



# INSIDE THE FISHBOWL

*"We must conduct our affairs at EPA as if we worked inside a fishbowl ..."*  
— William Ruckelshaus, former Administrator, U.S. EPA

December 1993

Volume 9, Number 8A

## Local 2050 Executive Board

Bill Hirzy, President  
Dwight Welch, President-Elect  
Steve Spiegel, Chief Steward  
James Handley, Sr Vice President

Otto Gutenson, Vice-President  
Freshteh Toghrol, Vice-President  
Irv Mauer, Vice-President  
Alex Varela, Vice-President  
Pat Sims, Secretary  
Bernie Schneider, Treasurer

## "Fishbowl" Editorial Board

James Handley, Editor  
Bill Hirzy  
Dwight Welch  
Steve Spiegel

## Editorial Policy

Articles from any source are considered for publication by the Editorial Board. Items should be submitted on disk to UN-200.

Articles indicating authorship reflect the views of the author, not necessarily those of Local 2050. We do not publish anonymously submitted articles, but when requested, may conceal the author's identity.

## New EPA HQ Campaign Succeeds

## Emory Wins Whistleblower Case

## Staff Rates OECA Managers

## OECA Sidetracks Walker

## Env't Justice Advocate Squelched

## National Federation of Federal Employees Local 2050

PO Box 76082  
Washington, DC 20013  
Offices: WSM-LG-100 & CS-1, Room 249  
Mail Code: UN-200  
Telephone: 202-260-2383  
FAX: 202-260-3746

## Inside the December Fishbowl:

EPA HEADQUARTERS TO GET NEW HOME . . . . .	3
LOCAL 2050 HELPS RICHARD EMORY WIN "VERY FAVORABLE" SETTLEMENT OF WHISTLEBLOWER CASE . . . . .	3
UNIONS GAIN STAFF EVALUATION OF OECA MANAGERS AND SURVEY OF STAFF PLACEMENT PREFERENCES . . . . .	4
"TOO TOUGH" WALKER GETS THUMBS DOWN FOR DIVISION DIRECTOR . . . . .	5
UNIONS PRESSING FOR PARTNERSHIP IN STREAMLINING OPERATIONS . . . . .	6
EPA PHYSICIAN SQUELCHED FOR FIGHTING ENVIRONMENTAL RACISM . . . . .	7
Legislative Updates . . . . .	8
HOUSE GOP BLOCKS VOTE ON EPA CABINET STATUS . . . . .	8
HATCH ACT REFORMED . . . . .	8
CARPET INDUSTRY FINALLY BEGINS TO WARN CONSUMERS ABOUT CARPET HAZARDS . . . . .	9
CONNECTION BETWEEN CHEMICAL SENSITIVITY AND DEPRESSION EXPLORED . . . . .	9
WHY JOIN? EPA EMPLOYEES NEED A STRONG UNION NOW MORE THAN EVER . . . . .	11
WHISTLE BLOWERS NETWORK AT THE PROTECTING INTEGRITY AND ETHICS CONFERENCE . . . . .	13
BROWNER INTRODUCES "NEW" MANAGEMENT TEAM AT EPA HEADQUARTERS "TOWN-MEETING" . . . . .	14
THIS AIN'T THE ARMY SERGEANT FRAN . . . . .	16
Crime Reports . . . . .	16
SHUTTLE BUS PASSENGERS WITNESS EXECUTION-STYLE MURDER . . . . .	16
SHOT FIRED AT CRYSTAL STATION BUILDING . . . . .	17
EYE WITNESS ACCOUNT OF ARMORED CAR ROBBERY . . . . .	17
OZONE ACTION CLAIMS UV-B ALERT STIFLED BY NASA AND EPA . . . . .	18
OGC'S CRAIG ANNEAR MEETS WITH LOCAL 2050 OFFICERS TO RESOLVE MISCOMMUNICATIONS . . . . .	18
LABOR ART EXHIBITION . . . . .	19
CAN WE "RE-INVENT" GOVERNMENT? . . . . .	20
ROACHEZ . . . . .	21

## **EPA HEADQUARTERS TO GET NEW HOME**

Local 2050's campaign to press for a new EPA headquarters seems to have paid off. As announced on December 6 by Administrator Carol Browner, three interconnected buildings at Federal Triangle will be the new home for EPA headquarters beginning in about 1996. EPA will occupy portions of the Ariel Rios Building on 12th and Penna. Ave, NW the Interstate Commerce Building and the Federal Triangle Building (FTB) now under construction. The arrangement was apparently a compromise to accommodate the desire of D.C. Delegate Eleanor Holmes Norton that the FTB to be an International Trade and Cultural Center. Norton opposed EPA's occupancy of the majority of the FTB because she felt this would be inconsistent with the international character of the facility.

