emerged that the planned reductions were biased against minorities, women, older workers and those with disabilities.

Karen Higgins, executive director of the Naval Air Warfare Center at Point Mugu, stated in a Feb. 12, 1999, letter to top Navy officials in Washington, D.C., that she believed 577 of 1,963 civilian jobs at the base would be cut.

She predicted 40 of 122 black workers and four out of 12 workers with disabilities would lose their jobs -- about a third in each case.

In contrast, she said, only 194 of the base's 1,249 Anglo workers would be let go -- just 16 percent. She later adjusted that figure to 375 lost positions, which brought the percentage of discharged whites to 30 percent, too.

At China Lake, Higgins projected cuts to include eight of 71 black employees, 11 percent; six of 115 Hispanic workers, 11 percent; and six of 30 workers with disabilities, 20

percent.

In contrast, she said, 199, or 7 percent, of China Lake's 2,801 Anglo employees would be let go.

Both bases would save a total of $29.4 million with the job cuts, Higgins noted.

Higgins' job-cut recommendations were approved by top Navy and civilian officials.

A second analysis in March 1999, given to attorney Futoran by Navy Command counsel John McCollum, found there was a total of 5,205 employees at Point Mugu and China Lake, and 1,090, or 21 percent, were minorities.

This analysis showed 30 percent or 90 of the 310 positions to be lost were held by minorities.

Women make up 31 percent or 1,633 workers on the bases, the summary showed. But 138 posts or 45 percent of those to be let go were women.

The summary also showed that more than 75 percent of those losing their jobs were workers 40 years and older.

In the end, the Navy wound up cutting more than 189 jobs -- far fewer than either analysis predicted. But critics insist the demographic projections remained roughly the same -- and were patently unfair.

Futoran said Navy officials have refused to provide him with a breakdown showing how many women, minorities, workers with disabilities and older employees lost their jobs -- people he believes bore the brunt of the job cuts.

Several ex-employees agree and have gone to court and to members of Congress to get their jobs back. They also want an apology from the Secretary of the Navy.

Carter's warning

Sparked by a slew of congressional inquires, the Command's Inspector General's Office in Washington put together an investigative team headed by Carter.

Carter's report states his investigative team interviewed more than 150 employees and 70 supervisors and an "overwhelming" number concluded that "while having good aspects," RIF has "an unfair adverse effect on a large number of employees when computing their RIF status."

He said the cutbacks in April were inappropriate and

possibly illegal, and warned against proceeding with the cutbacks slated for November, but he was ignored by Navy brass and Point Mugu managers.

Carter also alleges that top civilian officials in Washington engaged in a cover-up, abused their authority, questioned the probe's validity and attacked his integrity.

Further, Carter wrote that he was ordered by the command's civilian managers to stop the investigation and destroy his findings.

"In my opinion, this command (should) do everything in its power to correct the problem and effectively deal with those who placed the command in a precarious position," Carter wrote Navy Command officials in Washington.

Navy officials have refused to comment on Carter's thick report.

But they could find themselves facing another investigation, this one by the Department of Defense.

Sen. Barbara Boxer, D-Calif., has asked the Defense Department to step in and investigate Carter's allegations.

Carter and base employees maintain the Demonstration Project itself is to blame and might be in serious need of an overhaul or, at the least, some fine tuning.

Navy officials have stopped short of admitting the system is flawed.

"No system that is administered by humans is going to be perfect," noted Ed Rockdale, acting personnel officer at China Lake.

But stung by congressional inquiries and outside criticism, Navy officials are expected this week to appoint an independent reviewer to examine the job performance rating system.

"People are our highest priority and we want to ensure that everybody feels that their performance is rated fairly," Rear Adm. Bert Johnston, Weapons Division Commander, stated in a brief press release.

"We believe the Personnel Demonstration Project has proven itself over the years as a fair and objective means for measuring and recognizing work force performance," he said.

"Nevertheless, to remove any questions of unfairness, and

to ensure that we have taken all possible measures, we will have an independent review of these concerns."

-- Raul Hernandez's e-mail address is rhernandez@insidevc.com.

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2440 W. Hemlock Street
Oxnard, CA 93035-3361
February 6, 2002

Chief Editor and Reporters
Los Angeles Times
202 W. 1st Street
Los Angeles, CA 90012

Ladies and Gentlemen:

Last year, in June, I wrote a complaint to 12 Senate Armed Services Committee members about the nomination of RADML Charles H. Johnston (who was commanding officer of NAWCWD during a lot of the wrongdoing that was reported by me and the STAR Newspaper in 2000). My letter recommended that RADML Johnston NOT be confirmed by the Senate for promotion to RADML Upper Half. The confirmation was taken off the record, after these members received my complaint. In August of 2001, I sent another similar complaint to the 4 key members of the Senate Armed Services Committee, basically restating what I had said in the June letters. The second set was sent by Certified Mail, so I can prove that these 4 members of the Senate (Kennedy, Levin, McCain, and Warner) received the copies I mailed.

The bottom line is this: NONE of the 16 Senators I wrote to responded, except for Senator Feinstein, and she only acknowledged receipt of my complaint and nothing more. I never got a follow up letter on the results of my complaint; not from Feinstein or any of the others. I smell a BIG cover-up, in which the Navy has likely lied to the Senate about what happened and the Senate has believed what they said. Either that, or my claims were verified and they are afraid to admit it. No proof of this; just educated guesses. (Note that Senator Barbara Boxer was one of the Senators I sent my complaint to in June of 2001.)

I just mailed a follow up letter to 14 of these same Senators (see enclosed mailing list), which is essentially the same mailing list I used in June/August of 2001. I asked them why they never responded. I also asked for copies of what they received from the Defense Dept. or the Navy, regarding my allegations against RADML Johnston. I thought you might like to have a copy of what I mailed, so everything I just sent to these Senators is enclosed. Maybe you could assign a reporter to investigate this and find out why 14 members of the Senate Armed Services Committee refused to answer my complaint (excepting Feinstein), and why RADML Johnston's name was withdrawn from the nominations list in August of 2001.

Please call me at 805-985-0273 (Fax 805-985-0503) if you have any questions.

John Jay

2440 W. Hemlock Street
Oxnard, CA 93035-3361
February 6, 2002

Mr. Timothy Gallagher
Editor and President
STAR Newspaper
P.O. Box 6711
Ventura, CA 93006

Dear Mr. Gallagher:

Thank you again for assigning Raul Hernandez to do that series of stories in 2000 regarding the unlawful actions at the Naval Air Warfare Center Weapons Division (NAWCWD), Point Mugu. A lot has happened since then and I wanted to give you an update.

Last year, in June, I wrote a complaint to 12 Senate Armed Services Committee members about the nomination of RADML Charles H. Johnston (who was commanding officer of NAWCWD during a lot of the wrongdoing that was reported by Raul Hernandez). My letter recommended that RADML Johnston NOT be confirmed by the Senate for promotion to RADML Upper Half. The confirmation was taken off the record, after these members received my complaint. In August of 2001, I sent another similar complaint to the 4 key members of the Senate Armed Services Committee, basically restating what I had said in the June letters. The second set was sent by Certified Mail, so I can prove that these 4 members of the Senate (Kennedy, Levin, McCain, and Warner) received the copies I mailed.

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John Jay

URGENT

To:	Mr. DANIEL GONZALEZ
Voice Number:	526-1777
Fax Number:	526-4106
Company:	
From:	JOHN R. JAY
Company:	JAY'S PARALEGAL SERVICE
Fax Number:	805-985-0503
Voice Number:	805-985-0273
Date:	8/23/98
Number of Pages:	~~2~~ 3
Subject:	MORE ON ABUSES AT POINT MUGU

Message:

Enclosed is a one page addendum to the information I faxed to your office yesterday. It is an important point, concerning what Congressman Gallegly did (or did not do) with our Petition to Congress, which had 6 signatures when we mailed it out in on May 5th to 25 members of the House and Senate. The Petition to Congress now has 12 signatures! I am also enclosing a letter I just received from Congressman Waxman.

2440 WEST HEMLOCK ST.
OXNARD, CA 93035-3361
AUGUST 23, 1998

Dear Mr. Gonzalez:

I would like to make certain that you understand an important fact concerning the information I faxed to you yesterday. This is a key point: Bill Sowell and I can prove that Congressman Henry Waxman (Los Angeles) sent a copy or our PETITION TO CONGRESS to Gallegly. Paula Sheill, of Gallegly's Oxnard staff, confirmed back in June that he received a copy from Waxman. We never sent a copy directly to Gallegly, because of his known reputation for defending the Navy and not supporting women or minorities in discrimination cases filed against the Navy. Within a week of receiving the Petition, Gallegly met with the Admiral who runs our base (Rear Admiral Rand Fisher) and gave the Petition to him. In other words, Gallegly did NOT grant our request for a Congressional, FBI, or Federal Grand Jury investigation. He merely gave it to the base, so that they could investigate themselves again and cover up all of the wrongdoing we reported. **This is absolutely outrageous!** I and Bill Sowell are willing to swear that we saw the copy of our Petition in the hands of a member of the Admiral's Point Mugu staff (Command Evaluation Office). We also saw an electronic e-mail report, on the base network, which stated that Gallegly and RADM Fisher were meeting (during the same week in which Gallegly received the copy of our Petition from Henry Waxman). Furthermore, KVEN radio interviewed Gallegly the same day the meeting with Fisher took place and Gallegly confirmed that he was meeting to discuss a "confidential matter which I am not at liberty to discuss on this radio program".

So, the bottom line is this; Gallegly was aware of the issues raised in our Petition to Congress, in June, and did nothing except pass the Petition to RADM Fisher. This could be powerful ammunition, if you use it well, during the coming election against Gallegly. Women would be upset, minority groups would be upset, and others too, because we covered many types of abuses in the Petition to Congress. I sent you a copy of the Petition, with 11 signatures on it. Other than the additional signatures, it is exactly identical to the one received by Gallegly from Henry Waxman.

Bill Sowell and I extend an invitation to you, again, to attend one of our weekly meetings, which are held at the JAMISON Q restaurant, on Oxnard Blvd., in the Lemon Grove Shopping Center, every Saturday at 12:30. Bill and I will be there, as well as several other members of our group (Navy Employees Against Abusive Treatment or NEAT).

I hope you can help us get some news media attention on all of these abuses. One lady (Julie Butz) is dead now, and there MAY be some connection between the sexual harassment she experienced at the hands of the malicious supervisor she was working for during the 6 months prior to her untimely demise. She was only 45 years of age when she die on July 18th. **Her case is only one of MANY (the small tip of a LARGE ice berg).**

John Jay

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Fax History Report for
JOHN R. JAY
805-985-0503
Aug-23-98 9:04pm

Last Fax

Date	Time	Type	Identification	Duration	Pages	Result
Aug 23	9:02pm	Sent	526-4106	1:18	2	OK

To Daniel Gonzalez

2204 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0529
(202) 225-3976

DISTRICT OFFICE:
8436 WEST 3D STREET
SUITE 600
LOS ANGELES, CA 90048-4183
(213) 651-1040

Congress of the United States
House of Representatives
Washington, DC 20515-0529

HENRY A. WAXMAN
29TH DISTRICT, CALIFORNIA

RANKING MEMBER
COMMITTEE ON GOVERNMENT
REFORM AND OVERSIGHT

MEMBER
COMMITTEE ON COMMERCE
DEMOCRATIC STEERING COMMITTEE

August 13, 1998

Mr. John Jay
2440 West Hemlock
Oxnard, California 93035

Dear Mr. Jay:

Thank you for your follow-up letter to the complaint you sent me about the hostile work environment at the Naval Air Warfare Center Weapons Division. I appreciate your taking the time to write.

I have referred your letter to the House National Security Committee for review and appropriate action. I am not a member of the National Security Committee, but I will be sure to keep your concerns in mind when related legislation comes before the full House for a vote.

Thank you again for writing and please keep in touch on issues of concern.

With kind regards, I am

Sincerely,

Henry A. Waxman

HENRY A. WAXMAN
Member of Congress

HAW:bc

Fax # (202) 225-4099

Fax

Please deliver immediately to:	Honorable HENRY WAXMAN
of:	CONGRESS
Fax number:	1-202-225-4099
Voice number:	
Fax received from:	JOHN R. JAY
of:	JAY'S PARALEGAL SERVICE
Fax number:	805-985-0503
Voice number:	805-985-0273
Date:	8/23/98
Time:	11:00:35 PM
Number of Pages:	3
Subject:	DEATH OF JULIE BUTZ AT POINT MUGU

Message:

Sir, IF Congress had paid attention to the PETITION TO CONGRESS, which I mailed to you in May, then JULIE BUTZ might still be alive today. This is what "Reinvention" (with NO checks and balances) has caused at POINT MUGU!! How many others must suffer or die before CONGRESS starts investigating??? CONGRESS should be investingating and NOT the Navy or DOD, due to the enormous conflict of interest potential and danger to us who are blowing the whistle. I am a heart patient and I could easily be the next victim!! I pray to God that that does not happen. WHEN WILL CONGRESS ACT TO STOP THESE ABUSES???

FROM: Navy Employees Against Abusive Treatment (NEAT)
Oxnard/Camarillo, California

REAL LIFE HORROR STORIES AT CALIFORNIA NAVY BASE

A very lovely lady named Julie Butz just died after months of stress caused by abuse at a Navy base in California. Her case is only one of many. We can send a more detailed press release upon request. We can also fax a signed copy of the release, if you give us your fax number and point of contact. Can we prove that Julie Butz's death was related to stress put on her after she filed a sexual harassment complaint against a mean stupidvisor? IF we can get before a Federal Grand Jury, and put everyone under oath, I believe it can be proven. She had a heart problem. She was sexually harassed. She filed a complaint and now she is dead! Is there a connection? Maybe so. It bears a full scale investigation. Her death MUST NOT BE COVERED UP. We will not allow the Navy to cover up what happened to Julie Butz, one of the nicest ladies who ever lived. She was only 45 years old, and left a husband behind and a 15 year old son.

This is "Reinventing Government" at its worst. This base has been using a vicious personnel system, under authority granted by "Reinvention of Government" edicts. What happened to Julie Butz is only the tip of a VERY large ice berg. There have been many other abuses of civil and human rights at this mean spirited Navy base, since 1992, and these abuses are continuing today.

The personnel system, called the CHINA LAKE NAVY PERSONNEL DEMONSTRATION PROJECT preserves all of managements rights while removing ALL of the rights of the workers, except for those specifically protected by the Constitution, and even those rights are not safe any more.

Management has a blank check to do anything they wish to the workers. The system has NO checks and balances to reign in management abuses, so it it OPEN SEASON on any who dares to question management or file a complaint of any kind, as Julie Butz did.

We can provide a list of other victims of abuse at this mean spirited Navy base, which is located at Point Mugu California. Just ask and we will send it. Provide us with your fax number and point of contact.

JULIE, WE ARE DOING THIS FOR YOU.

JOHN JAY
JJay943@aol.com
805-985-0273 (home)
805-989-9204 (work)
FAX: 805-985-0503

BILL SOWELL
wsowell@vcnet.com
805-987-2301

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Fax History Report for
JOHN R. JAY
805-985-0503
Aug-23-98 11:02pm

Last Fax

Date	Time	Type	Identification	Duration	Pages	Result
Aug 23	11:01pm	Sent	1-202-225-4099	1:00	3	OK

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23d DISTRICT, CALIFORNIA

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Congress of the United States
House of Representatives
Washington, DC 20515–0523

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RESOURCES
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NATIONAL PARKS AND PUBLIC LANDS
JUDICIARY
SUBCOMMITTEES:
IMMIGRATION AND CLAIMS
COURTS AND INTELLECTUAL PROPERTY

June 16, 1998

Mr. John Jay
2440 W. Hemlock Street
Oxnard, CA 93035-3361

Dear Mr. Jay:

Thank you for contacting our office to express your concerns about Point Mugu and China Lake.

I have forwarded your correspondence to our Washington Office for their review.

I will be back in touch with you after that office has considered your request.

We appreciate the opportunity to be of service to you.

Sincerely,

ELTON GALLEGLY
Member of Congress

Paula Sheil

by Paula Sheil
District Assistant

PRINTED ON RECYCLED PAPER

TELEPHONE CONVERSATION RECORD
11ND-GEN-2305/11 (REV. 3-74)

[X] INCOMING [ ] OUTGOING

DATE: JUNE 2, 1998

PERSON CALLING	PHONE NUMBER	ACTIVITY
PAULA SHEIL	485-2300	CONG. GALLEGLY STAFF
PERSON CALLED	**PHONE NUMBER**	**ACTIVITY**
JOHN JAY	989-9204	NAWCWPNS

GENERAL SUBJECT: OUR BIGGIE ABUSE COMPLAINT

TOPICS DISCUSSED AND ACTION TAKEN

1. PAULA, OF CONGRESSMAN GALLEGLY'S STAFF, CALLED AND SAID "CONGRESSMAN WAXMAN SENT US A COPY OF YOUR PETITION TO CONGRESS. WHAT DO YOU WANT CONGRESSMAN GALLEGLY TO DO FOR YOU? WHAT ACTION DO YOU WANT HIM TO TAKE?"

2. IN ANSWER TO HER QUESTION, I SAID "WE WANT A FEDERAL GRAND JURY HEARING OR FBI INVESTIGATION. CALL ATTORNEY GENERAL JANET RENO AND ASK HER TO GRANT OUR REQUEST FOR A FEDERAL GRAND JURY HEARING."

3. SHE PROMISED TO RELAY MY REQUEST TO GALLEGLY AND THAT ENDED THE CONVERSATION.

NOTE: VTC MINUTES THE FOLLOWING WEEK INDICATED THAT RADM RAND FISHER WAS SCHEDULED TO MEET GALLEGLY. SUSPECT THAT MEETING WAS ABOUT OUR COMPLAINT.

FILE	DISTRIBUTION	SIGNATURE
	Our NEAT committee members	John Jay

BARBARA BOXER
CALIFORNIA

COMMITTEES:
APPROPRIATIONS
BANKING, HOUSING, AND URBAN AFFAIRS
BUDGET
ENVIRONMENT AND PUBLIC WORKS

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
senator@boxer.senate.gov
http://www.senate.gov/~boxer

June 17, 1998

The Honorable Kathleen Day Koch
Special Counsel
Office of Special Counsel
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

Dear Ms. Koch:

Enclosed please find a copy of the letter sent to Senator Boxer from her constituent John Jay and several other constituents. As the letter indicates, this constituent requests help from this office on a matter concerning the U.S. Office of the Special Counsel.

I am submitting the attached correspondence for your review and consideration.

Your assistance in providing this constituent with a response to the concerns described in the letter would be greatly appreciated. You may direct any questions to Michael Wallace of our San Francisco office. The phone number is [redacted]

Sincerely,

Beatriz Rivas Rogalski
Deputy Chief of Staff

BRR/mbw
Enclosure
cc: John Jay

1700 MONTGOMERY STREET
SUITE 240
SAN FRANCISCO, CA 94111
(415) 403-0100

2250 EAST IMPERIAL HIGHWAY
SUITE 545
EL SEGUNDO, CA 90245
(310) 414-5700

650 CAPITOL MALL
SUITE 6544
SACRAMENTO, CA 95814
(916) 448-2787

2300 TULARE STREET
SUITE 130
FRESNO, CA 93721
(209) 497-5109

525 B STREET
SUITE 990
SAN DIEGO, CA 92101
(619) 239-3884

210 NORTH E STREET
SUITE 210
SAN BERNARDINO, CA 92401
(909) 888-8525

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U.S. Department of Justice

Civil Rights Division

KAB:RSU:CRT:pb
DJ 170-12C-0

Employment Litigation Section
P.O. Box 65968
Washington, DC 20035-5968

Phone: (202) 514-3831

JUN 19 1998

Mr. John Jay
2440 W. Hemlock St.
Oxnard, California 93035-3361

Dear Mr. Jay:

Your correspondence of May 6, 1998, addressed to Attorney General Reno has been referred to the Employment Litigation Section of the Civil Rights Division for consideration and response. As we are sure you can understand, it is not possible for the Attorney General to answer personally all the correspondence she receives. Please excuse our delay in responding.

Your correspondence indicates that you and several of your co-workers believe you have been discriminated and retaliated against by your employer, the Naval Air Warfare Center Weapons Division of the U.S. Navy, a component of the U.S. Department of Defense, on the basis of your race, sex, age and disability.

Congress has not given the Department of Justice authority to pursue charges of employment discrimination against departments or agencies of the federal government, including the Department of Defense or its component, the U.S. Navy. We have authority under statute Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et seq. to pursue charges of discrimination only against state and local government employers.

Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791, ("Section 501"), requires departments and agencies of the federal government to have an affirmative action program plan for the hiring, placement and advancement of individuals with disabilities. The Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621, et seq. (the "ADEA"), prohibits employers from discharging or otherwise discriminating against any individuals, age 40 years of age or older, because of such individual's age. The Department of

Justice does not have authority under Section 501 or the ADEA to investigate the employment practices of other departments or agencies of the federal government.

The procedure for filing a charge of employment discrimination against any department or agency of the federal government, including the Department of Defense, is to contact an equal employment opportunity officer at that agency who is authorized to receive and investigate such a charge. It appears from your correspondence that such charges have been filed, but you are not satisfied with the manner in which they have been investigated.

To the extent you are requesting the assistance of the Department of Justice with regard to your complaints, we are unable to provide that assistance. The Department of Justice is not authorized to give legal assistance to private citizens or to represent them.

We can only suggest that you consult with your private attorney to determine what other remedies, if any, may be available to you.

Sincerely,

Katherine A. Baldwin
Chief
Employment Litigation Section

By: Carrie R. Thompson

Carrie R. Thompson
Paralegal Specialist
Employment Litigation Section

DEPT. OF JUSTICE
CIVIL RIGHTS DIV.
CRIMINAL SECTION
(202) 514-3204

DEPT. OF JUSTICE
CIVIL RIGHTS DIV.
FAX# (202) 514-6603

Janet Reno
Attorney General
(202) 514-2001
FAX: (202) 514-4371

U. S. Department of Justice

Civil Rights Division

DCR: fmm
DJ 144-12C-0

Washington, D.C. 20530

July 30, 1998

Mr. John Jay
2440 West Hemlock Street
Oxnard, California 93035

Dear Mr. Jay:

This is in reply to your correspondence. We apologize for the delay of this response.

The matter with which you are concerned is one within the jurisdiction of the Department of Navy. This Department is, therefore, without authority to take any action.

We have forwarded your letter to Honorable John H. Dalton. We are sure it will receive careful consideration.

Any inquiries you have concerning this same matter in the future should be sent directly to:

Honorable John H. Dalton
Secretary
Department of Navy
The Pentagon
Washington, DC 20350

Sincerely,

Diane C. Roberts

Diane C. Roberts
Civil Rights Division

INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202

AUG - 4 1998

MR JOHN JAY
2440 WEST HEMLOCK STREET
OXNARD CA 93035-3361

Dear Mr. Jay:

This is in response to your letter dated June 24, 1998. The Defense Hotline reviewed your correspondence to determine if your complaint warrants an inquiry.

While you feel your organization has conducted fraudulent activity; you have not provided evidence to support your allegations. To justify the use of investigative resources, we need specific instances of wrongdoing. Most of your allegations appear to be against the merit principles practiced by your organization. You indicated in your letter that you have addressed your complaint to the Office of the Special Counsel. You may wish to contact the U.S. Merit Systems Protection Board, 1-800-209-8960, to determine if your concerns come under their statutory responsibilities. We hope this information is useful.

Sincerely,

Leonard Trahan Jr

Leonard Trahan, Jr.
Assistant Director
Defense Hotline

U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

September 2, 1998

Mr. John R. Jay
2440 W. Hemlock Street
Oxnard, CA 93035

[redacted]

Dear Mr. Jay:

This will acknowledge receipt of the above-referenced disclosure matter by the Disclosure Unit of the Office of Special Counsel (OSC). A member of our staff may contact you to discuss this matter if any additional information is needed to consider this case. Please provide the telephone number where you wish to be contacted, if you have not already done so. For overseas telephone numbers, please include country codes; we do not have access to Autovon.

If you wish to write us again concerning this matter, please include the file number listed above. We can also be reached by telephone at (202) 653-9125 or on our toll free number at (800) 572-2249.

Please bear in mind that each year OSC receives a large number of matters concerning disclosures of information of a violation of law, rule, or regulation, gross mismanagement, a gross waste of funds, an abuse of authority or a substantial and specific danger to public health or safety. While we attempt to handle all cases as expeditiously as is possible, we generally process them in the order received.

Sincerely,

C.M. Middleton

(for) Catherine A. McMullen
Chief
Disclosure Unit

CAM/mlm

FAX #(202) 653-5151
Phone #(202) 653-6005
Attn: Maria Middleton

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

October 16, 1998

Mr. John Jay
2440 W. Hemlock Street
Oxnard, California 93035-3361

Dear Mr. Jay:

I am writing in response to your June 22, 1998, correspondence addressed to the FBI.

In order for the FBI to initiate an investigation of any allegation we receive, specific facts must be set forth to demonstrate that a violation of federal law within our investigative jurisdiction has occurred. After reviewing your correspondence, there appear to be insufficient details and facts to demonstrate such a violation or to support the initiation of an FBI investigation. However, I am forwarding a copy of your correspondence to our Los Angeles Office. If you have specific details to support your allegations of criminal abuses, you should provide them directly to our Los Angeles Office, located in Suite 1700, Federal Office Building, 11000 Wilshire Boulevard, Los Angeles, California 90024-3672; telephone (310) 477-6565.

Sincerely yours,

Kathleen D. Timmons

Kathleen D. Timmons
Chief, Color of Law Unit
Criminal Investigative Division
(202) 324-4272

This was ~~mailed~~ mailed to me on 10/22/98.
I received it on 10/26/98.
J. Jay

DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(MANPOWER AND RESERVE AFFAIRS)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

NOV 24 1998

Mr. John Jay
2440 West Hemlock Street
Oxnard, CA 93035-3361

Mr. Bill Sowell
5908 Heritage Place
Camarillo, CA 93012

Dear Mr. Jay and Mr. Sowell:

Thank you for your e-mail of August 29, 1998, to Senator John McCain concerning abuses of authority at the Naval Air Warfare Center Weapons Division, Point Mugu, California. Senator McCain inquired on your behalf and requested that we respond directly to you.

You previously wrote to the Secretary of the Navy, Mr. John Dalton, and the Attorney General, Ms. Janet Reno, regarding these issues. Your letters of May 18, 1998, to Secretary Dalton and June 15, 1998, to Ms. Reno were forwarded to the Inspector General (IG), Naval Air Systems Command. The allegations of abuse in your correspondence along with two of your Equal Employment Opportunity discrimination complaints based on reprisal are the subjects of an ongoing investigation by the IG.

Since the IG is addressing your concerns, it is our policy not to intervene during an investigation. The IG will provide you a report of their findings when the investigation is completed.

Sincerely,

D. K. BAKER
Business Manager
ODASN(CP/EEO)

Copy to:
Senator John McCain

BARBARA BOXER
CALIFORNIA

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION
ENVIRONMENT AND PUBLIC WORKS
FOREIGN RELATIONS

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
senator@boxer.senate.gov
http://boxer.senate.gov

March 18, 2002

Mr. John R. Jay
2440 West Hemlock Street
Oxnard, California 93035-3361

Dear Mr. Jay:

Thank you for contacting me regarding the nomination of Navy Rear Admiral Charles C. Johnston.

As your Senator, I appreciate the opportunity to hear your concerns and your thoughtful views.

In the past six years, I have received over one million personal letters from concerned Californians. I view this statistic with pride. The most serious problem facing democracy is apathy, but the high level of incoming mail demonstrates the determination of my constituents to learn about and influence public affairs. Letters like yours help me to keep fully up-to-date with my constituents. Only with your participation can we truly have a government by, for, and of the people!

Once again, thank you for writing. I appreciate your taking the time to contact me.

Sincerely,

Barbara Boxer

Barbara Boxer
United States Senator

BB:jo

ENCLOSURE 4

1700 MONTGOMERY STREET
SUITE 240
SAN FRANCISCO, CA 94111
(415) 403-0100

312 N. SPRING STREET
SUITE 1748
LOS ANGELES, CA 90012
(213) 894-5000

501 'I' STREET
SUITE 7-600
SACRAMENTO, CA 95814
(916) 448-2787

1130 'O' STREET
SUITE 2450
FRESNO, CA 93721
(559) 497-5109

600 'B' STREET
SUITE 2240
SAN DIEGO, CA 92101
(619) 239-3884

201 NORTH 'E' STREET
SUITE 210
SAN BERNARDINO, CA 92401
(909) 888-8525

Department of the Navy

CORE ~~VALUES~~ CHARTER

Big Lies

As in our past, we are dedicated to the Core Values of Honor, Courage and Commitment to build the foundation of trust and leadership upon which our strength is based and victory is achieved. These principles on which the U.S. Navy and the U.S. Marine Corps were founded continue to guide us today. Every member of the Naval Service - active, reserve, and civilian, must understand and live by our Core Values. For more than two hundred years, members of the Naval Service have stood ready to protect our nation and our freedom. We are ready today to carry out any mission; deter conflict and, if called upon to fight, be victorious. We will be faithful to our Core Values of [illegible] and privilege.

The Dale Ben Section

The Dale Benedetti Section

Dear Senator Boxer,

I would have sent you this letter months ago but I could not due to me being a full time student for the last eight months. I think you will find his letter of some interest and perhaps at some point in the near future we can talk about its contents. This letter is really only an overview what occured. At some point, I can write up a ten to thirty page report detailing specifics of what has occured.

I recently read two articles in the 8/25/2000 and 8/26/2000 editions of the Ventura County Star Free Press. The first having to do with an Inspector Generals Office report blasting job cuts at Pt. Mugu and the second having to do with the Navy conducting an internal investigation of job bis charges. I also read four subsequent articles in the same newspaper dealing with the same subject matter.

I am a former employee of Pt. Mugu. I was let go as a result of a Reduction in Force on 11/19/99. I was told that I would be placed on the priority placement list and efforts would be made on my behalf to place me back into a job in civil service. As of 11/17/2005, my re-employment within civil service has not occurred.

The purpose of this letter is to make you aware of some of the deplorable and demeaning tactics that I and probably many others were subjected to before our termination at Pt. Mugu.

The first part in my gradual phaseout in Civil Service occurred when I was placed on the ATP list. ATP stands for Alternative Talent Pool. I was made aware of my status by my supervisor, a Mr. Ruben Partida. A fews days later, I was filled in on the details as to what it means to be on the ATP list by a high ranking official of Pt. Mugu, by the name of Steve Mendonca, during an assembly at the Base Theatre. At that assembly, all us that were newly placed on the ATP list, were told by Mr. Mendonca that we were put on the ATP list because we were not problem employees. The reason we were placed on the list, according to Mr. Mendonca, was due to us being good employees who could then be easily placed in new positions on Base that were funded. Our present positions had suddenly become unfunded and to this day I am not clear as to why or how our jobs became unfunded. Subsequently, new positions were never created.

A day later, I had a conversation with a NAGE union representative and asked him if he could tell me what were the real reasons for me and close to three hundred others being placed on the list. He told me, in his opinion, we were placed on the list due to the fact that management deemed us to be problem employees and we would be terminated through a RIF in the near future. Subsequent events proved him to be right and Mr. Mendonca, I suspect, to be a liar.

I later had a sit down talk with a Human Resources Specialist about the matter. She told me that it was good for me and my career to be placed on the list and the government had no other alternative but to place us on the list. Later, I was taken off the ATP list for a short period of time. I then called this same HRO official to let her know of my new status. Her response was "that's wonderful." Two months later a high ranking China Lake official named Mr. Robert Harriman came to our workplace, at Pt. Mugu, to tell everyone in our division that more people were being placed on the ATP list, which included me, for a second time. He told us that if we have been on the ATP list or were just now being put on the list for the first or second time, as in my case, we should now realize what management thinks of us, which is "not much." This statement just confirms what was told to me by the union representative when he stated that management has decided that we are problem employees. Needless to say, I did not try to get a reaction from the female HRO official (Jan Meadows) when I was put back on the list. I suppose her reaction would have been that "that is wonderful."

Rear Admiral Rand Fisher stated in an assembly at the Base Theater that the ATP list was something that the Navy could use at its discretion in the future. The ATP list is a despicable anti-labor tactic. How can the dignified and proud U.S. Navy implement such an underhanded tactic. All the uncooth tactics that the Navy used in this process are readily transparent to anyone. I believe at this same assembly a Pt.Mugu female civilian employee, whose name I do not recall, got up and told everyone who was earmarked for separation on 11/19/99 that if they abuse their sick leave between the now and 11/19/99 separation date, they would be taken off the Priority Placement List. Throughout this whole process, I and many other individuals who were designated for separation were talked to, by higher management in the Navy and Civilian sectors, like we were little children.

I talked to a gentleman who had a master's degree in linguistics, and a second masters degree in mathemetics plus a law degree and twenty-three years in civil service as to why he was placed on the ATP list. He said that for a long time he was under-employed in his job. He also added that he did not like his boss and probably had gotten on his bad side and that was the reason that he was placed on the ATP list. He took an early retirement rather that be a casualty of a RIF.

I talked with several other persons who had good performance records thoughout their civil service careers and they were very angry at being let go. I got the feeling that they too had somehow alienated their bosses and were suffering the repercussions.

One person I know of who had forty years in civil service and was not put on the ATP list had told others that he was going to stay in civil service for ten more years. Here is is a man who gets to stay in civil service ten more years, for a total of fifty years, while others, myself included, are terminated before we can get thirty years in. The reason I mention this particular person is that the same HRO official who told me how good it is for my career to be placed on the list and later said it is "wonderful" to be taken off the list said the following: "If the people on this Base who are eligible to retire would retire then this latest RIF, which I was a part of, would have never happened!"

I had 14 years in civil service, got consistently good performance ratings and never had any derogatories placed in my folder.

More:

I had to attend a compulsory meeting with a representative from a company in Ridgecrest California who was at Pt. Mugu for the purpose of recruiting ATP listees. I did not apply for any type position in his company due to my lack of interest in working and living out in the California Desert.

I had to attend another compulsory meeting conducted by a PH.D by the name of Suzanne Hard. It was a six hour discussion in which she extolled the virtues of corporate downsizings, lowering of workers wages, facing the eventuality of eight different job changes during your work career, constantly learning new job skills, acquiring more Degrees and Certifications and generally having to work harder for less in wages and benefits. She was nothing more than an apologist for corporate fascism. I was really offended by having to attend and listen to this propaganda.

I was told to attend a compulsory job interview at Public Works on Base. The job consisted of digging ditches at San Nicholas Island and servicing utilities. I interviewed but was not offered the job. I am a Computer Specialist GS-7 on a 7/9/11 ladder. Yet, I am forced to interview for a position as a ditch digger and handy man on San Nicholas Island. Subsequently, Steve Mendonca's subordinate, a man by the name of Mr. Tom Curtis, phoned me after my interview and wanted to know why I was not given the job. I told him to call the two Public Works officials who interviewed me and ask them as to why they did not hire me. He told me that America is a free country (no kidding!) and that I am free to seek out other employment in civil service once I assume my new position as a Public Works flunkie. I was told by Mr. Curtis that I should have done a better job of impressing my two interviewers to get a funded job.

For five and a half solid years, I was a GS-7 from June of 1994 to my termination date on 11/19/99. I witnessed people with the same job title, series and GS 7/9/11 ladder get promoted to GS-11's over me. I was told by my supervisor, a Mr. Ruben Partida, that the reason I was a GS-7 for so long was that I had angered Mr. Tom Curtis and his superiors when I wiggled my way out of the job at Public Works. Consequently, I should basically face the reality of having to wait a long time before I would even be considered for promotion. He also added that I had no right to talk my way out of the Public Works job.

One day I was in the office of the Division Head a Mr. Gene Zaharov using his copy machine. The one in our section was not working. I noticed on his chalk board the following notations:

Prime
USDA Choice
Tenderloin
Porterhouse
Rump Roast

The implication is quite clear. They were catagorizing employees into different grades of meat. I did not see employees names under each of the headings but I am sure they had been erased. Two days later, Mr. Harriman stopped by our building and gave his infamous ATP list speech.

Mr. Zaharov told us that a system would be put in place in which people would be rotated on and off the ATP list. It never happened.

Mr. Zaharov told me my chances of being placed in a new and fully funded position in civil service were good. As of 11/17/2000, it has not happened.

Mr. Zaharov told another RIFed employee, during a chance meeting in Camarillo California in January of 2000, that the Base was looking at the likelyhood of placing the recently RIFed employees back into civil service in March of 2000. Obviously, it never happened.

It is interesting to note, Mr. Zaharov admitted to me in a one on one sitdown meeting in September of 1999 that one of the important facts the came out as a result of some intense meetings that took place between my immediate supervisors and two paid outside consultants named Mr. Dave Shuster and Mrs. Julie Street was that two employees a Ms. Kathie Rhodes and a Ms. Susan Woodward were the beneficiaries of favoritism (discrimination) from our boss a Ms. Pat Gastineau. Moreover, I and another Computer Specialist named Ms. Suzanne Nishimori were adversely impacted by the discrimination. Ms. Rhodes and Ms. Woodward are still employees of the Base and I and Ms. Nishimori both lost our jobs. Ms. Rhodes and Ms. Woodward are GS 11's. They were promoted to GS 11's by Dwight Bolen and they became exempt from being considered for termination in the 11/19/99 RIF as a result of their promotion to GS-11's. I can go into great detail as to the nature of the favoritism (discrimination) that took place at any time.

We were told by out supervisors to face the possibility of work furloughs, being sent to other places on Base to preform various tasks, and the likelyhood of our pay being lowered. I and others had our daily work duties removed to the point where I was doing nothing but a couple of tape backups each day, reading books, and surfing the internet. Needless to say, Ms. Rhodes and Ms. Woodward were given many more tasks and training than I or Suzanne.

The above and a lot more did occur. If you would be so kind as to let me, I would like to make you aware of many of the other things I witnessed during my stay at Pt. Mugu.

The Navy wants a system to be put in place in which they can get rid of employees for any reason or no reason. The merging of the ATP list and The RIF does in fact accomplish this end and it does it slowly and smoothly. They make it sound like you are a the receiver of some great gift when you lose your job, placed on the ATP list, and later RIF'ed. If we are good employees, as they said we were, why were we RIF'ed?

What is so galling about this whole turn of events is that the NAGE Union did nothing to stop the RIF. I heard they merely made a statement in the Base newspaper that the RIF was completely legal.

What recourse do the affected employees have in this matter? I would like to speculate as follows:

Sue the government to get are jobs back. With what funds? Our unemployment insurance!
File a grevience with the useless-probably CIA controlled-NAGE Union.
Go out and find another job for possibly much less pay and benefits.

Our options are virtually none! We effected employees never had any say in this matter. We had to follow orders and march out the gate.

Why haven't they found us new jobs in civil service? Is it because we were in fact fired and really not RIFed. Which one is it? As of 1/12/2000 we were all removed from the National Priority Placement List. We will then be on what is, in essence, a local Oxnard Plains Priority Placement List for one year. In one years time it will be up to us, with no help from the Federal Government, to find jobs on our own within Civil Service. You can damm well bet that the Navy will continue to hire people such as the three hundred new employees that were hired recently from wherever the hell the Navy got them! Why were we fired?

What happened to Harry Carter's investigative report? Was it in fact destroyed and by whom? Who exactly was it that put pressure on him to destroy his findings? and why? Isn't it obstruction of justice to try intimidate Mr. Carter into destroying his findings? Why have close to three hundred new employees been hired into civil service at the two bases, China Lake and Pt. Mugu, but none of the employees affected by the 11/19/1999 Reduction In Force been rehired? Don't we have rights that supersede the rights of these newly hired three hundred and the ones that the Navy is most certainly planning to hire in the future? I want to go back to work in Civil Service and soon!