Last month Local 2050, in cooperation with AFGE local 3331, spearheaded a campaign involving employee letter writing and telephone calls as well as contacts by the NFFE national office to persuade Norton of EPA's desperate need for new office space and to illustrate the adverse impacts that Waterside Mall and other EPA facilities have on the health and morale of her EPA constituents. Our efforts, those of the Administrator, the NFFE National President, Bob Keener and well as the numerous letters and phone calls by EPA employees seem to have borne fruit. The next struggle for the unions will be to insure that the office space is healthy and suitable for EPA's needs.

## **LOCAL 2050 HELPS RICHARD EMORY WIN "VERY FAVORABLE" SETTLEMENT OF WHISTLEBLOWER CASE**

Dick Emory, who was demoted after reporting to Congress on EPA and DOJ's lax prosecution of criminal cases, has settled his whistleblower case with EPA under undisclosed terms that Emory describes as "very favorable." Local 2050 and the Government Accountability Project (GAP) developed and prosecuted Mr. Emory's case.

While Emory was Acting Director of EPA's Criminal Enforcement Division, he documented at least 20 cases of sweetheart settlements by DOJ. Based upon Emory's work, Congressional investigators including Congressman Dingell, found that DOJ was disinclined to prosecute the responsible corporate officers of large corporations and uncovered a disturbing tendency to settle criminal cases against corporations with only a monetary fine, making environmental crime just another cost of doing business.

Mr. Emory expressed gratitude to Local 2050 and GAP and encourages others to support the union and to "speak truth to power" when they see wrongdoing. Nevertheless, it has not been

easy for Mr. Emory, and he advises others to look carefully before they make a similar leap.

Although Emory's dispute with PDA has been resolved, the underlying concern about lax criminal enforcement remains. Mick Harrison, GAP co-counsel for Emory stated, "unfortunately, we have yet to see evidence that DOJ and EPA enforcement policies and personnel have changed significantly... the enforcement problems identified by Mr. Emory appear to be unresolved." GAP and Local 2050 will be watching.

## **UNIONS GAIN STAFF EVALUATION OF OECA MANAGERS AND SURVEY OF STAFF PLACEMENT PREFERENCES**

by James Handley

Staff in the New Office of Enforcement and Compliance Assurance have evaluated their supervisors and the results were factored into the selection of first-line supervisors for the new organization. Over five hundred responses to the survey were received and tabulated by the Human Resources Team which included union representatives. The survey asked staff to rate their present and past supervisors. A month ago, when OE management announced that the new organization would contain fewer supervisors, NFFE Senior Vice President James Handley and Lorna Washington of AFGE successfully pressed the OECA Reorganization Human Resources Team to give staff an opportunity to evaluate their managers in order to winnow out the less-effective supervisors.

The unions' original proposal was for teams comprised of senior managers, staff representatives and union representatives from each division to select supervisors using established criteria including the staff evaluations. Because of time constraints in the reorganization -- Administrator Browner is pressing for the new organization to be in place in January -- the unions were told that this was not feasible. Handley and Washington also pressed for evaluations to be used in the selection of upper-level managers, and were told that such a process was also foreclosed by time constraints since senior-level managers were to be selected before the first-line supervisors. Nevertheless, the inclusion of staff evaluations of managers represents a big first step; and we will be pressing for broader staff involvement in manager selection in future reorganizations of other EPA divisions.

Union representatives reviewed the proposed manager selections with senior management. Where supervisory appraisals indicated problems, senior management discussed with union representatives the reasons for their selections, which were often made on the basis of technical or other specialized experience that made the

selected individuals important to the organization despite staff concern. Shortcomings identified in the supervisory appraisals were discussed with senior management along with remedial steps that might be taken. We are pressing for a process for a follow-up evaluation of supervisors to determine whether problems are being addressed. The process is evolving and we expect to iron out a few more wrinkles as we proceed.