I would like to three addendums to this letter. On 11/15/2000 I was interviewed by a Mr. Robert Braustein of the National Academy of Public Administration (NAPA) in the Baja room of the Casa Serena Motel in Oxnard California. I and Mr. Braustein had a cordial forty minute discussion about the slow process that led to me being terminated on 11/19/2000. I read to him the contents of the above letter and got a chance to vent my feelings about the whole termination process. I came away with the feeling that the NAPA fact finding investigation is really about attempting to get at the truth in regards to the course of events that led up to 11/19/1999. I could be wrong about this matter and someday come to the realization that the NAPA mission was nothing more than a report that was put together to counter Mr. Harry Carter's findings. Consequently, the NAPA report should be accepted as the definitive report on this matter and not Mr. Carter's. Therefore, the Navy should not be found guilty of any wrong doing in the matter owing to the fact that the NAPA report was deemed to be much more closely paralleling the truth than Mr. Carter's. I hope that this is not the case and maybe it won't be. At times, I get the sneaking suspicion that maybe it will be. It will be interesting to see if the NAPA report will be nothing more that a whitewash or as Mr. Braustein characterized it an impartial inquiry. I hope it is the latter.

It is interesting to note, Mr. Braustein asked me three interesting questions during our forty minute talk. The questions were: Did you appeal the RIF? My answer to this question was no and I added that I was never made aware of the fact that there was an appeal process that was available to us. The second question was: Has the Priority Placement Program contacted you at all? My answer was no. The third and final question was: Has anyone from Point Mugu's Human Resources Office or any HRO official contacted you? My answer was no they haven't. They just want to sweep us under the rug forever and I won't be swept!

Second addendum: On Wednesday November 22, 2000, I talked with a Mr. Jack Futoran who is representing a number of plaintiffs in the lawsuit against the Department of Defense. He is trying to get damages for his clients in regard to this matter. He told me that I could not be involved in the lawsuit due to me not fileing a lawsuit within thirty days of my release date on 11/19/99. I told him that I couldn't file due to me not knowing that I was supposed to file within thirty days and that I was in school full time from the first part of April to the seventeenth of November 2000. I would therefore have been precluded me from involvement in ongoing litigation. I really think it is unreasonable for me to be excluded from this litigation. He also told me that if his firm wins this suit the individuals who were RIFed would most likely get only monetary damages and that the likelyhood of them getting their jobs back was not good. What good is the suit in the first place if the Navy only has to pay monetary damages and not job restitution to each of the individuals who lost their jobs?

I, for instance, had forteen years in civil service and wanted to remain working in civil service for sixteen more years. Lets say my average salary over the next sixteen years is fifty thousand dollars a year. That calculates out to eight hundred thousand dollars. Why should I only get a monetary sum from the Navy and not my job back which could result in much more income over the next sixteen years? I really suspect that if the Navy has to pay monetary damages and not job restitution damages then the penalty for this illegal Reduction in Force is minimal. In essence, I think that the monetary damages could be rather small and the Navy will just put one over on all of us who were let go. I'm sure they would try to argue that if you calculate the monetary damages plus the income you receive from your new job outside of civil service, you may be better off than just getting your job back. This premise is highly questionable and the premise evades the essential point. The point is, we lost our jobs due to illegal nature of the Reduction in Force. We should not have lost our jobs in the first place and we want them back first and foremost. I certainly do!

Third addendum: On 12/19/2000 I talked to a second lawyer, a Ms Georgiana Regnier of Oxnard California, about this matter. It was a one hour consultation which cost me two hundred and fifty dollars. I was basically told I had the following legal options:

You do not have a discrimination suit against the Federal Government due to the fact that you should have filed a suit with your local Equal Employment Opportunity Board within thirty days of when the actual discrimination took place. Sure, and go on my bosses crap list for the rest of my civil service career. I didn't even know that I had to file with Equal Employment Opportunity Commission and within a specified period of time. She also added that I really would not have much of a discrimination case due to the fact that I am white.

You must meet the Merit Systems Boards requirement of timeliness in regards to you filing a hearing before them. I filed a request for a hearing by mail on 12/19/2000. I was told by Ms. Regnier that in order for you to be granted a hearing you would have to give a valid excuse for not filing a claim within thirty days of the RIF. If you did give a valid excuse, you would be granted a hearing. I was subsequently turned down for a hearing because I didn't meet the timeliness requirements and my excuse for not meeting the timeliness requirements was found to be without merit. As I talked about earlier in this letter, I was not told of my rights to an appeal on this matter until I was told so by Mr. Braunstien

on 11/15/2000. Again, I was also precluded from any ongoing litigation in this matter due to me being in school for the last nine months.

My only legal recourse in this matter is getting a hearing before the Merit Systems Protection Board. If I would have been granted a hearing before The Merit Systems Protection Board, I would need legal representation. I cannot afford the two hundred and fifty dollars and hour to hire Ms. Regnier for her services. Therefore, I cannot properly defend myself in this matter. I need free or low cost legal representation in this matter.

Dear Senator Boxer, would you be please respond to my letter? We, the Reduced in Force on 11/19/99, need closure to this issue and soon. Please don't let the Navy weave a massive edifice of legal sophistry and get away with this. They must be defeated. The rational that the Navy is in downsizing mode which led to the RIF is not a valid excuse due to them hiring three hundred new employees at both China Lake and Point Mugu. How do I go about getting my job back? I certainly do not want to go back to work at the Operations Section of Range Data Systems. That place was a goddam cesspool thanks to my three former bosses named Pat Gastineau, Dwight Bolen and Ruben Partida.

sincerely, Dale Benedetti

274 North Ashwood Ave.
Ventura California, 93003
(805) 218-6683 or (805) 644-4401
email: DBened8637@aol.com

Dear Senator Boxer,

I, Dale Paul Benedetti, have recently sent you a five page overview of a series of events that I witnessed or experienced that took place while I was employed at the Pt. Mugu Naval Base that led up to the 11/19/1999 Reduction In Force. In that type written letter, I stated that I could send you a ten to thirty page report detailing the specifics of a series of abuses that I personally witnessed and experienced leading up to the 11/19/1999 RIF. I have now enclosed that ten page report. I am sorry that I didn't list specific dates and times of these events due to the fact that I did not keep a journal. I now realize it was a mistake not to have kept a journal. I am relating relevant events to you as best I can based on my recollection. I can assure you that what I am setting forth closely parallels the truth.

The purpose of my two reports is to make you aware of the abuses that I and others were on the receiving end of during our employment tenures at Pt. Mugu. These abuse claims are of such a serious nature that I feel they should be investigated by an impartial agency, other than the United States Navy. If some or many of the claims that I am setting forth are substantiated by an impartial investigation, then I feel as though I should be awarded some type of compensation depending on the substantiated claims and the gravity of their seriousness.

I have divided my report into four parts. In the first three parts, I relate a number of abuses that I witnessed or experienced under each of the three bosses that I worked under during my stay at Range Data Systems, Building 53-C, room 120 at NAWCWPNS, Pt. Mugu California from 10/23/1990 to 11/19/1999. I do this in order to give you the proper contextual background necessary so that I can properly segue into Part Four. Part Four discusses the 11/19/1999 RIF and its aftermath.

My reports table of contents:

Abuses Under Pat Gastineau
Abuses Under Dwight Bolen
Abuses Under Ruben Partida
The Aftermath of 11/19/1999

Part One: Abuses Under Pat Gastineau

I, Grace Gates and Nancy Iannacone were all brought in to work, from other places on base, to the RDS Computer Operations Section on 10/23/1990. One month into my stay at the RDS Operations Section, Grace Gates showed me a slip of paper that she had temporarily removed from Pat Gastineau's desk. On that paper were the following notations:

Graces Gates, hired on 10/23/1999
Nancy Iannacone, hired on 10/23/1999 with reservations
Dale Benedetti, hired on 10/23/1999 with reservations

The rationale for the *with reservations* notation next to my name is something I do not understand and in my estimation is totally unjustified. I believe it was based on a complete misconception about me and my abilities. I suspect she wanted to depict me, at least in her mind, as inferior to the other computer specialists who worked under her and, thereby, give me inferior performance ratings while I worked there. As it turns out, she did just that. During the the five years I worked under her, I only received fully successful performance ratings. These ratings along with the subsequent only fully successful ratings that I received from my next two bosses were a significant factor in me being RIFed on 11/19/1999. I and another computer specialist named Suzanne Nishimori received only fully sucessful ratings from each of the three bosses. Ms. Nishimori was also RIFed on 11/19/1999. In 1992 Nancy Iannacone and Grace Gates quit working at RDS Operations Section.

The performance ratings were also a big factor in two other computer specialists named Kathie Rhodes and Susan Woodward being retained on base and not being affected by the 11/19/1999 RIF. Both Kathie Rhodes and Susan Woodward got above fully successful ratings, outstandings, and performance awards. They were also recipients of more one on one training from RDS systems guru's Richard Stahle and Chris Graham, more on Base classroom training, more off Base classroom training and, as a consequence, were given more important work related tasks than I or Suzanne Nishimori.

Kathie Rhodes and Susan Woodward are not superior employees. In fact, they are inferior to me and Suzanne Nishimori. Yet, they were treated like they were Werner Von Braun and Albert Einstein. I and Suzanne were never given above fully successful ratings, outstandings or performance awards during our years at the RDS Computer Operations Branch. We also received significantly less on Base and off Base classroom training. In fact, Suzanne had more seniority at RDS than Kathie Rhodes and Susan Woodward. In addition, neither Kathie Rhodes or Susan Woodward had more experience in the computer field or a more impressive educational background than I or Suzanne. I really believe what endeared them to the three bosses was the fact that, as told to me by various RDS employees, both Kathie Rhodes and Susan Woodward were the RDS workplace informants, or snitches if you will. As you continue to read this report, you will realize that both of these women are just that.

When I was given my GS-7 in April of 1994 by Pat Gastineau, after making an appeal to Gene Zaharov (the Division Head of RDS) to intervene on my behalf, I was asked by Pat Gastineau, during a performance evaluation meeting a few days after I was told of my GS-7

promotion, the following question: "What performance rating do you think you deserve?" I answered by saying that "I feel I deserve an above fully succesful rating." I added that, "I had been given fully successful ratings since I had come to work under her and I think that I deserve an above fully successful rating." Her response was, "I can, legally, only give you one or the other, I cannot give you both." I decided on the GS-7. She lied to me when she said she could not legally give me both.

I was given four no confidence votes by Pat Gastineau during four demeaning sitdown talks with her. She told me during each of the four talks that she didn't think that I possessed the necessary attributes it took to do the work and be successful in the job. I asked her to state in what areas was my performance lacking. She couldn't communicate to me, linguistically, what the concrete, substantive nature of my poor performance was. She just hemmed and hawed. It is interesting to note, each one of these four talks took place one day after I and Kathie (the super snitch) Rhodes worked together on four different eight hour shifts. I and Kathie Rhodes were seldom assigned to work together alone on a shift. Yet, it was the day after each of these four shifts that the four no confidence vote sitdown sessions with Pat Gastineau occurred. I can only infer that Kathie Rhodes related derogatory information about me to Pat Gastineau that reflected adversely on my work performance. I am also certain that the content of the information was largely distortions, half truths and outright lies. In addition to the above, whenever I worked with Ms. Rhodes, I had to do all the work. When I asked Kathie Rhodes why this situation had come about, her response was that "Pat Gastineau told her to do no work when she worked with me."

On one occasion in April of 1993, a Mr. Robert Vasquez who was my immediate supervisor at the time was called in to Ms. Gastineau's office one day after I worked an eight hour shift with Kathie Rhodes. At this meeting, Ms. Gastineau asked Robert Vasquez the following question: "Does Dale Benedetti know what he's is doing?" This question is asked, mind you, two and one half years into my tenure as a Computer Specialist under Pat Gastineau! Robert Vasquez assured her that I do know what I am doing and that I am doing a good job of it. She, nonetheless, persisted in this line of inquiry. She then added, "there is something definitely wrong on your shift and she wants to know what it is." Mr. Vasquez once again assurred her that there is nothing wrong on his shift. Moreover, he added that Mr. Dale Benedetti is doing a good job. I can only conclude from this verbal exchange that Pat Gastineau had it in for me.

During one of my four demeaning sitdown talks, Ms. Gastineau gave me an oral and a written examination on the subject of the RDS Cyber Computer System that we operators interface with. I was really insulted by these two exams.

One day in 1992, after I suffered a bloody nose and a couple of facial lacerations from a slip and fall accident on the RDS premises, I was called into Pat Gastineau's office. She asked me the same innane question that she asked me on previous occasions, "What kind of a job do you think you are doing here?" I told her, as I told her before, that I think I am doing a good job as an RDS employee. Furthermore, I have never received any complaints from anyone, except her, about my performance. She responded by saying that "I am not doing a good job. She added, "if I don't start pulling my weight, I will get written up and further action would be taken if I continue, after a write up, to not pull my weight". This admonishment was made one day after I sustained injuries from a slip and fall accident! I later received a small out of court settlement from a janitorial company due to their negligence.

One year before I came to RDS, Ms. Suzanne Nishimori received similiar treatment from Pat Gastineau after an accident on the RDS premises in which she injured her back

Kathie Rhodes and Susan Woodward went from GS-5's to GS-11's in the space of seven years thanks of the efforts of Pat Gastineau and Dwight Bolen. When Dwight Bolen promoted them to GS-11's from GS-9's, in the space of just over one year at each level, they became exempt from consideration in the 11/19/1999 RIF. Shortly after Dwight (Bozo) Bolen promoted them to GS-11's, he was relieved of his duties as head of the Computer Operations Branch and was succeeded by a Mr. Ruben Partida.

The overt favoritism that was directed toward Kathie Rhodes and Susan Woodward had its start under Pat Gastineau and continued unabated under Dwight Bolen and Ruben Partida. In early 1994, two outside consultants, a Mr. Dave Shuster and a Ms. Julie Street, were called in in order to address the myriad of problems and blatant favoritism that existed under Pat Gastineau and try to mediate the problematical situation. Long troubleshooting meetings were held between the two outside consultants, along with Mr. Gene Zaharov, Pat Gastineau, Kathie Rhodes (who was Ms. Gastineau's chief defender in these meetings), Robert Vasquez and others, but not me. The talks brought to light the many serious problems that existed in the RDS Operations Section that were purposefully instigated by Pat Gastineau. She ended up taking a early retirement a few weeks after the lenthy and expensive discussions. One can reasonably infer that the discussions led to Ms. Gastineau leaving civil service.

I still contend that the favoritism that Kathie Rhodes and Susan Woodward received which manifested itself in:

1. Top secret crypto clearances, which neither I or Suzanne Nishimori had.
2. Higher performance ratings and cash awards
3. More on Base classroom training
4. More off Base classroom training. I received none.
5. Preferential treatment and training from systems analysts Richard Stahle and Chris Graham
6. Promotion from GS-5 to GS-11 in seven short years
7. Exemption from the 11/19/1999 RIF

~~Assignment of important work related duties. Moreover, I do mean assignment of these duties. These duties are of such a nature and~~

Assignment of important work related duties. Moreover, I do mean assignment of these duties. These duties are of such a nature and complexity that you do not go ahead and do them as a result of personel iniative and then recognizing that the duties need to be done. You are trained by RDS systems guru's to do these duties. Consequently, you go out and do them because you have been trained to do them and are assigned them. I and Suzanne Nishimori were never shown how to do these duties. Consequently, we were never ~~assig~~ assigned important work related duties.

Susan Woodward was allowed to change shifts permanently from day shift to graveyard shift, so she could spend more quality time with her kids, and due to her appeals that were granted by Pat Gastineau. Ms Woodward told me this was the reason she requested the change. This meant that a black African American Computer Specialist named Joy Toliver was forced to switch places with Ms. Woodward, despite Joy not wanting to trade places with Ms. Woodward. Joy told me she was really disgusted with having to trade places with Ms. Woodward. A few months later, Joy asked for and was granted a transfer to another place on Base to work. Later Ms. Woodward was put on another shift in which she could interact more with the systems guru's Richard Stahle and Chris Graham. This is a prime example of the favoritism and the resulting demoralization among the non-favorites that it caused.

Susan Woodward was the only person on duty the day the Northridge hit. All outside communications were down for a few hours after the earthquake. There was very little she could do in the aftermath of the earthquake, except sit. A day or so later, Ms. Gastineau told all Computer Operations personel that "we are lucky that Susan Woodward was on duty the day the earthquake hit. She did a fantastic job!" I then asked Robert Vasquez what did Ms. Woodward do to receive such accolades? he said "she did nothing and there was nothing she could do."

I changed shifts eight time while I was a RDS Computer Operations employee and not for short periods of time. Grave to days, days to grave, days to swing, swing to days etc., it is a wonder I didn't develope a sleep disorder.

Pat Gastineau would:

Go get the burn boxes that were distributed at various locations around the Computer Operations work area and each workday morning close her office door and rifle through them. She was probably looking for things that the RDS Operations Section personel threw away.

Tell us that we should never complain if we had to work Christmas or any other holiday. She said holidays were for kids and not for adults.

Threatened to deduct annual leave from our time cards for various improprieties. Fortunately, she never did. She also monopolized holiday work which is double time pay. She is supposed to offer the lower grades holiday work instead of hogging it all.

Threatened to have all those who work under her to keep a detailed work log from the time we arrive on a shift to the time we leave a shift.

Call me and others at home to ask us work related questions. It got to the point where I didn't answer the phone when I was at home. I would merely let her talk into my answering machine. If I had directed the slightest bit of anger toward Ms. Gastineau over being called at home about work related activities, she would have given me a large clerical task as punishment for insubordination. Her attitude toward me was yes I have my foot on your neck and your should consider it an honor to have it on your neck because it is my foot.

On three different occasions, I called in sick to Pat Gastineau. She told me to come into work anyway and I did. I complained to Gene Zaharov about this parctice and he came down on Ms. Gastineau for engaging in this unlawful tactic. Thereafter, when I would call in sick and upon my return the next day, she would have a large clerical task awaiting for me to do. I didn't bother to complain to Gene Zaharov about it. The goddam bitch was going to make life miserable for me no matter what.

Pat Gastineau and Dwight Bolen talked to me like I was a little kid.

You had to walk on eggshells when you were around Ms. Gastineau. I was fortunate in the sense that I worked on completely different shifts that she did and I didn't have to be around her all the time.

On time Robert Vasquez asked Pat Gastineau "why she is always on Dale Benedetti's case?" She responded by saying that "I am not on his case any more than I am on anyone elses case.

One time Ms. Gastineau's boss, a Ms. Lucille Cook, requested a meeting with all Operations Section personel. I thought to myself "alright, now we will get a chance to voice our problems to someone who can do something for us." Unfortunately, Ms. Gastineau attended the meeting and we kept our mouths shut.

There was massive employee turnover under Pat Gastineau. She would harrass them right out of the RDS facility.

Larry Howard, who was a GS-6 and was RIFed on 11/19/1999, had to use his own personel vehicle for work related tasks.

Kathie Rhodes kept a zero balance of sick leave and was constantly late for work or leaving early to go to M.D.'s appointments. She had numerous health problems, was an ex-alcoholic and only a high school graduate. Before she came to RDS, her background with computers and information technology was none. Her previous job was as a Cafe waitress. Neither Kathie Rhodes or Susan Woodward was an Armed Forces Services Veteran and there was nothing special about her or Susan Woodward-save for the fact that they were workplace informants. Kathie Rhodes physically attacked two fellow RDS employees. I witnessed one in which she put her hands around Joe Beaver's neck. She was never disciplined for those attacks. I guess Ms. Gastineau doesn't want to discipline informants who possess information about fellow RDS Operation Sections workers that Ms. Gastineau might deem to be invaluable.

Bill Brown, who was one of my supervisor's, told me the following story:

Joe Beaver who was a Computer Specialist in the RDS Operations Section was having a long, acrimonious relationship with his boss Pat Gastineau. Joe had spent quite a few years years as a GS-7. Joe was on the verge of being promoted to a GS-9/11 by Ms. Gastineau. Ms. Gastineau had all the paperwork ready to submit to HRO in order for the promotion the become a reality. Lo and behold, Joe Beaver, who doesn't know his paperwork for promotion is about to be submitted to higher ups, goes to the union to complain about working conditions in the Operations Section of RDS. Ms. Gastineau finds out about it and then decides to destroy the paperwork that would enable Joe to get his promotion. Joe remains a GS-7 for quite a few years thereafter. Joe Beaver finally got a GS-9 after twenty-nine years in civil service. He was promoted under Dwight Bolen. I believe there are Federal laws prohibiting an employer from retaliating against an employee when the employee exercises his legal right to seek union intervention to redress a legitimate complaint.