Another first for the OECA reorganization is the process of obtaining staff placement preferences. At Mr. Handley's urging the Human Resources Team will be obtaining information about staff placement preferences through a second questionnaire that inquires about staff preferences and expertise. This information will be especially important in offices that are changing significantly and will not be carrying over large groups of staff from pre-existing functions. In some offices, there will be a fairly straightforward transfer of the function, without significant opportunity for staff to move, but other offices such as the new compliance office, will present substantial opportunities for movement and the creation of entirely new functions.

At the suggestion of the unions, the staff will be given the names of branch chiefs before the preference surveys are due, in order for staff to factor in their potential supervisors in determining their preferences. At two "all-hands" meetings for staff on November 30, OE officials announced the new organizational structure and the names of Division Directors and outlined the preference survey process. Fred Stiehl, co-chair of the OECA Human Resources Team, acknowledged that the supervisory evaluations and preference surveys were the result of union suggestions and thanked us for our contributions which he said had greatly improved the process.

## **"TOO TOUGH" WALKER GET THUMBS DOWN FOR DIVISION DIRECTOR**

**Staff Raises Concerns**  
by Dwight Welch

Enforcement Counsel for Pesticides and Toxic Substances Enforcement Michael J. Walker will no longer hold the position of Division Director in the reorganized OECA. Walker and his deputy Jon Jacobs are highly respected by their peers and staff, and have garnered some of the largest penalty totals in OE. Local 2050 has requested a meeting between senior OE officials, concerned staff and union representatives to discuss the situation.

Walker, a frequent speaker on behalf of the Agency, is well known outside EPA for his aggressive enforcement record. His office is

known for its esprit de corps and there is has long been a lengthy list of employees waiting to work for Mike. During the past five years, Walker supervised several multi-million dollar enforcement actions involving the commercial chemical industry some of which involved the Chemical Manufacturer's Association (CMA). CMA was represented by current Deputy Administrator Robert Sussman when he was with the Los Angeles law firm of Latham and Watkins which is also where Deputy Administrator Mike Vandenberg practiced. Sussman was critical of EPA's data call-in enforcement program initiated by Walker under TSCA Section 8(e), and sought total amnesty for his client the Chemical Manufacturers Association, from any penalties for violations reported late to EPA. The agency denied Sussman's amnesty request.

Local 2050 members in OPPTS report that the TSCA § 8(e) program has been successful beyond original expectations, with more than 10,000 late reports being submitted to EPA. Approximately 60% of these studies and reports involve significant adverse health effects and cancer data. The TSCA § 8(e) call-in program provided an efficient route for reports to be submitted to EPA risk analysts and the program netted substantial penalties with minimal use of inspector time and resources. Recently, Walker announced the Agency's intention to inspect facilities that failed to submit adverse chemical health effects data under TSCA and FIFRA § 6(a)(2), which are also areas of continued concern to CMA.

Staff members have raised concerns to Local 2050 about why Walker, with such a successful enforcement record, was not chosen for Division Director in the reorganized OECA. Local 2050 officials hope that the requested meeting between staff and senior OE managers will help shed some light on this.

## **UNIONS PRESSING FOR PARTNERSHIP IN EPA STREAMLINING OPERATIONS**

EPA's unions, NFFE Local 2050 and AFGE Local 3331, are pressing for partnership roles with management in the EPA's streamlining process. Local 2050 President Bill Hirzy views this as an opportunity to begin implementation of President Clinton's recent executive order making the unions partners with management in decisions of this kind. The streamlining will be an effort to reduce the ratio of managers to staff, and the number of GS-14,15 and SES positions in the agency. Local 2050 is actively seeking volunteers from each office to participate as representatives on the work groups for each office that are considering ways to accomplish these goals. We strongly encourage you to take

advantage of this opportunity to become involved in the decisions that will affect your future work situation.

## **EPA PHYSICIAN SQUELCHED FOR FIGHTING ENVIRONMENTAL RACISM**

by Dwight Welch

Dr. John Stockwell, of EPA Region IV, is an environmental medicine physician, and the only EPA physician who is a standing member of the American College of Occupational and Environmental Medicine. Stockwell has consistently received high performance evaluations and is recognized by his peers as a "source of exceptional work" and "high quality reports". Internationally recognized for his studies which correlate the incidence of pollution with low income and minority communities, Dr. Stockwell wrote in a recent report:

"[C]ommunities which have the highest density of uneducated, low income and nonwhite people are precisely those areas where the largest quantities of chemicals, which can cause serious environmental diseases, are being released... The environmental justice considerations of this... are immense."