Diane Duenas, who presently works in the Realtime Section of RDS, worked under Pat Gastineau as Computer Operator in the Operations Section of RDS. She hated Ms. Gastineau and received only fully successful ratings under her. She then got a new job in Realtime and has received consistent cash awards, Letters of Commendation and outstandings under her Realtime superiors. Pat Gastineau told Dave Reese, the Head of Realtime, that "If he goes ahead and hires Diane Duenas as a Realtime employee, he will regret it. She does not have what it takes to do the job." Pat Gastineau is a failure when it comes to evaluating talent.

I complained to Gene Zaharov, the Division Head, about all of the aforementioned. About six weeks later Pat Gastineau took an early retirement from Civil Service. I do believe that her early retirement was related to the complaints I and a lot of other people made about her and

a lot of dirt that was uncovered about her in the Dave Shuster and Julie Street discussions.

Part Two: Abuses Under Dwight Bolen

Dwight Bolen replaced Pat Gastineau as Head of Computer Operations Section of RDS in 1995. As I stated earlier, the favoritism that Kathie Rhodes and Susan Woodward benefited from continued unabated under Dwight Bolen. I suspect the the reason that the favoritism continued under Mr. Bolen was that Ms. Gastineau and Mr. Bolen had a long sitdown conversation in which Pat Gastineau told Dwight Bolen the reasons she was taking an early retirement. I suspect, she told him that I, Dale Benedetti, and my complaints made to Gene Zaharov were a major factor in her taking an early retirement. Dwight Bolen then came to the realization the he had a subordinate who had established a back channel communications line with his boss. I am sure he felt very uneasy about this.

Bill Brown also told me that he was never asked by Dwight Bolen or Ruben Partida what kind of job I and Suzanne Nishimori are doing as Computer Specialists. I guess they don't want to know. If they did, they would then come to the realization that the both of us are victims of undeserved unfair treatment. Dwight Bolen and Ruben Partida want to make sure this fact remains in denial within their own conciousness. If any one knows what kind of job the both of us are doing, it is Bill Brown. We interacted with him more than anyone else in the RDS workplace. He had told me on numerous occasions that neither I or Suzanne are in any way inferior to Kathie Rhodes or Susan Woodward.

I and a handful of male employees did a tremendous amount of grunt work. This work included the dismantleing the old Cyber 640 mainframe system and removing it's attendent cableing and parts from the RDS facility. We then loaded the disassembled parts onto large trucks for transport to Denver Colorado. We saved the RDS over $200,000 by doing this ourselves instead of seeking outside contractors to do the work. I and this same handful of male employees also installed office wall partitions, moved tons of furniture to and from the RDS facility to other places on Base, ran dozens of errands, loaded and unloaded dozens of materials from trucks, and generally did a lot of manual labor.

Coincidently, Kathie Rhodes and Susan Woodward did none of this type of work. I mention this because I am not a laborer. I am a Computer Specialist GS 7/9/11, 0334 and I thought I was precluded from doing this type of work. It certainly isn't in my job description. Was it legal for them to assign this type of work to me? I wasn't about to take up the matter with the NAGE Union, owing to the fact that RDS management personel would make life miserable for me if I did. The NAGE Union could probably care less anyway. Pt. Mugu's management owns them. They did nothing for us during the events and aftermath of the 11/19/1999 RIF. As far as I know, the only thing they did was issue a statement in the Base newspaper that the RIF was completely above board and legal.

Dwight Bolen promoted Diana Cole, a Computer Specialist GS-7/9/11, from a GS-7 to a GS-9 after she spent just over one year as a GS-7. I had spent five and one half years as a GS-7 on a GS-7/9/11 ladder. I was never promoted to a GS-9. I confronted Dwight Bolen with this information and told him that if Diana Cole is now a GS-9 then why am I not given my promotion to a GS-9. I am doing the same work as her and I have been a GS-7 for a lot longer time. His response was "don't compare yourself to her." Imagine that! He is saying that it is not a valid comparison to make when I contend that I should be paid the same in wages as someone who is doing the same work as me! In other words, I am getting screwed but don't state the valid reasons as to why I am getting screwed. He also re-interated that he doesn't play favorites. During this conversation he never gave me the real reasons why I was never promoted and most likely non promotable. I do know the reasons why, though. I had blown my chances for promotion when I undermined Pat Gastineau's authority by complaining to Gene Zaharov about her and Mr. Bolen was taking it out on me. As you will see later, I was not about to sever my back channel communications line to Gene Zaharov.

It should be noted, when I asked Chris Graham if he had any tasks for me and Suzanne to do he told me no and and that he won't have any in the future because he was told by his boss (Dwight Bolen) not to give me or Suzanne any tasks. I confronted Dwight Bolen, my supervisor at the time, as to why this situation had come about. He said that everyone in my job, grade and series has equal opportunity to advance around here and the reason that Kathie Rhodes and Susan Woodward have advanced further than me and Suzanne was due to their iniative and not due to any conspiracy to give them advantages over anyone else. What a baldfaced lie! Things were planned in such a way as to give Ms. Rhodes and Ms. Woodward superior status over I and Suzanne. All Mr. Bolen has to do is give them more training and more tasks to do-which he did. This results in higher performance ratings and promotions. Is it legal to marginalize Dale Benedetti and Suzanne Nishimori into such non-entities in the workplace?

Don Welty, who confided to me that Dwight Bolen is a lazy and lousy boss, is an former RDS employee who worked under Dwight Bolen. He was placed on the ATP list by Dwight Bolen and RIFed on 11/19/1999. Mr. Welty has a Masters Degree in Math, a Masters Degree in Linguistics and a Law Degree. Mr. Welty told me the following interesting story:

Mr. Welty suggested to his boss, Mr. Dwight Bolen, that he (Don Welty) be allowed to write up the step by step documentation proceedures that are executed by the Computer Specialists in the RDS networked PC work environment e.g. process floppies, magnetic tapes, write CD ROMS etc. His suggestion was rejected by Dwight Bolen because Kathie Rhodes was writing up the documentation and, according to Dwight Bolen, was doing a good job of it. The fact of the matter is, is that Kathie Rhodes documentation was lousy. I should know due to the many problems I had deciphering it whenever I had to execute a proceedure. Obviously, a person with a Masters Degree in Linguistics can write up better documentation proceedures that a high school graduate. This just validates my contention that there are big fat dividends for big fat informants in the Operations Section under Dwight Bolen and Pat Gastineau.

I made an appointment with a NAGE Union representative to discuss with him how to go about getting my promotion. He said that the Base is in a period of downsizing and I should realize that it would be difficult for me to get it. He did suggest that I do a desk audit. I wasn't about to do a desk audit because if I did RDS management would hate me even more than before and would use even more nefarious tactics against me if

I did. The NAGE union should be de-certified and another union that better represents government employees and their problems should be put in its place.

I went to an HRO representative to discuss the matter of how to go about getting my promotion. She told me to arrange a meeting between herself, Dwight Bolen, Gene Zaharov and Robert Harriman. At this meeting, I should then present my case for promotion. If those attending feel that I deserve my promotion, I will be given it. I did not bother to make the appeal to these individuals. I am sure I would have been turned down no matter how cogent and valid my case for promotion was. I had already spent a few years as a GS-7 before my talk with this HRO official. You would think I was asking for millions of dollars in cash. This only proves that HRO, the NAGE union, Priority Placement and the NAPA whitewash are in the back pockets of management.

Under Dwight Bolen:

After both only spending a little over one year each at each level, Kathie Rhodes and Susan Woodward were promoted to GS-9's then to GS 11's.

Diana Cole spent just over one year as a GS-7 before she was promoted to a GS-9.

I and Suzanne Nishimori received no promotions, awards and very little training under Dwight Bolen. I was told that Kathie Rhodes and Susan Woodward were given performance awards from Mr. Bolen, but these were given in secret just as they were under Pat Gastineau.

Suzanne Nishimori was removed from her position as a Computer Specialist in the Operations Section of RDS and transferred to a new position within RDS as a tape library clerk with no possibility of promotion. This happened about three years before 11/19/1999. Suzanne said it was one hell of an indignity. A GS-2 could have done that boring and loathsome job.

I and Suzanne Nishimori were placed on the ATP list by Dwight Bolen and became unemployed on 11/19/1999.

Since 1997 Dwight Bolen has had only five employees under him and has been making a salary of $108,000 per year. Don Welty should have had Dwight Bolen's job all along. Mr. Welty is much more educated and presents a threat to Mr. Bolen's status and that is the reason why Mr. Welty was treated like a nobody under Mr. Bolen.

I had a sitdown talk with Gene Zaharov about what it was like working under Dwight Bolen. I complained to Mr. Zaharov about all the aforementioned problems that existed under him. I also mentioned to him that Dwight Bolen was Pat Gastineau in drag. "He doesn't do all the petty things that Ms. Gastineau does. Yet, in terms of major decisions, he is no different than Ms. Gastineau", I told him. A month or so after I and Mr. Zaharov had this conversation, Mr. Bolen was relieved of his duties as Head of Computer Operations Section in 1997. A Mr. Ruben Partida succeeded him. It is pretty evident that I wasn't about to destroy my back channel communications line with Mr. Zaharov.

Abuses Under Ruben Partida:

Despite being placed on the ATP list by Dwight Bolen, I still went ahead and asked Ruben Partida for my GS-9 a few days after he replaced Mr. Bolen. He told me I wouldn't be getting it in the near future. I asked him why? He told me to "come back in one year and make the request." He also made it clear that I maintain a low profile at work. He added that I was close to getting a below fully successful on my next performance review. In other words, I better not utilize my back channel communication line to Gene Zaharov. He also told me that I would not be getting promoted in the near future due to: Angering a Mr. Tom Curtis when I didn't do a good job in impressing two Public Works officials when I interviewed for a job as a ditch digger at San Nicholas Island shortly after I was placed on the ATP list. This is a lie.

Secondly, poor attitude. Given what I had to put up with at RDS, its a wonder I didn't go Post Office on the cesspool. Yes, my attitude was sometimes not all hugs and kisses.

He also said that I have a big problem. I asked him what problem. He asked me "why do you have so much trouble getting along with your bosses?" I told him that Pat Gastineau and Dwight Bolen shouldn't be managing anyone. I added that, ever since I had started my working career, I have never had such lousy, unfair, lying, discriminitive and arguement blind bosses as those two and that is why I have trouble getting along with them. He told me that what I said was not true. He's so full of shit! He also told me that I am not a team player. I guess Kathie Rhodes and Susan Woodward exemplify what team play is all about, which is to snitch on your fellow worker. It makes you look bad and them look good. Consequently, it makes them more promotable.

While I was under Ruben Partida, I found out an interesting fact. In September of 1999, ninety-seven percent of all RDS employees received a $625.00 cash award. I and Don Welty were two people who didn't received the $625.00 award. Mr. Partida knows why I received nothing.

On one ocassion, I told Ruben Partida that Suzanne Nishimori was a superior worker and intellect than both Kathie Rhodes and Susan Woodward. Also, I added that she should have never been placed on the ATP list and been earmarked for separation on 11/19/1999. I also pointed out to him that she has a Bachelor of Science Degree in Environmental Sciences from the University of California at Santa Barbara and that Kathie Rhodes has no college degree. He said that Suzanne Nishimori does not have a degree. Well, about two weeks later Suzanne brings the degree from UCSB into work and shows it to me.

I had to go to a compulsory interview with the Y2K group on Base in an effort to be placed in a temporary position as a Y2K employee. I interviewed but was not given the job. Having to go to compulsory seminars, interviews for temporary jobs, assemblies at the Base Theatre in which they tell you your job is under seige and offer all kinds of supporting data to make their case, receiving email messages updating you on the status of the upcoming RIF, and being outsourced to do tasks is just plain degrading.

Ruben Partida was convicted of sexually harrassing a subordinate named Princeas Thompson. Princeas is a African American woman who brings a Bible into work each day and reads it during her breaks. He was ordered to help Navy personel on Base with their income tax returns as punishment. He harrassed her, used undue coercion to to try to have sex with her, because he thought he could get away with it. These three bosses viewed us as pieces of exploitable meat.

I did the following while I worked at the RDS site:

Changed shifts eight times.
Worked lots of late night, day off and holiday overtime
Received no performance ratings below fully succesful
Was never written up for any type of wrong doing
Averaged only three sick days off per year
Did everything that was asked of me
Got along fairly well with everyone
Did lots of grunt work

A few days before I went out the gate on 11/19/1999, a meeting took place at our workplace in which Ruben Partida and all Computer Operations personel who worked under him were all called together. At that meeting, he said that Dale Benedetti, Suzanne Nishimori, Diana Cole and Larry Howard were about to be terminated. He went on to say that the remaining personel would have to take up the slack and work harder and possibly more overtime. At that point, Susan Woodward interjected, "that means more time at work. Hell, RDS isn't getting my soul." In other words, she never worked much overtime; isn't looking favorably at the prospect at doing so; isn't willing to sacrifice time away from work to work overtime and isn't willing to go to school outside of working hours to upgrade her skills. At that point, I stated, "Hell, I will work as much overtime as necessary, go to school on my own time to increase my IT knowledge base, and do whatever is necessary to keep my job and advance." It didn't do any good.

Diana Cole told me that she had overheard a conversation which took place between Susan Woodward and Kathie Rhodes in which Susan Woodward admitted that she, Susan Woodward, regrets that she had said certain things about certain people that were injurous to those people. This conversation took place about one month before 11/19/1999.

If you read my initial six page report, I address the following post 11/19/1999 event topics.

In early April of 2000, I took advantage of a federally funded job training program. I enrolled at the Technology Development Center in Ventura California and received thirty-four weeks of fourty to fourty-five hour per week training that eventually led up to an A + and a Network + Comptia computer certifications. I finished with a solid B average and passed my three A+ Core, A+ Dos/Windows and Network + Comptia computer certification exams on the first try with good scores. I was told by an instructor at the Technology Development Center that I definitely have an aptitude for work in the information technology industry. I probably have as high an aptitude as Richard Stahle and Chris Graham. I love this type of work and there is no question that I will do well in it. I can absorb and implement as well as anyone. I just don't understand why I was treated the way I was when I worked at RDS. I hope to get my Cisco CCNE, CCNA and CIE certifications in the future. *So much for Pat Gastineau telling me I don't have what it takes to do the job!*

I have sent out my resume, transcripts, diplomas etc. to the Navy Human Resources Southwest Center in San Diego requesting a job as a Computer Specialist GS-5. As of 4/15/2001, I have heard nothing from them about a job in Civil Service on the Oxnard Plains, nor have I heard from Pt. Mugu's Human Resources Office, or the Priority Placement Program. I knew that the subrosa masterminds, wherever they are, of 11/19/1999 knew goddam well that the PPP would never place us back into Civil Service, unless forced to do so. I am not interested in relocating outside of Ventura County. I know that dozens of former Pt. Mugu employees had to relocate to other areas of California, Arizona, New Mexico, etc. Many others were forced into early retirement.

Suzanne Nishimori, Diana Cole, both of whom are over forty and Larry Howard,who is fifty are as of 4/15/2001, working at part time jobs that pay between minimum wage and $9.50 an hour. All three had to take quite a pay and benefit cut in order to help subsidize the new younger government workers that were and continue to be hired at China Lake and Pt Mugu. I guess the old economic axiom that states you can't give to Peter unless you take from Paul is true.

Larry Howard has a Bachelor of Arts Degree in History from California State University at Long Beach. He was employed in Civil Service for twenty-five years. He never used one day of sick leave throughout his work career. He always received good performance ratings and did anything that was asked of him. He was a good worker with an excellent attitude. He wanted to stay in Civil Service for five more years in order to receive his retirement. He told me that the aftermath of the events of 11/19/1999 have wrecked his life. All four of us have wondered if the reason we can't find higher paying jobs is because we were fired and are getting bad references from Pt. Mugu. We really were fired and we do have a black mark on our work history, thanks to the Navy.

I, Dale Benedetti am ~~over~~ fifty and as of as of 4/15/2001 am still unemployed. I had to liquidate some savings to get by. It hasn't been easy. Sure, I got severance pay, an annual leave cash payment, unemployment and an unemployment extension while I was in school, which helps. I have had interviews and inquiries about jobs that pay $8.00 to $13.00 an hour. If the economy improves, and things in the IT industry improve,

I hope to find a job paying more. In the meantime, I will have to lower my wage demands and very possibly work as a temporary which could lead to a permanent position. I will probably need a couple more computer certifications to get back to the wage level I was making in Civil Service. In order to get to the $21.00 an hour wage and above level, which is the amount of money the two super informants Kathie Rhodes and Susan Woodward are now making, I am probably going to need to possess an A +, Network+, Cisco CCNE, Cisco CCNA and Cisco CIE certifications. On June the first of 2001 my health insurance runs out. I have been paying my monthly premiums ever since 11/19/1999 out of my own pocket.

Sometime last year, Gene Zaharov got a new job somewhere else on Base and Tom Curtis took over Mr. Zaharov's job as Head of RDS. Isn't thought provoking how he and Tom Curtis can get new jobs on Base but we, the so called good employees who were on the ATP list who according to Steve Mendonca can be easily placed in other positions on Base, were never placed in new positions. I and others who lost our jobs on that Base lost our jobs because we were fired! There is absolutely no justification, in terms of wrong doing or poor performance, for me and many other to have been fired. What were the devious people who engineered the 11/19/1999 RIF trying to pull? It sure as hell has made a lot of peoples lives miserable. It was just power politics and in the minds of the self righteous persons who masterminded this whole thing. "Might makes right" and to hell with Federal Anti-Discriminination laws. We can circumvent those liberal socialist obstacles they thought.

Or maybe we really do deserve what happened to us, given that we are not the sons and daughters of the Duponts, Mellons and J.P. Morgans. Nor do we have advanced degrees form Harvard, Stanford, M.I.T. and Amherst. I guess we really are wage slave proletariats who deserve to be lied to and screwed over by our betters.

The whole job search process is a big pain in the ass. It consists of classes on resume writing, interviewing techniques, writing thank you notes etc. It can be boiled down into presenting yourself as someone with lots of transferrable complex skills that are wanted by an employer which can add value to a companies bottom line profits. In other words, projecting yourself as a non-political worker drone that can have lots of surplus value extracted from your one increment of labor.

In closing, maybe someday I will get a job back on that Base and maybe I won't. The best possible revenge against the people responsible for 11/19/1999 would be to make them take us all back, including those who had to uproot and move someplace else, and those who were forced into early retirement like Don Welty. He had twenty three years in Civil Service and two advanced degrees plus a law degree. He's gone and yet Kathie Rhodes and Susan Woodward, eleven years each in Civil Service, remain. They should also be made to pay us, from 11/19/1999, back wages minus unemployment insurance, reimburse us for money we paid out of our own pockets in medical insurance, restitution of all annual leave that we had to liquidate, money which would have accurred to us in retirement, money which would have been paid into our thrift savings plans, the $625.00 award that I and Don Welty didn't receive, the cost of all legal fees related to this whole thing, interest on all of the above, relocation costs to all those effected by 11/19/1999, a written apology and punitive damages. They should also pay me retroactive pay from April 1995 when I requested that Dwight Bolen promote me to a GS-9. Namely, the GS-9 money above and beyond my GS-7 wages plus interest to me on the date of being rehired as a GS-9. They should have never kept me as a GS-7 for so long. Oh! and one last thing: fire and prosecute to the fullest extent of the law all those responsible for 11/19/1999. If they can get away with this and not be punished, we have witnessed a great miscarriage of justice in America.

After I started to work at Pt. Mugu, I never agreed to any or all of the crap that I have mentioned in my two reports to you as a condition of my employement any more than a woman agrees to be sexually harrassed by her boss as a condition of her employment.