The rest of the report may never see the light of day because Dr. Stockwell's EPA supervisors are "editing" out references to the effect of environmental pollutants on minorities. Dr. Stockwell is also apparently being forced out of his job. Claims Patrick Tobin, Dr. Stockwell's supervisor, "We're not trying to hide anything... he's not in the right position." His supervisors indicate they wanted a toxicologist not a medical doctor in spite of the fact that Dr. Stockwell was hired for the very qualifications he possesses. Dr. Stockwell is suffering a barrage of retaliation including being isolated from work assignments, travel, and having his telephone calls screened.

While EPA espouses "environmental justice" and "environmental equity", its actions to remove Dr. Stockwell, and its decision to permit the operation of the WTI incinerator in a valley next to a school and the homes of working class and low income families, seem to be promoting environmental racism and injustice. For those who are interested, INSIDE THE FISHBOWL has obtained copies of both Dr. Stockwell's original report and the EPA "edited" version. Contact Dwight Welch for copies, at 202/260-2383 or write to UN-200.

## Legislative Updates

### HOUSE GOP BLOCKS VOTE ON EPA CABINET STATUS

by James Handley

Senate Republicans added to the EPA cabinet status bill an amendment that would have required EPA to conduct cost-benefit analysis for every regulation it proposes. House Democrats strongly oppose the amendment and declined to include the cost-benefit provisions in the House version. Republican leadership including House Minority Whip Newt Gingrich (R-Ga) are pressing for the cost-benefit provision and urged lawmakers to vote against the plan. As a result, House leadership postponed the vote on cabinet legislation until the next session which starts in January.

### HATCH ACT REFORMED We are free to fully participate in elections. by Charlie Garlow

After 54 years of gag rule on what should have been our rights to participate in our democracy, the Hatch Act reform bill was signed into law by President Clinton on October 5. The law takes effect February 3, 1994. Federal Employees can now actively participate in political campaigns, including such activities as distributing fliers and working phone banks, running for party office (e.g., county Dem. or GOP chair) and soliciting contributions to the political action committee of the organization to which the employee and the donor belong, but not if the donor is the subordinate of the one soliciting the contribution. None of these activities may be conducted at the office.

Federal Employees still cannot run for partisan political office (but many local offices are non-partisan), solicit campaign donations from the public, wear campaign buttons while in government buildings or on duty anywhere, engage in political activity while wearing a uniform or insignia indicating that you are a federal employee or postal worker, use an official position to influence colleagues and election outcomes, and use political recommendations in hiring and promotion decisions for career civil servants. This affects almost every federal employee with a few exceptions (FBI, CIA, FEC, etc.). Violations are subject to fines of up to \$5,000, or three years in "Club Fed" or both.

The reforms make Federal Employees less like second class citizens while we still enjoy the protection that the Hatch Act was originally intended to provide: not getting pressured by your boss to toe his/her political line. Even after the reforms, there still will be room for improvement in federal employees



rights: For example, why shouldn't Federal Employees be allowed to solicit funds from the general public, for instance for a friend who is running for county council?

So exercise your new rights: get politically involved, learn the issues (and bring your environmental expertise to bear) and actively support your favorite candidates. Apathy is the ruination of our democracy, or as Thomas Jefferson said: "eternal vigilance is the price of democracy." If we who are committed to the service of your country don't feel strongly about our system of government and get active who will?

## **CARPET INDUSTRY FINALLY BEGINS TO WARN CONSUMERS ABOUT CARPET HAZARDS**

by James Handley

The Carpet and Rug Institute (CRI) has begun a program to include warning labels on carpet. At a November 15 press conference held by Reps. Mike Synar (D-Okla), and Bernard Sanders (I-Vt.) CRI announced the warnings which will advise those who experience cold or flu-like symptoms while installing carpet to contact their physicians. It warns persons who are allergy-prone or sensitive to odors or chemicals to avoid the area or leave during installation. It also tell consumes to provide adequate ventilation for 72 hours after installation.