I really think that the events of 11/19/1999 had its orgins in:

The moving of the Admirals flag from Pt. Mugu to the super secret, crypto fascism, China Lake facility. Thereby, Pt. Mugu becoming China Lake's weak sister. Ridgecrest California does have more PH.D's per capita than any place in America.

The aborted effort to close Pt. Mugu in the early 1990's. Steve Mendonca (he'd be a good Nike factory overlord in Burma) played a major role in keeping the base open according to the Pt. Mugu newspaper the *Missile*. Mr. Mendonca received a major promotion after that. He replaced Jerry Wrout as the head of the test range at Pt. Mugu.

We have seen major increase in employment at China Lake and subsequent related decreases in employment at Pt. Mugu. The place I used to work, Range Data Systems, had its workforce decrease from one hundred fifty employees in 1990 to forty five in 1999. The number of weapon's tests that are conducted on the Pt. Mugu Sea Range has gone from fifty to one hundred per week in the early 1990's to it's present total of almost none. Remember, you can't give to Peter (China Lake) unless you take from Paul (Pt. Mugu).

I predict you will never see the China Lake Base close. You may very well see the Pt. Mugu facility close in future rounds of base closeings. The closeing of Pt. Mugu could result in irreparable damage to Ventura County's economy

Harry Carter stated in one of the Ventura County Star Free Press articles about the events of 11/19/1999 that the people who engineered the RIF were banking on the idea that those hurt by the RIF would not be able to bring up the right issues in court to cause the Navy liability. As you can see in my two reports addressed to you that I have brought up some interesting points. The persons effected by the events of 11/19/1999 are not stupid and we should have never been underestimated. We are certainly are not going to be intimidated by the Navy.

In closing, If I were ever to go back to work at Pt. Mugu, It would be a victory for workers everywhere. Furthermore, it would be an example of the very best of representative democracy working to rectify a wrong! KEEP THE TACTICS OF CORPERATION FASCISM OUT OUT THE PUBLIC WORK SECTOR! PT. MUGU IS AS AUTOCRATIC AS HELL. DEMOCRATIZE THE PT. MUGU WORKPLACE, THE NAVY AND IT'S MEANS OF PRODUCTION. It would serve those hidden entities behind the events of 11/19/1999 right.

Thank you, Dale Benedetti

274 North Ashwood, Ventura California
93003, Email: DBened8637@aol.com
phone: (805) 644-4401

Additional Points I want to make,

1) In my part two report to Senator Barbara Boxer and Senator Feinstein, I talk about a Ms. Suzanne Nishimori being taken out from her position as a Computer Specialist and being involuntarily placed in a new position as a tape librarian clerk under Mr. Bill Carr. What I neglected to state was that I, Dale Benedetti, was asked by Dwight Bolen to accept the position before it was thrust upon Ms. Nishimori. I declined the position because an HRO resources official named Jan Meadows told me I had a right to turn it down due to me not being on the ATP list when I was asked to take the position. This fact just validates my contention that Dwight Bolen wanted me out of his hair completely.

2) A few days before I was sent out the gate, A HRO official from China Lake was sent down to Pt. Mugu to help facilitate the exodus of RIFed employees from Pt. Mugu to the unemployment line. Her name was a Ms. Johaningberg (something like that). Ms. Johaningberg show me a readout of a job position as a file clerk. She told me that I was being considered for the GS-3 job, but that I was bumped by someone else.

3) Larry Howard, a former employee and fellow worker at RDS, who was RIFed on 11/19/1999, told me the following story: Larry wanted to move up in the RDS workplace as a 0334, GS 7/9/11, Computer Specialist, but he didn't want to move up under Pat Gastineau because he said that Pat Gastineau treat people like hell. He was basically intimidated by Ms. Gastineau and her scummy tactics from any career advancement

BARBARA BOXER
CALIFORNIA

COMMITTEES:
COMMERCE, SCIENCE, AND TRANSPORTATION
ENVIRONMENT AND PUBLIC WORKS
FOREIGN RELATIONS

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
senator@boxer.senate.gov
http://boxer.senate.gov

April 3, 2002

Mr. Dale Benedetti
274 North Ashwood Avenue
Ventura, CA 93003-1814

Dear Mr. Benedetti:

I am writing to acknowledge your correspondence to Senator Boxer, regarding a matter related to your employment with Department of the Navy at Point Mugu.

While Senator Boxer may be sympathetic with your situation, there is a provision in the Hatch Act Reform Amendments of 1993 (5 U.S.C. 3303) which prohibits Members of Congress from making certain statements regarding personnel actions for all non-political Federal employees. This limits our ability to make inquiries with management on behalf of federal employees who are seeking assistance on a personnel action, or in support of one's application for civil service employment.

Thank you for writing to Senator Boxer. I regret this response could not be more favorable; however, I hope this information is helpful to you.

Sincerely,

Eric J. Vizcaino
Director of Constituent Services

EJV:clj

DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON ENERGY AND NATURAL RESOURCES
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504
http://feinstein.senate.gov

January 2, 2003

Dale Paul Benedetti
274 North Ashwood Avenue
Ventura, California 93003-1814

Dear Mr. Beneditti:

I have received your letter regarding employment with the Department of Defense.

this is Senator Boxers excuse also.

I would like to be as helpful as possible to you. However, the Hatch Act of 1993 (5 U.S.C. 7301) prevents me and my staff from making any recommendation or statement regarding hiring, disciplinary actions, transfers and other personnel actions affecting persons in the competitive service.

There are internal union and Equal Employment Opportunity grievance procedures in every federal agency to address allegations of discrimination. I encourage you to file a claim with one of those offices if you feel you have been treated unfairly.

Thank you for coming to me and I hope that your employment situation will soon be resolved to your satisfaction.

Sincerely yours,

Dianne Feinstein
United States Senator

DF:bd

Senator,
you quote the Hatch Act as an excuse for making no comment on the matter. I have been told by someone who knows about this issue is that the Hatch Act doesn't preclude you from commenting publically on the matter.
also, the EEOC, Union (NAGE), MSPB, OSC etc are useless. I need thousands of dollars to fight the Navy to get my job back. Can you help me?

Senator, it has been three years
Since I was Reduced In Force on 11/19/1990
I'd like a GS-1 or WG-1 position so that I can retire
as a FERS employee

Dear Senator Feinstein,

I have sent all of the below items to you on September 6,of 2002 and more addtional documents on Sept. 26 of 2002. I was just wondering if all that I have sent you is going to amount to anything, or should I and John Jay just give up and stop persueing this matter? Am I and Mr. Jay just wasting our time and effort on a useless undertaking, or not? Please respond. I sent this letter to you about a month ago. I still haven't received a response.

Dear Senator Feinstein,

I was told by Mr. John Jay that you and your office would be looking into the accumulating evidence of skullduggery taking place at Pt. Mugu. I have enclosed a substantial amount of my documentation. Every item in this package is in the posession of U.S. Senator Boxer. I get a stonewall of silence from her office everytime I inquire as to the progress of this matter. Her office has told me that she is precluded from making any comment due to the Hatch Act.

I'm just asking for a WG-1 or GS-1 position at Pt. Mugu or Pt. Hueneme. I have applied for numerous jobs online and have sent my resume etc. to HRSW San Diego, but nothing, no offers. Have I been blackballed?

My story, as well as other important stories relating to the abuses of Pt. Mugu, is enclosed. It is a very ugly story and I hope that you can read every word that I have sent you. No person should have to endure the kind of crap that I, and many others, have taken during our tenures as employees at Pt. Mugu.

I have enclosed the following:

1) Star Free Press Newspaper articles giving you the necessary background information about the 11/19/1999 Reduction In Force at Pt. Mugu. Also, A recent Star Free Press article in which, super lair, Steve Mendonca (the Head of The Sea Range) makes the statement that "We have downsized. We have one third less people, but our work is up." The fact of that matter is, is that they have more employees working at that Base now than they did when I was RIFed on 11/19/1999. This fact was communicated to me by Mr. John Jay. I am sure Mr. Mendonca would present statistical lies to buttress his claims (lies), just like he did, and does, to backup up his claims that the RIF of 11/19/1999 was not discriminatory.

2) My own personal story, it includes:

A) My part one and two letters to Senator Boxer and my "Just the Facts Sheet" that goes into condensed detail about my plight.

B) Various letters betweem myself and Senator Boxers office that shed more light on this very involved and complex matter.

C) Documentation of an award, and letter of recognition over much labor that I, and others, did which resulted in a cost savings to the command of over $200,000. I am not a laborer, I am a Computer Specialist and yet I am forced to do labor.

D) A letter from The ACLU regarding my predicament. I explained in detail what I experienced while an employee at Pt. Mugu. Their response is enclosed. They call it an employment matter that doesn't come under their perview.

Also:

E) The Star Free Press story about the 4/20/2002 Pt. Mugu Air Show Crash. Also included is Mr. Dave Schnieder's account of what really happened on the day of the crash and events leading up to the crash. Elton Galleghy and the Navy lie like hell.

F) Various different letters and complaints written by Mr. John Jay. His letters and complaints describe exactly what is taking place on that Base.

G) Letters between myself and NAGE, the Merit Systems Protection Board and Human Resources Southwest in San Diego. I still cannot get a job at either Pt. Mugu or Pt. Hueneme Naval Bases as a GS-1or WG-1 or above, despite additional Computer Certifications added to my resume.

F) A copy of the NAPA whitewash and letters I sent to NAPA and Mr. Robert Braunstein telling them what I think of their 213 page misrepresentation of fact. Also, I have enclosed a document that calls into question the funding for the NAPA whitewash.

G) A copy of the Harry Carter report in which he castigates Pt. Mugu for the 11/19/1999 RIF. Mr. Carter also wrote many other volumes (not subject to FOIA act requests) of investigation relating to the abuses that have and are now taking place at Pt. Mugu.

H) A few pages dealing with the way in which the DEMO Project was imposed on Pt. Mugu.

I) A handout that was given to Pt. Mugu employees when they were put on the ATP list and later RIFed.

J) Quite a few of Mr. Brian Powers complaints against the Navy over horrendous safety violations and abuses at Pt. Mugu.

K) A list of possible class action litigants, who if they had the money and gumption would file against that Base.

G) A picture of recent awards reciepients at Pt. Mugu. A Mr. Zaharov and Mr. Curtis received awards. I talk about them in my letters to Senator Barbara Boxer, which you now have.

I have not enclosed any Star Free Press articles covering the intentional shootdown of Alaska Air flight 261 over the Pt. Mugu Sea Range on 1/31/2000. I would like to refer the Senator to various different articles on the internet covering that event. It should be noted that Mr. Morris Thompson and his family were killed aboard that flight. Mr. Thompson owns hugh amounts of land next to the Navy's HAARP project in Alaska. What a coincidence.

Thank you, Dale Benedetti

274 North Ashwood Avenue
Ventura California, 93003
phone: (805) 218-6683, (805) 644-4401
email: DBened8637@aol.com

Dale Benedetti

ACLU FOUNDATION
OF SOUTHERN CALIFORNIA

Liberty and Justice for A

LEGAL INTAKE DEPARTMENT

December 27, 2000

Senator, I sent my Part One and Part two complain to the ACLU. This is their r spons e

Dale Benedetti
274 North Ashwood Avenue
Ventura, CA 93003

Dear Dale Benedetti:

Thank you for writing to the ACLU concerning your employment discrimination claim.

Unfortunately, due to severely limited resources, the ACLU does not handle individual employment claims. Strict deadlines apply in filing employment claims, so you should immediately contact the federal Equal Employment Opportunity Commission at 213-894-1000 and the state Department of Fair Employment and Housing at 800-884-1684. You may also wish to contact the National Employment Lawyers Association at 415-227-4566.

I regret we are unable to assist you with your legal issue.

Sincerely,

Lee Morgan
Intake Coordinator

ACLU

AMERICAN CIVIL LIBERTIES UNION
OF SOUTHERN CALIFORNIA
1616 BEVERLY BOULEVARD
LOS ANGELES, CA. 90026
213-977-9500

INFORMATION ABOUT HOW THE ACLU ACCEPTS CASES

Thank you for contacting the ACLU/SC about your case. Please read this information carefully to find out the kinds of cases we accept and how to have the ACLU consider your case. Our office handles civil liberties and civil rights matters arising in the Southern California region – including San Luis Obispo, Santa Barbara, Ventura, Los Angeles, Kern, San Bernardino, Riverside, and Orange counties. If your issue arises elsewhere, you should contact the ACLU office in that area.

People contact the ACLU/SC in several ways. You may have come in to speak to one of our non-lawyer intake volunteers during our legal intake hours, Monday and Tuesday from 10:00 a.m. - 1:00 p.m. Or you may have written a letter to us. Due to very limited staffing, we cannot respond to legal intake via the telephone or email.

If we need more information, we will contact you. We will let you know as soon as possible whether or not we can accept your case, although, because of limited resources, there may be a delay in getting back to you. **Please be sure to read the information about deadlines on the reverse side of this page.**

WHAT DOES IT COST?

Attorneys represent ACLU clients free of charge. Our cases are handled by staff counsel, sometimes working together with

WHAT ARE CIVIL LIBERTIES AND CIVIL RIGHTS?

Civil liberties include freedom of speech, press, religion, and association; due process; equal protection; and privacy. Civil rights include, for example, voting rights; discrimination based on disability, race, sex, sexual orientation, religion or national origin; police reform; and workers' rights.

HOW DO WE CHOOSE CASES?

The ACLU generally files cases that affect the civil liberties or civil rights of large numbers of people, rather than those involving a dispute between individual parties. The basic questions we ask when reviewing a potential case are: (1) Is this a significant civil liberties or civil rights issue? (2) What effect will this case have on people in addition to our client? (3) Do we have the necessary resources to take this case?

WHAT CASES AFFECT OTHERS?

Lawsuits can affect a large number of people in two ways. First, we sometimes challenge a policy or practice that directly impacts many people. For instance, if the state cut Medi-Cal funding for abortions from the annual budget, thousands of poor women would be affected. Second, a lawsuit brought on behalf of one person can have a larger impact on others

NAGE SEIU
NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES
AFFILIATED WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION, AFL/CIO
1819 Knoll Drive, Unit #7
Ventura, CA 93003
Telephone 805/650-6983
Fax 805/650-2516

The NAGE Union is a CIA proprietary. They are so useless, as a anti-fascist political researcher named Dave Emory states "once the labor unions do the bidding of the owners of capital and only cosmetically do the bidding of the workers, you effectively live in a fascist state."

October 19, 2001

Mr. Dale Benedetti
274 North Ashwood Avenue
Ventura, CA 93003

Dear Mr. Benedetti

I received your letter requesting answers of the union regarding our role in the A-76 study performed at Point Mugu. Since I was the individual who filed the appeal on behalf of those effected employees I will try to address all your questions the best that I can.

Question 1: What did NAGE do to stop the 11/19/99 RIF?

Answer: Before 11/19/99, myself and a team of employees from Point Mugu met with Congressman Gallegly in an attempt to stop the CA Study, this meeting at first seemed to us fruitful, however, we soon realized that Gallegly's agenda was not our agenda. In midstream he abandoned our fight. However, legally there is nothing that NAGE or any other Labor Organization can do to stop the Government from conducting a RIF. Under OPM and OMB guidelines the Government is allowed to conduct RIF's in areas where they believe would save the government money. I did not, nor do I remember anyone issuing or releasing a statement in the Missile.

Question 2: Have you done anything in helping to get our jobs back, or getting new ones?

Answer: There is a provision within the OMB A-76 Circular that provides each effected employee the "right of first refusal," the union required this provision to be in the final MEO. This means that if a contractor wins the bid they must offer those effected employees a position within the company, and the employee(s) can either accept or decline. I appealed the original decision to award the contract to HTS, (enclosure 1). Our appeal was denied by the Appeals Board. Once I received this information, I then started a letter writing campaign. I wrote to President Clinton, Senators, Member of Congress, Office of Special Counsel, Secretary of the Navy, and Rear Admiral Johnson, these attempts netted us nowhere.

NAGE, has had no request from anyone to help in finding them a new position within the federal government. To be perfectly frank with you, NAGE has no fiduciary responsible or obligation in this matter. Finding and securing a new job within the Federal Government lies solely on the individual, if that individual was not placed on a Federal Government Priority Placement List.

Question: The base being forced to take us back in the future?

Answer: I have not heard this from anyone. Nor have I read it in any Federal Times news media. If HTS were to fail on their performance of the contract the Government may and I stress may advertise for those positions. However, you or anyone else must apply.

I will not respond to your negative remarks about NAGE or its members. Your hostile opinion is yours and yours alone. NAGE has been around for 40 + years, and if we were so bad as you proclaim, I truly believe we would not have lasted this many years.

I wish you all the best in your future endeavors.

Paul E. Jennings
National Vice President
NAGE, Western Region

Cc: Honorable Senator Boxer
Mr.David Bernard, NAGE Headquarters
Mr. Joe Buckley, Trustee

Dear Brad,
we tried to get a Federal Grand Jury to investigate Pt Mugu but is no avail. Below is a letter to Judge King.

Dear Honorable Judge George H. King,

I, Dale Paul Benedetti, hereby request that the honorable Judge George H.King please read the enclosed documents, letters, and newspapers articles. The purpose of the enclosed packet of materials is to make you aware of the multi-layered scandals, management wrongdoing, and related skullduggery that has taken place at the NAWCWPNS, Pt. Mugu Naval Base in Ventura County. Upon reading this material, I ask that you, Judge King, make a judgement as to the suitability of a U.S. Federal Grand Jury investigation of NAWCWPNS, Pt. Mugu.If an investigation is warranted, then please forward the enclosed material to the U.S. Federal Grand Jury for investigation and evidence gathering.

The following individuals can furnish substantial evidence, and give testimony directly to a Federal Grand Jury and/or its investigative teams:

John Jay (most importantly)
Dr. Micheal Sullivan
Bill Sowell
Dave Schneider
Ron Porter
Brian Powers
Dale Benedetti

And dozens of other individuals, each of whom has been victimized and abused by Navy and civilian sectors at NAWCWPNS, Pt. Mugu.These individuals have a dramatic story to tell.

I have enclosed the following material for you to read:

1) A summary of allegations written by Mr. John Jay. Mr. Jay is an expert on what has been taking place on that Base. If the need should arise, then Mr. Jay should be called, first and foremost, by the Federal Grand Jury. His story is extremely compelling.

2) Ventura County Star Free Press articles on this complex story. These articles give much background information on the illegal and discriminative Reduction In Force that took place in November of 1999. I lost my job due to this illegal RIF.

3) My story. It is addressed to U.S. Senators Barbara Boxer and Diane Feinstein. The Senators will not tell me whether the claims I made have been substantiated by an independent investigation or not. They will not even tell me if an investigation has been conducted, due to them being precluded from doing so by the Hatch Act. Also, Senator Feinstein's office has told me that they cannot provide me with a copy of all the material that I have sent them. They have lost the stack of materials that I sent them. These two Senators are in possession of a lot of material that numerous individuals have sent to them regarding Pt. Mugu.

4) Nine different texts written by Mr. John Jay that tell a very disturbing story (maybe even criminal story) about Pt. Mugu.

5) Three texts written by Mr. Dave Schneider regarding the April of 2002, Pt. Mugu Navy Air Show crash that killed two military personel. Mr. Schneider and others can furnish information that directly calls into question the official version of events, which state that the crash was caused by pilot error. Mr. Schneider and others volunteered, but were never called to give a deposition in this matter. The findings of the official version are based on fraud by omission, when the investigators refuse to interview Mr. Schneider and others whose testimony would call into question the official findings of the investigation.

6) Three additional letters written by me that might be of interest to you.

In conclusion, I still cannot get a job at either the Pt. Mugu or the Port Hueneme Naval Bases as a GS-1 or WG-1 employee. They will not even offer me a minimum wage position. I have applied to the Human Resources Office Southwest in San Diego, California eight times. Needless to say, I have been blackballed from working as a federal employee in Ventura County. I would like to get twenty or thirty years service as a civil service employee. I would then have a fully vested FERS retirement in place.

If you need to contact me or John Jay, you can reach us at the following:

John Jay, 2440 West Hemlock St., Oxnard California 93035-3361, Phone:(805) 985-0273, FAX: (805) 985-0503, email: JJay943@aol.com

Dale Benedetti, 274 North Ashwood Avenue, Ventura California, 93003, Phone: (805) 218-6683, (805) 644-4401, email: DBened8637@aol.com

thank you, Dale Paul Benedetti

a former aid to Senator Boxer

Dear Ms. Jean Pierre,

My name is Dale Paul Benedetti. Over the course of the past two plus years, I have sent your office numerous letters, documents etc. relating to employment abuses that I have been on the receiving end of during my employment at Range Data Systems, Building 53-C, room 120, NAWCWPNS, Pt. Mugu Cal. I am enclosing two letters that I have posted below, which I sent to a Ms. Liz Culver and Mr. Charlie Thompson of the Pt. Mugu and Pt. Hueneme Equal Employment Opportunity Commisions Counseling Offices. The letters are self explanatory. I am filing a EEOC complaint against Pt. Mugu and Pt. Hueneme Naval Bases and Human Resources Southwest San Diego under the continueing theory of ongoing age discrimination. I cannot get a job at either Base.

The purpose this letter is to inform your office that the EEOC complaint that I have filed is about to be informally investigated by EEOC officials and I am quite skeptical of the complaint being handled properly. My skepticism is not directed at the EEOC process, but towards Pt. Mugu management officials and Navy personel who, I suspect, will try to undermine, stonewall, and see to it that my complaint is found to be not valid. I am basically asking your office to oversee the entire investigative process so that the investigation will not be corrupted by those who have a vested interest in seeing to it that it is corrupted. Can you help me in this regard?

You already have in your possession the two letters I sent your office that is the basis of thesis number one, which I state below. Also, I have enclosed my evidence that supports thesis numbers two and three. These three thesis are the basis of my EEOC complaint.

sincerely, Dale Benedetti

274 North Ashwood Avenue
Ventura Ca. 93003
phone: (805) 644-440, (805) 218-6683
email:DBened8637@aol.com

Ms. Culver,

I am enclosing all of the forms that you sent me. I have signed them all. Again, I am only asking for a job as a GS one, WG one or above. I will even accept a job as a minimum wage worker. I hope that this request can be accomodated. I hope I don't have to go through the expenditure of a lot of time, effort, and money to get my request met. I not asking for much. What exactly are the reasons why my request for a job was never previously met? Is there an arrangement between NAWCWPNS and HRSWSD to keep me from being employed at either of the two Ventura County Naval Bases? Do they want me to beg for a job? I have applied eight times. I also want to make the following points:

- **I still do not know whether I want to go through the EEOC process or the Alternative Dispute Resolution process. I am not fully informed as to which one is the best way to go. I will continue to try to get ahold of you (Ms. Culver) by telephone and discuss this matter. I hope we can resolve this issue soon. At this point in the process, I am not requesting counsel.**
- I do not chose to remain anonymous throughout the process. I could care less what certain individuals think of me.
- I was a GS 7/9/11, series 0334 before I was RIFed on 11/19/1999. I was not just a GS 7, series 0334. If a change was made to my job status, I certainly was not made aware of it. It may very well have been done unbeknownst to me. I certainly wouldn't put it past my three former bosses: Pat Gastineau, Dwight Bolen or Ruben Partida to pull a sleazy fast one. I never got to the GS 9 level. I spent five and a half years as a GS 7. I have been told that it was illegal for me to be a GS 7 for so long without being promoted to the GS 9 level. Maybe the GS 7/9/11 ladder was taken away from me without my knowledge. This would explain why I was a GS 7 for five and a half years.
- I hope that all three thesis that I enumerate below are understandable. Collectively, they add up to some (in my estimation) serious wrongdoing and I want each of the three thesis looked into singularly and collectively.
- Is it possible that I have been foreclosed from ever being employed at either of the two Ventura County Naval Bases due to me being RIFed on 11/19/1999. Could it be that I would then have legal options open to me if I was rehired and these options must never be made available to me?
- Was Pt. Mugu, NAWCWPNS obligated under force of law to have taken us back as employees at some point in time over the course of the last three and a half years? Were they somehow able to illegally sidestep taking back those RIFed on 11/19/1999 as employees?
- If you have any questions, comments etc. feel free to call me and ask.

You may have part of, some of, or all of the following enclosed documents, letters, etc. Please keep what you need, and discard the rest.

A) My resume and resume packet.
B) Two letters addressed to EEOC in San Diego and Human Resources Southwest San Diego.
C) A copy of six receipts from HRSWSD acknowledging that they have received my six resumes, six data sheets and six applications for jobs as a GS one, WG one, or above. I have applied eight times. They have not sent me receipts of the last two resumes, etc. that I have sent in.
D) A DOD-IG Hotline complaint. Please read it. It is self explanatory.
E) Two FOIA responses from Pt. Mugu regarding the 11/19/1999 RIF and hiring data

I am putting forth three thesis as follows:

Thesis one: You have in your posession two letters that I sent to U.S. Senator Barbara Boxer and U.S. Senator Diane Feinstein. In these two letters, I detail the abuses that I was on the receiving end of during my tenure as an employee at Range Data Systems, Building 53-C, room 120, NAWCWPNS, Pt. Mugu California. I do not know if the claims that I make in these two letters were ever substantiated with evidence that would be uncovered by an investigation. I have enquired numerous times, through both Senator's San Francisco offices, as to the progress of the investigation--if there was one. I have been told by the Senator's offices that they are precluded by the Hatch Act from commenting on my complaint.

I contend that if many of the claims that I have made are backed up with evidence that only a government agency can gather, then I should have never been reduced in force on 11/19/1999. I suspect that many of the abuses (directed towards me by three former bosses) that I was the victim of were illegal.

Thesis two: Under the theory of continueing age discrimination, I, Dale Paul Benedetti, have been precluded from working as a federal employee at either of the two Ventura County Naval Bases or any federal job in Ventura County as a GS one, or WG one, or above position. I will work for minimum wage. I have sent eight resumes, data sheets, resumes packets, and applications to HRSWSD. I have also applied online for numerous positions through the HRSWSD web site. Yet, I cannot get a job despite additional computer certifications added to my resume. Why not?

Thesis three is explained in my DOD-IG hotline complaint. The complaint is about the very real possibility of fraudulent degrees being entered on the Federal job applications of one or two federal employees and the ramifications therein.

sincerely, Dale Benedetti

Liz Culver is at: NAWCWD, 575 i Avenue, Suite One, Code 734000e, Pt. Mugu Ca. 90042. phone: (805) 989-3224

Charlie Thompson is at: Naval Base Ventura County, 311 Main Road, Suite One, Code N04VW, Pt. Mugu Ca., 93043, phone: (805) 989-3233

Dear EEOC,
If Susan Woodward or Kathie Rhodes mis-represented their academic background, then I should never have been RIFed. These two women should have been.

Subj:	**Case 43278, 8386 Again**
Date:	5/9/03 9:25:21 PM Pacific Daylight Time
From:	DBened8637
To:	hotline@dodig.osd.mil
CC:	DBened8637

Dear DOD Hotline,

about one year ago (and two weeks ago), I sent in the following complaint:

A woman named Susan Woodward who presently works at the Pt. Mugu California, Sea Range, Data Systems Operations Branch Bldg. 53C, room120 has claimed that she has a B.A. degree in Psychology from a defunct university in Texas. This claim is recorded in her civil service records. I am reasonably certain that this is a false claim. This mis-representation of her background is a major reason she has moved up in civil service so fast (GS-4 to GS-11) in nine years and still retains her position. Persons such as Suzanne Nishimori and Larry Howard have B.A. degrees and this can be verified as legitimate. Yet Ms. Nishimori and Mr. Howard were RIFed from Pt. Mugu RDS Operations Branch in November of 1999. They worked right along side of Ms. Woodward and competed for advancement and retention at the RDS Operations Branch. If Ms. Woodward had not been misrepresented her academic background to her employers then she would have been RIFed in November of 1999 and not Ms. Nishimori.

Please find out if Ms. Woodward's degree is the real thing! If not then take appropriate disciplinary action.

Dear DOD Hotline,

last year I sent in a complaint to your hotline. I was assigned the number 83861. How is my complaint progressing? Have have not been apprised as to how this complaint is playing out.

.A) Dwight Bolen is still on the Base at Pt. Mugu making $108,000 per year. He has no employees working under him and has had none for five solid years. If this isn't a case of waste fraud and abuse in DOD then what is? Nobody has any use for this Bozo! Why can't he be forced into retirement. He does nothing all day! Is he going to be able to spend twenty more years on the Base doing nothing and getting upwards of $108,000 a year in salary. Are taxpayers going to end up paying him 100 per cent of $108,000+ per year in retirement? He will get 100 percent if he stays in Civil Service for twenty more years. He might as well stay in for twenty more years. He does nothing. I don't want one cent of my tax dollars to go to this big nothing! The only thing more grotesque than Dwight Bolen is the pathetic Susan Woodward and the hideous Kathie Rhodes.

B) I would bet that Susan Woodward and Kathie Rhodes Bachelor of Arts degrees in Psychology and Sociology, respectively, are fraudelent.

This should be looked into and soon. If these degrees are a fraud then disciplinary action should be taken. I never lied about my background, experience or degrees. Neither did Suzanne Nishimori or Larry Howard. Me, Suzanne and Larry were competing for our jobs and upward mobility within the RDS workplace against Ms. Rhodes and Ms. Woodward and if these two women lied about their college degrees then the misrepresentations were a significant factor in them being retained. Supervisors look much more favorably towards subordinates with college degrees than those who don't.

C) Ruben Partida is no longer the Head of Operations Department at Range Data Systems. He is now an assistant facilities person working alongside Sandy Ferguson (the man who gets to stay in Civil Service for fifty years while people like Don Welty with a Master's degree in Math and a Master's degree in Linguistics plus a law degree is forced out of Civil Service). Is Ruben Partida still making the same amount of money as a facilities person as he was as the Head of Operations at RDS? If he is then why? If he has been demoted then he should be taking a reduction in pay for the demotion shouldn't he?

thank you,

Dale Benedetti (former civil service worker) who may have been bumped out of civil service due to the possible fraudulent misrepresentations made by Ms. Woodward, or Ms. Rhodes, or both.

Please respond to all of the above.

Subj:	**Hotline Case 83861**
Date:	5/22/03 8:47:43 AM Pacific Daylight Time
From:	hotline@dodig.osd.mil
To:	dbened8637@aol.com
Sent from the Internet (Details)	

Dear Mr./Ms. Benedetti:

This is in response to your e-mail dated April 28, 2003, requesting the status of Hotline Case number 83861.

As indicated in our previous e-mail of July 11, 2002, your concerns were referred to the appropriate investigative agency for information and any action they deemed appropriate. No response from the agency was required, and the case was closed administratively on December 26, 2002.

Thank you for your interest in bringing potential improprieties within the Department to our attention.

Sincerely.

Leonard Trahan, Jr.
Director
Defense Hotline

Mr. Gartman,

I want to communicate to you the following statements-maybe lies- that were made by Mr. Gene Zaharov the Head of Range Data Systems. The statements were made to me and Suzanne Nishimori over the course of the last two years of our employment as a Computer Operators in the Operations Section of Range Data Systems and, in the case of one incident regarding Ms. Nishimori, one and a half years after the RIF. I and Suzanne Nishimori addressed these questions to Mr. Zaharov because we wanted answers to them. As it turns out, the answers were totally in error.

- Mr. Zaharov told Ms. Suzanne Nishimori, a Computer Specialist in RDS, in April of 1997 that all personel in the Operations Section would be rotated on and off the ATP list. It never happened. Why make this statement?

- He told Ms. Suzanne Nishimori during a chance meeting at a gas station in Camarillo California in January of 2000 that the Pt. Mugu Naval Base was considering the likelyhood of bringing back the employees whom were adversely impacted by the 11/19/1999 RIF. The re-employment was to take place in March of 2000. It never happened. Where did he get this false information? Did he make it up?

- He told me that mine and Suzanne Nishimori's careers were not adversely impacted by the informing that fellow RDS employees Ms. Kathie Rhodes and Ms. Susan Woodward were engaged in over the course our stays as an employees at RDS. This is bullshit. Both careers were completely derailed by the lies, distortions and false information that these two fellow workers imparted to our superiors over the course of our employment stay at RDS. It was probably the single most important factor in our lack of promotions, training, awards, and termination on 11/19/1999. In addition, it was probably the most important factor in both of these women moving up so fast at RDS.

- He told me that the chances of me being placed in a fully funded job on the Oxnard Plain before the 11/19/1999 RIF were good. I knew this statement was totally false when he said it. I am sure the statement was not made in error.

- In the wake of finding out that another Computer Specialist named Diana Cole had been promoted to a GS-9, after only spending one year at the GS-7 level, I alleged to Mr. Zaharov that her promotion had a lot to do with the fact the she and her boss, a Mr. Dwight Bolen, engaged in coversations, during work, about their respective Baptist religious backgrounds. Mr. Zaharov said, "that it had nothing to do with her promotion." If it didn't, then why was I a Computer Specialist for five and one half years on a GS 7/9/11 ladder and never promoted under Mr. Bolen, or Pat Gastineau, or Ruben Partida? I realize that it is not a matter of deductive reasoning that the religious conversations between the two helped Ms. Cole's chances for promotion, but I do think its is highly probable that the conversations did help her in her efforts to gain promotion. I never brought up the subject of me being a Roman Catholic, nor would I need to, to anyone, while I was employed at RDS. After I made this complaint to Mr. Zaharov, Mr. Zaharov hightailed it back to Mr. Bolen's office. He probably wanted to tell Mr. Bolen about the allegation I made against him.

- I told Mr. Zaharov that my supervisor Mr. Bill Brown was never asked by Dwight Bolen or Ruben Partida how I and Suzanne Nishimori were preforming as Computer Specialists. There is no other way of knowing how the two of us were preforming than to find out from our supervisor, Mr. Brown. I told Mr. Zaharov about this several times over. He responded by saying, "it doesn't make any difference if they don't talk to Bill Brown about our preformances because they--Dwight Bolen and Ruben Partida--talk to each other." He kept repeating the "they talk to each other" statement each time I told him that the two of them don't have any idea of how the two us are preforming unless they talk to Bill Brown.. The fact of the matter is, is that if they had talked to each other about me and Suzanne's preformances, they would not have had any idea about how we were preforming. Again, the only way they could become aware of how we were preforming was by talking with Mr. Bill Brown. Mr Zaharov was being totally evasive about the matter with his verbal circumlocutions.

I wish that someone would ask Mr. Gene Zaharov and Dwight Bolen these questions:
Did the both of you talk with a Mr. Robert Braunstein of the NAPA commision on or around the twenty-first of November about the complaints Mr. Dale Benedetti made to the NAPA commision on November nineteen of 2000 at the Casa Serena Motel in Oxnard California? Again, was the coversation between the three of you about complaints Mr. Benedetti made in regards to the cesspool work conditions at Pt. Mugu and RDS?
Did your conversation take place at a location off Base near Pt. Mugu at about 12:30 to 1:30 P.M.?
If they deny any conversation took place, their denials would be a lie. The NAPA comission is supposed to be an impartial inquiry. Is it possible that the entire inquiry was compromised by these three individuals meeting together? Why is Mr. Braunstein making these two individuals aware of my complaints to the NAPA comission? I didn't think my complaints would

become at matter of public knowledge unless I gave the NAPA comission permission to do so.

I really believe that Mr. Zaharov could have circumvented me and Ms. Nishimori's termination on 11/19/1999 if he wanted to, but he didn't due to him realizing that it would be politically expedient for his career to go along with his superiors, whom engineered the RIF, than to stop two innocent people from getting axed. I really believe, at some point in time, Mr. Zaharov stopped being sympathetic to our plight and sided with the sentiments of our two inept, underqualified supervisors named Mr. Dwight Bolen and Mr. Ruben Partida. All the managers at Point Mugu will always side with their fellow managers, no matter how nefarious the wrongdoing by managers is.

Why did RDS hire me in the first place? Why did the managers at RDS treat me the way they did? If my performance was so poor, why did they never give me a performance rating below satisfactory? Hell, I can't get minimum wage job at Pt. Mugu.

Susan Woodward can lie about her degree in Psychology and yet still be employed on that Base. You are supposed to be fired if you falsify information about your academic background on Federal job applications. I submitted a complaint about her and her false degree and nobody will tell me the results of my complaint. She either lied or didn't. If she lied, she stole her job from me, or Suzanne Nishimori, or Diana Cole. We didn't commit a fireable offense by lying about college degrees we don't have. What is the status of this issue?

In 2002 Mr. Zaharov was awarded the third highest civilian award that the Navy can bestow.

In conclusion, I still believe that the reason I was RIFed on 11/19/1999 had nothing to do with my work performance. I was cheated out of promotions, higher performance ratings, awards, on Base training, off Base training, training from systems gurus Richard Stahle and Chris Graham, and many the other perks that should have been mine. I was never given the reasons for me being RIFed by any Point Mugu officials. Based on the complaints I have made to the two U.S. Senators from California, no Point Mugu official or anyone else can justify my termination or me remaining as a GS-7 for five and a half years. Why was I RIFed and why did I remain a GS-7 for so long? Whenever I would ask the persons who would know the answers to these two question, they would lie like hell. There could have been some other accomodations made for us rather than a full scale termination.

Dear EEOC

I want to thank you for reponding to my FOIA request in a timely manner. You may want to read my complete file for clarification of the points I make in this letter. I want to make the following points:

- I have made many claims of wrongdoing that were directed at my by my three former bosses at Range Data Systems, Operations Section, NAWCWPNS, Pt. Mugu. The three bosses are Pat Gastineau, Dwight Bolen and Ruben Partida. I also take issue with a number of answers that were given to me by the Head of Range Data Systems, a Mr. Gene Zaharov, to pointed questions that I asked him. I have detailed all of the abuses of the three bosses to Mr. Charles Gartman by way of copies of letters of complaint that I personally gave him. The original letters of complaint were sent to U.S. Senators Barbara Boxer and Diane Feinstein. I also furnished the list of misrepresentations that Mr. Zaharov communicated to me. Mr. Gartman has this list in his possession.. In addition, I gave Mr. Gartman many other documents that pertain to many issues of wrongdoing that are taking place at Pt. Mugu.
- I have also given Mr. Gartman a "Just the Facts Sheet" that goes into condensed detail regarding the abuses I was subjected to as an employee at Pt. Mugu's Range Data Systems, Operations Department.

In all of the above correspondence, I make a number of salient points. Those points have resulted in a number questions I have for Navy officials, EEOC, Department of Defense or anyone else who can give me answers to these questions. I deserve answers to the questions!

Why was I a GS-7 on a 7/9/11 ladder for five and one half years and never promoted? When my two former bosses, Mr. Bolen and Mr. Partida, saw to it that I not be promoted to an GS-9, my fate was sealed on 11/19/1999. I asked Mr. Gene Zaharov why I was never promoted and he responded by saying that "this is the public sector and not the private sector." I know that. This is not a valid answer to my question. I continued to ask the question and each time he gave me the same response. I then came to the realization that an attack on one boss was an attack on all bosses at Pt. Mugu and all bosses in Federal agencies. By giving me this scummy answer to a most important question, Mr. Zaharov took the attitude that I am just some little worker who deserves no protection or respect from abusive managers. No Point Mugu or Navy official has ever been able to give me a straightforward answer to this question. Why not?

Why has neither U.S. Senator Barbara Boxer or U.S. Senator Diane Feinstein responded to any of my numerous letters regarding all the skullduggery that has taken place at Point Mugu that I, John Jay and many others have sent to their offices. Senator Feinstein's aids have told both me and John Jay that she has lost everything that we have sent her. Senator Boxer's only reply is that she is precluded from making a statement because she is limited by the Hatch Act from doing so.

The 8/25/2000 edition of the Ventura County Star Free Press states that Senator Boxer "takes the allegations of destruction of documents and cover-up over the events of 11/19/1999 to the hightest levels of concern within in her office." The Senator has never responded to anyone, as far as I know, over this matter. Why not? I and others deserve a response.