Mice exposed to fumes from styrene-butadiene latex carpet suffered obvious neurotoxicological symptoms and some died after three one hour exposures, in a dramatic videotaped experiment presented by Dr. Anderson to Synar's committee last June. In the is context of such severe health effects, the step of placing warning labels on carpet seems a very modest beginning for what can only be viewed as a very significant public health threat. (Editor's note: The vast majority of carpet sold in the U.S. is S-B latex; this is the carpet associated with many EPA employees' illnesses.)

## **CHEMICAL EXPOSURES LINKED TO DEPRESSION**

by James Handley

Growing evidence suggests that depression and the cognitive symptoms found in many patients with MCS could be caused or potentiated by the chemicals themselves rather than being a consequence of long term illness, according to Dr. Iris Bell. Dr. Bell presented her findings at a session on Multiple Chemical Sensitivity (MCS) of the annual meeting of the American Public Health Association in November 1991, reviewed in the November/December 1992 issue of Environment and Health.

MCS is an illness in which patients experience adverse health effects from low levels of chemicals such as perfumes, auto exhaust, cleaners and pesticides. The onset of MCS generally occurs after an acute (short-term) high dose exposure or a longer period of chronic low level exposure to a triggering chemical or combination of chemicals such as those found in "Sick Building Syndrome."

Dr. Bell acknowledged that depression may be a psychological consequence of long term illness, but pointed to evidence that biological factors are the primary ones in MCS patients. A key factor in both biological depression and chemical sensitivity appears to be the neurological phenomenon called "kindling," basically an abnormal firing of neurological activity in the brain which can produce a variety of symptoms depending upon the area of the brain affected and how extreme the activity is. Kindling has been demonstrated with chemically and electrically induced seizures in animals.

Direct routes to the brain have been demonstrated through the mouth and nose through the olfactory system. In this sense, Dr. Bell states, "the nose is an extension of the brain." The direct pathway through the "amygdala" plays a key role in emotions and feelings, is very sensitive to olfactory input and is one of the limbic nervous systems structures most sensitive to kindling. The areas that can be stimulated directly by even low level chemical exposure have a variety of interconnections among themselves and with other areas of the brain.

When "normal," non-chemically sensitive people are exposed to chemicals, even below the level that they can consciously smell, their brainwaves (as monitored by EEG) change in ways that correlate with worsened mood and performance on a variety of tasks. Decreased brain "alpha activity" was found in healthy people exposed to low levels of chemicals. Dr. Bell describes alpha activity as being "the more pleasant relaxed state that we all try to aim for." Normal people exposed below the smell threshold exhibited a doubling of the time to perform a visual search task. At least 40 environmental chemicals are known to be capable of causing depression and 39 are known to cause irritability. A brain that is chemically damaged could easily be even more seriously affected than a normal one by further low level chemical exposure.

A study in monkeys found that a large dose of organophosphate pesticide or 10 low dose exposures produced long term brainwave changes (increased beta activity) even when checked one year later. Dr. Bell observed that the same things that induce depression, including altering certain nervous system enzymes and hormones that affect the brain, also induce kindling (abnormal firing of neurone) in the brain. She cites a 1987 study involving lab animals. Exposure to inescapable stress did not by

itself do much to change how long it took animals to perform a task. But when combined with dieldrin (pesticide) exposure the group took off into a depressed state, suggesting that both a chemical exposure and a stressful situation are needed.

Dr. Bell also has compiled information on the biology of shyness that suggests that because of the way their brains function, shy people may be most initially prone to chemical exposures, but that "normal" people will respond in the same way with higher exposures.

Dr. Bell's work suggests the need for MCS victims to avoid even low-level exposures and to avoid stressful situations. Dr. Bell also suggests that based upon experience with animals, "we can intervene with drugs to change the [kindling] phenomenon."

## **WHY JOIN? EPA EMPLOYEES NEED A STRONG UNION NOW MORE THAN EVER**

by Dwight Welch

Perhaps you question the need for an active union in an administration that appears friendly to the rights of employees and unions. Let me show you why we need a strong union now more than ever.

Indoor Air Quality Local 2050 has worked hard and done much to improve the indoor air quality at EPA: we got the toxic carpeting out of our buildings, we negotiated an Indoor Air Quality contract with the Agency, and we obtained improvements including additional air handling units. But much remains to be done. Employees are still getting sick in our buildings. The latest incident involved OGC employees: many got sick from a combination of new carpeting and poor ventilation. Local 2050 exposed the problem and is working to correct it.