Is Susan Woodwards degree in Psychology from a defunct university in Texas fraudulent? I have never received a response to this written inquiry that Mr. Gartman has in his possesion. If her degree is a fraud, she stole her job from me and others who never filed false claims about our academic backgrounds. Specifically, the others I am referring to are Larry Howard, Suzanne Nishimori and Diana Cole who were Operations Section employees alongside Ms. Woodward.. These three individuals were RIFed on 11/19/1999. Yet, they didn't lie about their academic background. For years, Susan Woodward's superiors thought she had a ligitimate four year degree and she may have been lying. If she is found guilty of submitting false degree claims on her 171's, this is a fireable offense.

I would also like to add that Susan Woodward has three kids. Me, Larry Howard, Suzanne Nishimori and Diana Cole don't have kids. This fact, along with her misleading her superiors concerning her possible false degree may have been the two most compelling reason Ms. Woodward was retained and not RIFed on 11/19/1999. I worked with both Susan Woodward and Suzanne Nishimori and I can categorically state that Suzanne Nishimori was a vastly superior worker and intellect that Susan Woodward. I think that we were discriminated against based not only on our ages, but on the basis of the four of us not having kids. This leads to the inevitable question of what percentage of workers RIFed on 11/19/1999 didn't have kids between the ages of one and twenty-one?

Why did Mr. Dwight (super Bozo) Bolen have twenty employees removed from under his supervision and later another five removed from under his supervision. Did it have something to do with my letters of complaint I sent to Senator Boxer? Was Mr. Bolen interviewed by any investigative agency after 11/19/1999 about Mr. Dale Benedetti and his complaints to Senator Boxer? Was there any letter of reprimand or disciplinary action write-up placed in his civil service record regarding my complaints? I am sure there was!

Why did Mr. Ruben Partida lose his job as Head of the Operations Section at Range Data Systems in calendar year 2001? Mr. Partida is now relegated to the postion of facilities assistant alongside Mr. Sandy Ferguson. Did his losing his job as Head of Operations Section, Range Data Systems have anything to do with my letters of complaint I filed with the two U.S. Senators? After all, it was Mr. Partida who told me that it would be a long time before I would even be considered for a GS-9 promotion due to the fact that I had alienated a Mr. Tom Curtis and his superiors when I didn't grovel for a position as a ditch digger and handy man when I was interviewed for the position by two Public Works officials. This is a big lie. Pat Gastineau, Dwight Bolen, Ruben Partida and Gene Zaharov lie like a sewer. These four useless individuals cost the taxpayers approximately $300,000 per year in salary. Was Mr. Partida interviewed by any investigative arm of the U.S. government in regards to letters of complaint that Mr. Dale Benedetti filed with U.S. Senator Barbara Boxer?

What did Navy officials do with my numerous complaints of wrondoing that I sent to the two Senators from California? Did they ever

receive possession of these letters? What did they do with them? I make a lot of serious allegations in these letters and it is inconceivable to me that nothing was done as a result of my allegations.

Why is it that I still cannot get a job in civil service at either of the two Ventura County Navy bases as a GS-1 or above? I was told by a Ms. Liz Culver of HRO Pt. Mugu that my resume is not attracting the HRO San Diego Southwest resumix system. I have been told by three resume writing experts that there is nothing wrong with my resume. I was also told by a Mr. Rick Peterson of HRO Southwest San Diego that what Ms. Culver said is not necessarily true. He said to keep on submitting resumes. I have already submitted ten of them over the course of the last three years. Furthermore, why was I completely RIFed on 11/19/1999? Why wasn't I given a job as a GS-1 in order to continue my civil service career? I deserve at least a GS-1 position on that Base. I know I will never work in Federal civil service again due to the fact that I have been blackballed along with just about everyone else RIFed on 11/19/1999.

I make many serious allegations against the Navy and my three former bosses in my letters of complaint to the two U.S. Senators from California. Are the claims I made true or not? Can my claims be backed up by evidence uncovered that an impartial investigative inquiry can get to the bottom of? Was there an investigation into my claims or not? I want to know if there was or was not?

The sum total of everything that I have sent to EEOC, c/o Charlie Gartman, has to do with three central thesis that I have been putting forth. Based on the evidence of the claims I make in these three thesis, I should be compensated or not compensated. Only an impartial inquiry can make that judgement by uncovering evidence that backs up my claims or doesn't. I cannot carry out an inquiry on my own.

Thesis one: was the reduction in force on 11/19/1999 at.Pt. Mugu and China Lake Naval bases legal? If not, why wasn't it legal and what compensation do I have forthcoming as a result of me being adversely impacted by the illegal reduction in force?

Thesis two: did Susan Woodward lie about her four year college degree? It is not going to take much to find out if she did lie. Her misrepresentation could very well have cost me my job.

Thesis three: were the abuses that were perpetrated against me by my three former bosses ethically justified and legal. I go into great detail about the nature of the abuses in my letters to Senators Boxer and Feinstein. I also discuss the abuses in the "Just The Facts Sheets."

Charlie Gartman of EEOC, Pt. Hueneme told me a few weeks after our hour and fifteen minute meeting of 8/26/2003 in Ventura that "there is really nothing that can be done to rectify the wrongs that were directed towards me." He went on to state that "the U.S. Navy has been screwing people for years and has been getting away with it and will continue to do so. Just go ahead and re-submit a well written resume."

Well, that is just great news. The U.S. Navy can perpetrate any type of wrong doing against anyone it so choses and there will be no avenue of redress available to the victims because the average person cannot afford the long, drawn out legal battle. They are totally above the law. Mr. Gartman can't even help me get a job as a GS-1on that Base.

I would be willing to take a lie dector test and answer any questions that are asked of me. Also, I am willing to appear before any U.S. government agency, Grand Jury or Congressional investigative body.

Finally, I would like to say that I am still waiting for answers to the above questions. Why do I and others continue to receive a stonewall of silence over this matter? I thought there were laws against the types of tactics that were used against me by my former bosses and the Navy. I want a response to all of the above.

Dale Paul Benedetti

Dear Brian,
[illegible] the above ques-
tions have been [illegible]

my EEOC complaint that was dismissed because I didn't meet the timeliness requirements

Date: October 28, 2003

From: Charlie Gartman
EEO Counselor

To: Dale Benedetti
Complainant

Subj: NOTICE OF FINAL INTERVIEW

Ref: (a) 29 CFR Part 1614
(b) OCPM INST. 12713.2A

Encl: (1) Formal Complaint of Discrimination Form

1. In accordance with Ref. (a), this letter serves as your notice of Final Interview related to your informal complaint of discrimination. On June 16, 2003, you initially contacted Human Resources Service Center Southwest alledging discrimination. The centeral issue of your complaint is, lack of appointment to a position following a Reduction In Force action which happened on or about Novemberr 19, 1999. You believe that your age, DOB 8/26/1954, is the basis for this situation.

2. As a remedy, you have requested appointment to any position in the Oxnard Plains at the GS-1 or WG-1 level. Backpay was not a part of your request.

3. My inquiry into this matter has resulted in the review of documents you submitted with your initial complaint letter, a variety of documenents you have submitted to me, and documents I obtained from Human Resources at Point Mugu and Southwest Service Center. As you know from our last telephone conversation , early October, the latter documents were requested and later forwarded to me as the best evidence availiable to determine if you had indeed been passed over for possible selection to a position for which you qualify. After carefully reviewing all of the records and documents accumulated in this complaint, I am unable to find a specific action which seems to meet the filing requirements, i.e., an event which happened within 45 days from your initial contact with Southwest Service Center wherein you alledged discrimination. I told you at our initial interview timelyness my be a problem with your complaint. However, based upon your presentation and belief that you were the victim of age discrimination, I reviewed this matter to the best of my ability.

is this the truth honest to God

4. Since this inquiry was based solely on the review of documents, there were no management or witness interviews conducted. Please keep in mind that the scope of this complaint was limited to the very narrow issue of your lack of selection or placement stemming from the origional 1999 Reduction In Froce Action. Under the complaint process I cannot become involved in the many other issues and concerns you presented to me.

5. If you believe that you have been discriminated against on the basis of race, color, religion, sex, age, national origin, or disabling conditions, and /or reprisal for participation in a protected EEO activity, you have the right to file a complaint of discrimination within 15 days after receipt of this letter. If you do not file a complaint within this time, your complaint may be dismissed as untimely.

6. If you file a complaint, it must be in writing and filed in person or by mail with any of the officials authorized to receive discrimination complaints.

Commander
Construction Batallion Center
Port Hueneme, Ca. 93043-4370

Mr. Charles Thompson
DEEOO

Construction Batallion Center
Port Hueneme, Ca. 93043-4370

Director of EEO
(ASN (M&RA))
Department of the Navy
The Pentagon, Room 4E788
Washington, D.C. 20350-1000

7. Enclosure (1) is provided for your use should you choose to file a formal complaint of discrimination as provided under references (a) an (b). If you have questions, you should contact Mr. Charles Thompson, DEEOO at Port Hueneme.

Sincerely

Charlie Gartman
EEO Counselor

Copy to:
Mr. Charlie Thompson

TABLE OF CONTENTS

COUNSELING PROCEDURAL DOCUMENTS

TAB	DESCRIPTION
A	Memo dtd 24 June 2003 from HRSC-SW
B	Notice of Rights and Responsibilities W/attached: Permission of Reveal Identity
C	Identification of Bases, Issues & Resolution
D	Counselor's Checklist
E	Notice of Final Interview dtd 28 October 2003

Date: October 28, 2003

From: Charlie Gartman
EEO Counselor

To: Dale Benedetti
Complainant

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Commander
Construction Batallion Center
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Mr. Charles Thompson
DEEOO

Construction Batallion Center
Port Hueneme, Ca. 93043-4370

Director of EEO
(ASN (M&RA))
Department of the Navy
The Pentagon, Room 4E788
Washingtom, D.C. 20350-1000

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Sincerely

Charlie Gartman
EEO Counselor

Copy to:
Mr. Charlie Thompson

COUNSELING CHECKLIST

Counselor: Mack

DEEOO advised:

1 NAME: Dale Benedetti

2 MAILING ADDRESS: 374 N. Ashwood Ave Vta, CA 93003

3 PHONE NO.: 805/ 218-6683 (cell)

4 REPRESENTATIVE NAME:

5. MAILING ADDRESS:

6. PHONE NO.:

7. a. BARGAINING UNIT MEMBER? YES NO RIF

b. UNION: NAGE

c. NEGOTIATED GRIEVANCE PROCEDURE COVER DISCRIMINATION COMPLAINTS? YES NO

8. MATTER FOR COUNSELING:

	ISSUE	BASIS	DATE OCCURRED/ DISCOVERED
a.	Non-Selection	Age (DOB 8-26-53)	11-19-99 & continuing
b.			
c.			
d.			

9. ACTIONS:

MANDATORY		DATE
a.	Initial counselor contact:	6-16-03
b.	Initial interview:	8-28-03
c.	Informed of right to remain anonymous during the informal process:	
d.	Advised of right to representation:	
e.	Advised of responsibility to notify of representation:	
f.	Advised of EEO discrimination complaint procedure:	
g.	Advised of EEO counselor role in process:	

COUNSELING CHECKLIST

MANDATORY CONT'D		DATE
h.	Issued notice of rights:	
i.	Informal fact-finding completed:	
j.	Issued extension of EEO counseling:	
k.	Issued notice of final interview:	10-28-03

WHEN APPLICABLE		
l.	Informed of relationship between discrimination complaint process and Administrative Grievance System:	
m.	Informed of Negotiated Grievance Procedure provisions and consequences of required election:	
n.	Informed of differences between a mixed case complaint and an MSPB mixed case appeal, right to election, and consequences:	

10. SPECIAL NOTES:

Delay due to ~~waiting~~ going to extra mile to try and obtain costs or any information that would be considered timely.

12713.2A

MEMORANDUM

From: DALE BENEDETTI
Complainant

To: CHARLIE GARTMAN
EEO Counselor

Subj: PERMISSION TO REVEAL IDENTITY OF COMPLAINANT

By my signature on this memorandum, I hereby authorize you, as my assigned EEO Counselor, to reveal my name while looking into the matter on which I have requested assistance.

Dale Benedetti
Complainant

8/26/2003
Date

24 June 2003

FROM: JESS LUGO, HRSC-SW

TO: CHARLIE THOMPSON
ARLENE BLACK

SUBJECT: CORRESPONDENCE RECEIVED FROM Mr. DALE BENEDETTI

1. We received the enclosed correspondence at HRSC-SW on 16 June 2003.

2. It appears that Mr. Benedetti alleges on-going AGE discrimination against the HRSC-SW for non-referral for employment consideration in Ventura County activities.

3. We don't do counseling at the HRSC. Monte Crane, our Attorney, recommended I forward the package to both of you for review/informal counseling. (Charlie: fyi, Debra Lewis also recommended I forward the information to you.)

4. Our LR and Staffing folks are currently preparing the two FOIA requests that Mr. Benedetti alludes to in his correspondence.

5. Attached to this transmittal, is a matrix prepared by our RESUMIX folks, detailing Resume activity for Mr. Benedetti.

I know you will have some questions, (619) 615-5560
DSN: 245-

R,

Jess

Jim

7001 0320 0002 7684 7803

VENTURA CA 93003 JUN 13 '03

U.S. POSTAGE 07.5

H METER 91521

Attention: Equal Employment Opportunity
Commission Complaint OFFICE

Department of the Navy
Human Resources Service Center Southwest
525 B Street, Suite 600
San Diego, Ca 92101-4418

RECEIVED
JUN 16 2003

RECEIVED
JUN 16 2003

Dear Equal Employment Opportunity Commission,

I, Dale Benedetti, am hereby filing a complaint against Human Resources Southwest Service Center, San Diego under the theory of ongoing age discrimination. I am forty-eight years old. I was reduced in force from Pt. Mugu Naval Air Station, NAWCWPNS on 11/19/1999. I have not been able to gain employment at either Pt. Mugu, Pt. Hueneme Naval Base Ventura County, or any Federal Government workplace in Ventura/ Santa Barbara County.

I have sent the enclosed resume packet, data sheet, etc. eight times to HRSWSD. The purpose of the eight inquiries is to gain employment with the Federal Government at any location in Ventura County, or Santa Barbara County. Again, I have sent the resume packet, data sheet, etc. eight times, and no sucess in gaining employment despite additional computer certifications added to my resume since my termination on 11/19/1999.

I have enclosed the following information which is now in possession of HRSWSD:

1) A cover sheet that I sent to HRSWSD which explains my plight.
2) My resume packet.
3) Six Copies of certified mail reciepts from HRSWSD that they sent me. I received the reciepts sometime after I sent my resume, data sheet, etc. to them.

Also, I have enclosed (for EEOC purposes) the following:

1) Two FOIA requests that I received from the Navy. These FOIA documents help to underscore the fact that I was passed over for employment at Pt. Mugu on numerous occasions. I could have easily filled a number of positions that were filled by younger workers. I have requested any position as a GS-1/WG-1 or above numerous times. I would have also accepted any minimum wage job. HRSWSD is very aware of this fact. Also, HRSWSD has the enclosed FOIA documents in their possession. I furnished HRSWSD with the FOIA documents.

2) Part one and part two letters that I sent to U.S. Senator Barbara Boxer in April of 2001. I do not know if all the claims, or any claims, were investigated by any investigative agency of the U.S. government. I have requested information on the investigation numerous times from the Senator's office. I am told that the Senator's office is precluded by the Hatch Act from commenting on my two complaints. The reason I have enclosed the two complaints ~~to the~~ that I sent the Senator is for the purposes of communicating my problems to EEOC, as it relates to my termination as an employee at Pt. Mugu Naval Air Station.

My thesis is that if the detailed claims that I sent to the Senator were backed up with the evidence that an investigation would uncover, then I should be granted a job with the Federal Government, or my old job back. In other words, based on the validity of the complaints, I should be entitled to some damages.

3) I have also enclosed a complaint that I filed with the DOD IG hotline. They will not furnish me with the results of their investigation regarding my claims. They have not stated the reasons as to why this is so. This investigation closed out on 12/26/2002. What good is it to file the above mentioned complaints and not be given the results of the DOD IG's and the Senator's investigations?

I am requesting that the EEOC look into all of the above using the appropriate investigative arms of the U.S. Government (whatever they may be). This is a serious matter, and I would like answers to all of the points that I have hereby enumerated. Why can't I get a job in the Federal government in Ventura County or Santa Barbara County, even a minimum wage job? Have I been blackballed?

4) I have also enclosed a notarized statement that identifies me as the sender of all that is enclosed.

thank you, Dale Benedetti

274 North Ashwood Avenue,
Ventura California, 93003
phone numbers: (805) 644-4401, (805) 218-6683 cell phone
email: DBened8637@aol.com

RECEIVED
2003
EEOC/LADO
INTAKE

Dale Paul Benedetti

TABLE OF CONTENTS

FINAL EEO COUNSELOR'S REPORT

DALE BENEDETTI

TAB	DESCRIPTION
A	Summary of Counselor's Report dtd 28 October 2003
B	Interviews (B-1) Dale Benedetti w/Attachments FOIA Requests Miscellaneous correspondence to the Senate Miscellaneous articles regarding the Reduction-in-Force
C	Documents (C-1) Resume Submission Summary fax dtd 9/30/03 (C-2) EEO Office Inquiry dtd 8/7/03 RE: Requests for Certificates (no response recorded) (C-3) Resume packet (without the resume) (C-4) HRSWSD Receipts for Resume Packets 1 thru 6 and 8 (C-5) Hotline email dtd 2 July 2003 RE: Fraudulent Degrees (C-6) Ltr from NAGE dtd 19 October 2001 to Complainant RE: Answers to Questions Regarding RIF

Date: 28 October, 2003

To: Deputy EEO Officer

From: Charles Gartman

Via: Renee Mack

COMPLAINANT
Name: Dale Benedetti
Home Adddress: 274 North Ashwood Avenue
Home Phone: 805-218-6683
Title/Series/Garde: Currently unemployed

COMPLAINANT'S REPRESENTATIVE
None designated

CHRONOLOGY OF EEO COUNSELING

Date of Alleged Violation:	November 19, 1999 thru 16 June 2003
Date of Frist Contact:	June 16, 2003
First Contact With:	Human Resources Service Center Southwest
Date Forwarded to DEEOO Charlie Thompson:	June 24, 2003
Date of Initial Interview:	August 28, 2003
Date of Final Interview:	October 28, 2003
Counseling Report Completed:	October 28, 2003
Counseling Report Submitted:	October 28, 2003

MATTERS COUNSELED
A variety of issues not related to the Equal Employment Opportunity Complaint Process were presented and discussed at length. However, the relevant issue was, FAILURE TO BE PLACED ON A CERTIFICATE OF ELIGIBLES AND FORWARDED FOR SELECTION AFTER RECEVING A REDUCTION IN FORCE NOTICE ON OR ABOUT NOVEMBER 19, 1999.

BASIS
Age, birthdate, August 26, 1954

DATE OF OCCURENCE OR DISCOVERY
The Complainant alleges that age has been a factor in all events leading up to and after the Reduction In Force Action.

ALLEGATION DESCRIBED
The complainant believes that a conspiracy initially involving management at Point Mugu led to his lack of promotion, and ultimate Reduction in Force Action. Complainant also believes that a second conspiracy involving ,the Departmant of the Navy, Congresswomen Boxer and Fienstien , has resulted in his lack of an employment offer from the November 19 through the filing of this complaint.

HARM SUFFERED
Loss of employment, wages, and embarassment.

NEXUS BETWEEN THE ISSUES AND THE BASIS
No evidence was produced or discovered that supports the notion that age was a factor in this matter. While outside the Complaint Process, no evidence was produced or discovered that supports a conspiracy theroy.

RESOLUTION REQUESTED
Appointment to any GS-1 or WG-1 or higher position

DOCUMENTS REVIEWED
Human Resource Service Center Southwest Letter Dated June 24, 2003
Dale Benedetti Resume Submission Reprt
Dale Benedetti FIOA request dated January 21, 2003
Special Information Request from Human Resource Point Mugu Dated August 7, 2003
Various documents submitted by Complainant regarding the conspiracy theory and other matters.