Security A spate of recent incidents has put violent crime on everyone's mind. Although it followed an armored car holdup at Waterside mall, the November 3rd employee security meeting was not the Agency's response to the holdup; the meeting had previously been scheduled at the Union's request. Local 2050 was already taking steps to address security issues: meeting with management, Security, and Metro PD.

New Headquarters The Administrator recently announced that EPA will occupy parts of the Federal Triangle Building and adjacent buildings. Local 2050 mustered political pressure to get us the new building. The Executive Board developed and distributed an outline to all employees for writing letters to Congress. We have a bigger task ahead, the union will be working with the

planners to make sure the new EPA headquarters is safe and healthy. Join us and help.

Transit Subsidy The transit subsidy -- initiated by Local 2050 - is on track. Despite the good intentions and assistance of senior managers like Kathy Aterno, management needs our help. For instance, Local 2050 President Bill Hirzy met with Metro and learned that Metro requires a transit survey be conducted before the program can be implemented. EPA management didn't know this. As a result of our efforts you will soon be receiving a survey jointly sponsored by EPA and both Unions.

The transit subsidy carry a face value of up to \$60 for those who ride public transportation. The unions' work will mean not only cleaner air for the Washington, DC. area, but money in the pockets of all employees who ride public transportation -- and the value is really more than \$60 a month: this subsidy is tax-free and a 10% discount is available for purchase of large denomination fare cards. In an era of pay freezes, Local 2050 has won what amounts to a real wage increase.

Quality Science and Professionalism This issue is at the very foundation of Local 2050, which is, after all a union of professional employees. Our Collective Bargaining Agreement demands 8 hours work for 8 hours of pay (and I know a lot of you put in a lot more than that). The primary purpose of this Union is to promote a high degree of professionalism, ethics, and integrity. This year's officers are the hardest working and most talented group of individuals I have ever had the pleasure to work with. The membership of Local 2050 is comprised of the best and most talented employees; those who care about their work and the mission and reputation of EPA.

At a recent employee question and answer session I asked Administrator Browner about whistle-blower protection. (See article on Browner's Town Meeting.) She assured me that whistleblower's rights would be protected to the maximum extent. But Dick Emory, Dr. William Marcus, and Dr. John Stockwell, still await justice and look to the union as their advocate. Despite the words of support we've received from this administration, the need for union advocacy of employees rights has not diminished. We keep a watchful eye on the old hard-liners, many of whom still run the show, as well as the newcomers. Perhaps Carol Browner had it right when she first came on board: the basic problem here is management. And without your union it would be business as usual.

Still need a reason to join local 2050? Even President Clinton has acknowledged that the unions must be full partners in the process of "reinventing government." Management cannot do it alone. We need your active participation. You can sit back and leave it to others and enjoy the free ride. Without your help

the ride will be much slower; we might not make it at all. We need your membership and your active support.

Local 2050 brought you flexitime, the compressed work week, the daycare center, the quiet room, and the stress lab. You benefit from improved air quality and security. With your help, we can make this EPA really work.

## **WHISTLE BLOWERS NETWORK AT THE PROTECTING INTEGRITY AND ETHICS (PIE) CONFERENCE**

by Dwight Welch

"Whistle-blowers" are getting organized and fighting back through an organization called Public Employees for Environmental Responsibility (PEER) whose numbers increase daily and whose aim is to end intimidation and retaliation in natural resource agencies. The participants at the Second Annual PIE Conference on November 5-6 made it clear that "whistle-blower" is no longer a bad word, but should instead be equated with terms like "ethical", "integrity" and "courageous". An organization of whistle-blowers is an idea whose time has come; the conference was the latest effort of the pioneering founder of Association of Forest Service Employees for Environmental Ethics, Jeff DeBonis.

### **WHERE WAS CAROL BROWNER?**

Where was anyone else from the EPA high command for that matter. When Local 2050 was informed that Carol Browner's would not appear at the PIE Conference, we invited Kathy Aterno, but apparently she could not make it either. The 12th floor suggested Inspector General John Martin and General Council Gerald Yamada. The irony was not lost on Local 2050 officers, and "EPA Watch" GAP attorneys, who are well aware of Martin and Yamada's records of intolerance, if not outright repression. Not surprisingly, both Martin and Yamada failed to return any phone calls to PEER, much less accept such an invitation. One wonders why Carol Browner's office made such suggestions -- was it naivete or some sort of subtle humor?