INDIVIDUALS INTERVIEWED
Dale Benedetti
All other information was collected via telephone, E-mail, of FAX

SUMMARY
This allegation must relate to an event which happened within 45 days of initial contact with a counselor or notice to the appropriate agency. In this instance the complainant contacted the Southwest Service Center on June 24, 2003. After carefully reviewing all documentation submitted and availiable on this matter, it does not appear that any event or action involving the complainant happened within the time limits specified for acceptance. Nonetheless, the extra mile was taken by requesting information up to and including August 7, 2003. Again, it does not appear that any type of non-selection action happened that invloved complainant from origional termination through this date. It appears that complainant may have had difficulty properly preparing or submitting proper documentation the the Southwest Service Center, but this does not support the allegation that age was a factor in any follow-on actions.

SUMMARY OF INFORMAL RESOLUTION EFFORTS
A considerable amount of time was spent talking to complainant about other career opportunities that may exist and the amount of energy consumed by complainants total involvement in this action. It was also clearly explained that this process is limited to issues of discrimination and cannot deal with allegations of conspiracy. The specific 45 day window of opportunity for filing a Discrimination Complaint was also discussed in great detail. No resolution was reached and the Complainant seems determined to pursue this matter to the highest levels.

NOTICE OF FINAL INTERVIEW
The notice of Final Interview was mailed certified return receipt on October 30, 2003.

DATE COUNSELOR'S REPORT COMPLETED: August 28, 2003

COUNSELOR'S NAME

CHARLIE GARTMAN

Dear Human Resources Southwest San Diego,

I have enclosed the following:

Data that I received through a FOIA request that documents the demographic composition of all new hires at the Pt. Mugu and China Lake Naval Bases from 11/19/1999 (the day I was reduced in force) to November of 2002..What you can see from reading this material is that there were two hundred twenty-eight new hires at Pt. Mugu and seven hundred twenty-five new hires at China Lake. Also, three Information Technology Specialists, four Computer Specialists and two Computer Clerks were hired at Pt. Mugu. They also hired numerous other people to fill other positions.

An additional FOIA request data packet that gives a breakdown of age, race, sex etc. of all employees RIFed at Pt. Mugu and China Lake on 11/19/1999. As you can see 64% percent are thirty-nine or over. You can do you own calculations to see how many are female, over thirty-nine, handicapped, and minorities. The data doesn't reflect how many were forced into retirement, those made to relocate to other places for jobs, and those who filed EEOC or other litigation against the U.S. Navy. Also, I know of no one who was RIFed on 11/19/1999 who has been hired back at either one of the two bases.

My question is why wasn't I hired to fill one of those positions? I was a Computer Specialist GS 7 on a GS 7/9/11 0334 ladder. I have received additional computer certifications since I was RIFed on 11/19/1999. Yet, I still cannot get a job on that Base as a GS 1 or WG 1 or above.

Copies of six different receipts, from your office, proving that I submitted six different resumes. I have also applied for numerous jobs online through your web site. Yet, I have not been offered any permanent or temporary position in Ventura County. Why not? **I've been blackballed, haven't I? I will take a GS-1 or WG-1 position, even if it is as a temporary.** It really sickens me that other people, many of whom are younger than me, have filled postions I could have filled. I am not asking for much.

Another copy of my resume that includes diplomas, transcripts etc.

In closing, would you please send me the names of positions I have applied for in the last three years. Also, please send me any other data about Mr. Dale Paul Benedetti in any and all you data bases. Finally, send me the dates that your received hard copies of my resume.

sincerely, Dale Benedetti

274 North Ashwood Avenue
Ventura Cal. 93003
email: DBened8637@aol.com
Phone: (805) 644-4401, (805) 218-6683

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thank you, Dale Benedetti

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LOIS (22MAY03 RPT DTO.) x5730

SUSAN ELLIS - FOIA x5882

6/19: - plans to complete FOIA first/next
by 6-25-03

DALE BENEDETTI - RESUME SUBMISSION SUMMARY

The following is a summary of resumes submitted by Mr. Dale Benedetti. The existing records in Resumix indicates his first resume submission was on 27 June 2001. It is possible (but unlikely) that he submitted resumes earlier than this but, if he did, they have been purged out of the system.

Definitions: HC = Hard Copy Resume
AF= Autoflow
ADS = Additional Data Sheet
AE = Series added via Application Express

RES #	RES TYPE	DATE REC'D	RESUME STATUS	DATE AVAIL FOR SEARCH	DATES RESUME ACTIVE	SERIES REQUESTED	GEO PREF	TRACKED
1	HC	6/27/01	Rejected - No ADS					
2	HC	7/11/01	Active	7/19/01	7/19/01 - 11/19/01	0334	Ventura, CA	0
3	HC	11/1/01	Rejected - No ADS					
4	AF	11/18/01	Active	11/19/01	11/19/01 - 11/19/01	0305	Ventura, CA	0
5	AF	11/18/01	Active	11/19/01	11/19/01 - 3/25/02	0335 7002 - AE 11/24/01 7009 - AE 11/24/01 0302 - AE 11/24/01 6901 - AE 11/24/01 0334 - AE 11/29/01 0332 - AE 11/29/01 0394 - AE 12/6/01 3502 - AE 12/6/01	Ventura, CA	0

						3566 - AE 12/6/01 2005 - AE 12/6/01 0357 - AE 12/6/01 7001 - AE 12/9/01 6907 - AE 12/10/01 6968 - AE 12/10/01 0305 - AE 1/22/02 0303 - AE 1/22/02 4601 - AE 1/23/02 7304 - AE 1/23/02 0170 - AE 1/24/02 4714 - AE 1/24/02 5486 - AE 1/24/02 0326 - AE 3/10/02 2032 - AE 3/10/02 0986 - AE 3/11/02		
6	HC	11/15/01	Never activated*					
7	AF	3/22/02	Overlaid by next resume					
8	AF	3/22/02	Overlaid by next resume					
9	AF	3/22/02	Overlaid by next resume					
10	AF	3/22/02	Active	3/25/02**	3/25/02 - 5/15/02	0303 0998 - AE 4/7/02 0302 - AE 4/7/02 0334 - AE 4/7/02 0305 - AE 4/7/02 0332 - AE 4/7/02 0335 - AE 4/7/02	Ventura, CA	0
11	HC	4/15/02	Rejected - No ADS					
12	HC	4/29/02	Rejected - No SSN					

13	HC	5/9/02	Active until 5/17/03***	5/15/02	5/15/02 - 5/17/03	2210 0332 - AE 6/16/02 0335 - AE 6/16/02 0302 - AE 6/16/02 0303 - AE 6/16/02 0305 - AE 6/16/02 0394 - AE 8/28/02 2005 - AE 8/28/02 0998 - AE 8/28/02 0086 - AE 8/28/02	Ventura, CA	0
14	HC	3/7/03	Rejected - No Series/MPA Number on ADS					

* This resume was never activated. Although this hard copy resume was received 11/15/01, it didn't get processed until 11/28/01. This was due to a large backlog in processing hard copy resumes. The operator processing this resume noticed that the applicant had already submitted another resume on 11/19/01which would have replaced this one anyway.

** Although this resume was sent via Autoflow on 3/22/03, it was not available for searches until 3/25/02. This is because 3/22/02 was a Friday and this is the date when it went through the Extractor (an automatic process). The resume was then in the Verify queue (a manual process) until Monday, 3/25/02.

*** This is the last active resume Mr. Benedetti had on file. It was made unavailable on 5/17/03 via the automated resume expiration script run for us by San Antonio

Wilson, Deborah J

From: Wilson, Deborah J
Sent: Thursday, August 07, 2003 11:13 AM
To: Bradford, Cindy L; Vicuna, Edward F NA CIV; 'StokesDS@phdnswc.navy.mil'
Subject: Request for Information

The EEO Office has received a complaint from the Region filed by Mr. Dale Benedetti. Mr. Benedetti has alleged that the Region failed to refer his resume to Naval activities in the Ventura area. The Region has provided information that does indeed indicate his resume was not referred. However, the question remains - did we submit any requests for certificates for positions for which he qualified during the timeframes in which he had an active resume in the system? Below I have provided the dates during which he had an active resume in the system and for what series he qualified. Should it be that there were requests for applicable certificates during the timeframes below please provide the pay plan, series, grade and title of the position, the date of the request, whether a selection was made from the certificate, the name of the selectee and their DOB.

Dates resume was active	Series for which qualified
07/19/01 to 11/19/01	334
11/10/01 to 11/19/01	302
11/19/01 to 03/25/02	170
	303
	305
	326
	332
	334
	335
	357
	394
	986
	2005
	2032
	3502
	3566
	6901
	6907
	6968
	7001
	7002
	7009
	4601
	4714
	5486
	7304
3/25/02 to 05/15/02	302
	303
	305
	332
	334
	335
	998
05/15/02 to 05/17/03	086
	302
	303
	305
	332
	335
	394

998
2005
2210

Thanks, Debbie

Deborah J. Wilson
Equal Employment Opportunity Specialist
EEO Office
Naval Base Ventura County
Point Mugu, CA
(805) 989-1402
Fax (805) 989-0061

Date of Request	Title, Series, Grade, Pay Plan	Selectee	DOB
08/01/01	Administrative/Technical Specialist, NT-334-04	N/A - CANCELLED	N/A
09/27/01	Computer Specialist, GS-334-12 N/A	Zenner, Rebekah	02/20/62
05/15/02	Administrative Clerk, GS-303-05	Bardenhagen, Anita	09/15/56
05/17/02	Information Technology Specialist, GS-2210-11	Fees, John	08/21/71
10/15/02	Administrative/Technical Specialist, NT-2210-05	Houseknecht, Alan	11/20/75
10/29/02	Administrative/Technical Specialist, NT-2210-05	N/A - CANCELLED	N/A
11/07/02	Administrative/Technical Specialist, NT-2210-05	Richardson, Glen	06/28/63
11/07/02	Administrative/Technical Specialist, NT-2210-05	Doremus, Scott	11/09/58
12/23/02	Administrative/Technical Specialist, NY-2210-05	Vaughn, Larry	02/21/43
02/25/03	Information Technology Specialist, GS-2210-12	Hansen, Jay	09/12/43
02/25/03	Information Technology Specialist, GS-2210-09	Marron, Gabriel	03/20/72
03/03/03	Information Technology Specialist, GS-2210-11	King, James	11/05/47
04/02/03	Information Technology Specialist, GS-2210-12	N/A - CANCELLED	N/A

COMPETITIVE CERTIFICATE

DATE ISSUED: 08/21/2002
REQUISITION NUMBER: 02MAY7PP63394K056575GS-0303-05
POSITION TITLE: ADMINISTRATIVE CLERK (OA)
PAY PLAN/SERIES/GRADE: GS-0303-05
TARGET LEVEL: GS 5
NUMBER OF VACANCIES : 1

ISSUED BY:
HUMAN RESOURCES SERVICE CENTER, SOUTHWEST
CODE: ATTN: Phyllis Jenkins
525 B STREET SUITE 600
SAN DIEGO, CA 92101-4418

ISSUED TO:
JOYCE QUEARY
PHD NSWC PHD
1C30
(805) 228-6158

SEARCH OPTION USED: SERIES

The candidates listed below have been ranked and determined to be Best Qualified for the position shown above. You may select any of the candidates listed.

NAME / PHONE

(S) Bardenhagen,Anita ~~(805) 228-0170 Work~~
805 529 5285

9/22/02
HRSC 9/19

- Indicate your selection(s) by placing an "S" to the left of the name(s) of the selectee(s).
- Select three alternates in the event of a declination to expedite processing. Indicate alternates by writing "AS-1, AS-2, and AS-3 to the left of the names.
- If no selection is being made from this certificate, place an "X" the box below.
- Sign and date below.
- Return to Human Resources Office.

( ) No selection from this certificate

J Queary 9/12/02
SIGNATURE OF SELECTING OFFICIAL DATE

Kat C. Crawford 9/13/02
SIGNATURE OF REVIEWING OFFICIAL (IF APPLICABLE) DATE

This certificate may contain names of applicants who do not work for the Department of the Navy. Before a job offer can be extended to an external selectee, the Priority Placement Program will need to be cleared before a job offer can be extended

Privacy Act data found on documents accompanying this certificate must be safeguarded

Ron,

the following pretty much sums up my experiences with the Navy [redacted]er the last three and a half years.

I have sent out a total of forty certified letters, 20 snail mail letters, dozens of emails and made numerous phone calls to U.S. Senators Barbara Boxer and Diane Feinstein, HRSW San Diego, Mr. Raul Hernandez of the Ventura County Star Free Press, various media outlets and other individuals. I have also sent out twenty-five FOIA requests to various government agencies.

The information I received from the all of the above has resulted in very little feedback. The purpose of my efforts is to gain some insight into the Pt. Mugu/China Lake management abuses of its employees.

I have even used psychics in hopes of trying to find out what is taking place, but their information cannot be validated.

I have also invited Senator Boxer to Ventura to meet with Me, John Jay, Bill Sowell, a journalist named Virginia McCullough and others who have an interest in this thing. The Senator will not reply.

This whole ordeal has taught me that in order for wage slaves to obtain justice in America for legitimate violations of law by the propertied class, a wage slave must have the following: tons of free time, powerful politicians who are sympathetic to your cause, a top flight lawyer like Gerry Spence or Willie Greer, possess an I.Q. of two hundred plus, read at least six thousand words per minute, be able to recite verbatum what you have read, have graduate degrees in Philosophy, Critical Thinking and Linguistics. You will need these to fight the Navy and their disgusting tactics. They will try to drown you in thousands of pages of documents steeped in legalese, sophistry and lies. You and your extensive legal staff will face an adversary who has no sense of ethics. The judges who hear the cases against the Navy are probably bought out by the Navy and the intelligence communities. It really sickens me that we have to pay so much money for redacted documents from the scummy Navy whenever we try to get answers to so many questions

You will also need a webpage to detail the Navy's skullduggery, write a thousand page book and procure powerful media assets to get the story into the public domain. I have contacted fifty different media outlets in an effort to get them to publish a story about the wrongdoing of 11/19/1999, but to no avail. Most of these media publications that I contacted are liberal/progressive such as *The Nation, The Progressive, Dave Emory etc.* I guess they are afraid to go up against the Navy.

The only exception is an Northern California journalist named Virginia McCullough. She told me she is interested in doing a story about the intentional shootdown of Alaska Air Flight 261, which was shot down over the Pt. Mugu, Sea Range on January thirty-first of 2001. A Mr. Morris Thompson, his wife and daughter were onboard the flight and were killed when the flight went down. Mr. Thompson owned lots of land next to the Navy's HAARP project in Alaska. The shootdown was an assasination. I suspect that the Navy made Mr. Thompson an offer he couldn't refuse, and he refused. Me and John Jay have sent her lots of material about various malfeasances at Pt. Mugu and China Lake. Whenever we ask her how things are progressing she says, "she is getting her material together." She is probably too scared to do a story. By the way, the super lair Steve Mendonca was the head of the Sea Range when the shootdown occured.

When I study America's political establishment, the CIA control of the media, the major political assasinations, the abuses of the intelligence services and military etc., one thing stands out, and that is *if there is no democracy in the workplace there is no democracy, and the overpaid non-producing property class is going to make sure there is no democracy in the workplace. In order for a capitalist economy to function for the purposes of wage stealing by the rich (all profit is made through the underpayment of wages and a groetesquely unfair tax system e.g. G.W. Bush's 1.6 trillion dollar tax cut for the rich) fascism must be instituted to facilitate various depredations against the working class (producers of wealth but not owners of wealth) so that class warfare can be put to an effective end and profits for the rich maximized. This is clearly evident to anyone who has worked at Pt. Mugu or China Lake, although the workplaces at both installations are public sector. I have been told that large bonuses have accurred to the managers at both Bases that facilitated the ATP list, the RIF of 11/19/1999 etc.*

I am nothing more than a wage slave proletariat whose entire life is geared toward subservience to the profit drive of corporations. The U.S. Navy is a publicly taxpayer funded corporation that has all the similarities of a crypto fascist and outright fascist state. I despise this political arrangement and I have no say in the coercive influence it had on me when I worked for them for fourteen straight years. The Navy is a mini Nazi state. How else do you explain:

A) The illegal racist, sexist, age discriminatory, deal with whistleblowers by firing or forceing them into early retirement RIF of 11/19/1999, and the accompanying NAPA whitewash. The RIF and the NAPA whitewash were paid for by U.S. taxpayers and most of America's taxpayers are minorities, handicapped, women and over

forty.

B) The useless, bought out NAGE union doing nothing for those effected by the RIF of 11/19/1999.

C) The intentional shootdown of Alaska Air Flight 261.

D) The Pt. Mugu air show crash of April 2001. According to Dave Schnieder this accident was caused by gross incompetence by Navy maintenance personel. Congressman Elton Galleghy will not address any of the complaints John Jay and Dave Schnieder have sent him. He is the Navy's coverup artist par excellence.

E) The pathological lying that Navy officials do to coverup their wrong doing. They certainly know how to implement Hitler's big lie.

F) The management skinhead bastards like Clint Seal that many of us had to work under at Pt. Mugu. Mr. Seal has been a real thorn in the side of Bill Sowell's continueing efforts to receive justice in his own right. Pt. Mugu's black employee population has gone from 17% to its present 1%.

G) The bankrupt legal system that will not rule against the Navy NO MATTER HOW COMPELLING THE EVIDENCE AGAINST THE NAVY IS.

H) Brice Taylor and Cisco Wheeler underwent training at Pt. Mugu and China Lake respectively as CIA MKULTRA sex slaves and assasins. You can read their interviews by typing in *Brice Taylor interview and/or Cisco Wheeler interview* using the dogpile search engine.

I) The media blackout of all the above.

J) Me, John Jay and all those RIFed or forced into early retirement on 11/19/1999 have been blackballed from ever being employed within the DOD or federal government.

K) My inability to get answers to my many inquiries. U.S. Senator Barbara Boxer can show up at a private residence in Simi Valley to listen to complaints about illegal toxic dumping by Rocketdyne, then issue a statement that she will do something about the matter. Yet, I keep receiving a stonewall of silence and a big runaround when I want answers to 11/19/1999. The environmental problems at both Pt. Mugu and China Lake dwarf the Rocketdyne problem. John Jay has sent the Senator lots of material on the environmental problems at Pt. Mugu. I have a well documented article from a magazine that discusses all the cancers and still born babies born to women who live in Ridgecrest Cal.

It just goes on and on. John Jay can talk for days about it.

In closing I would like to make a very important point. The point is that when I go to work, I approach my job with one goal in mind. The goal of getting the work done with very few, if any, mistakes. By that I mean that I don't care about developing deep personal rapport relationships with my fellow workers. I have always kept and will always keep an arms distance between me and them. I am not a Dr. Phil McGraw. I am not equiped to deal with my fellow workers existentialist angst, Kierkegaardian dread, postmodernist malaise or Marxist alienation. My communication style is no frills and to the point. At work, I mainly deal in bottom lines.

The reason I make the above statement is because a former supervisor of mine by the name of Ruben Partida told me that I need to learn to talk to people! This is absolutely an absurd statement and a big lie. I know how to speak English; I know how to communicate with anyone. The statement that was made by Mr. Partida was simply a false justification for me being treated the way I was treated when I worked at RDS. It was a ruse to cover up the real facts as to why I was a GS-7 for five and one half years and never promoted to a GS-9 while I worked at RDS. The real facts as to why I went on Pat Gastineau's, Dwight Bolen's and Ruben Partida's black list are clearly articulated in my letters to Senator Boxer.

If you dig real deep into my background, the only scandalous activity that I have ever been guilty of getting into is getting a couple of parking tickets, years ago, and a being guilty of a few moving violations that are no longer on my driving record. I have never even been sued in any judicial court. It is the truth. I have no criminal background; I don't smoke, drink or use any drugs; I sure as hell have never slept around and I am not a party animal. Mr. Partida knows this. The only thing they can hold against me is that I am not a loud, hey how ya doing extrovert.

Dale Benedetti