Despite the glaring absence at the PIE Conference of officials from the most prominent environmental agency, senior officials from other Agencies did make appearances.

### **ENERGY SECRETARY O'LEARY STEALS THE SHOW**

Energy Secretary Hazel O'Leary spoke to the PIE conference, answering questions and moving through the audience like Phil Donahue, and also met separately with Department of Energy (DOE) whistle-blowers. Addressing the conference, Ms. O'Leary said,

"They (whistle-blowers) ought to be celebrated... not punished... I need whistle-blowers, the country needs whistle-blowers...(to) tell me when something is going wrong... I understand how beaten, bullied, hopeless and scary it has been for you... we can't go forward until we look backward and correct what has been done in the past. You can't talk about putting safety as a number one priority unless we are willing to change our behavior... I'm not fooling myself about how tough that is going to be. The behavior we're trying to change is 45 years old."

Ms. O'Leary also made a number of specific promises to DOE employees to look into certain issues they raised. If Hazel O'Leary isn't sincere, she should get this year's Academy Award for best female actress. Barely choking back my emotions, I noticed that she was having a similar effect on others. Tears were literally streaming down the faces of some. Ms. O'Leary received a prolonged standing ovation from the packed hall of government whistle-blowers.

#### WHISTLE-BLOWERS THROUGHOUT EPA--THE SONG IS MUCH THE SAME

Although the EPA Administrator's Office was not represented at the PIE conference concerning the protection of scientific and environmental ethics and integrity, a substantial number of EPA employees from Headquarters and a number of EPA Labs and Regional Offices attended. The EPA contingent was relatively small, but the number of EPA employees at the conference more than doubled that of last year. More importantly, it was a chance for EPA employees across the country to talk, compare notes, and to network. I was struck by the similarity of the tales told by employees from the East Coast to the West Coast. Three names recurred repeatedly in conversations about the persecution of employee First Amendment rights: Inspector General John Martin, and OGC's Gerald Yamada and Donnel Nantkes.

Ronald Reagan left office nearly 5 years ago, but the old guard of hardliners hang on, continuing to thwart EPA's mission. Political common sense would seem to dictate that the President replace political appointees with his own people. Reagan axed all of Carter's appointees within 90 days of taking office. For Clinton to "fix" EPA, the appointees must be replaced, and the illegally "burrowed-in" appointees should be ferreted out along with the career managers who willfully violated environmental and civil rights laws. Without a clean house, "reinventing government", will amount to "reintrenching government".

## **BROWNER INTRODUCES "NEW" MANAGEMENT TEAM AT EPA HEADQUARTER "TOWN-MEETING"**

EPA Administrator Carol Browner held a "Town-Meeting" with EPA Headquarters Employees On November 22, 1993 on the North Plaza of Waterside Mall. The "town meeting" idea comes from New England, where the townspeople met to discuss and decide issues in an open forum. But EPA employees, at the Regions and Headquarters seemed less than impressed with Ms. Browner's "town meeting." Some were concerned that her actions fall short of her rhetoric. While the town meeting was a welcome opportunity for direct contact with the Administrator, the atmosphere seemed more like a press conference to introduce her appointments than a substantive dialogue.

EPA union leader Dwight Welch asked Ms. Browner several pointed questions about EPA whistle blower cases. Browner pledged full support of EPA whistle-blowers. Welch specifically asked about Dr. William Marcus, a Board Certified toxicologist, who was fired for his views on the Agency's setting of drinking water standards. An Administrative Law Judge ordered Dr. Marcus' reinstatement last December citing numerous improprieties at EPA including shredding of documents and falsification of time cards by the Inspector General's office. EPA has thus far ignored the reinstatement order.

Welch also asked about the case of Richard Emory, who was demoted from Division Director to a staff position after he reported to Congress on EPA and DOJ failure to prosecute important criminal polluter cases. Welch raised the case of Dr. John Stockwell, a physician in EPA Region IV, who the Agency is attempting to remove for his outspoken report on Environmental Racism in the South. Ms. Browner professed ignorance of the specifics of all three cases, despite the high profile and media attention which they have all received.

Browner called Reagan-appointed EPA IG John Martin and EPA Office of General Council's Gerald Yamada to the stage and identified them as part of her "new" team. At the Second Annual Protecting Integrity and Ethics Conference, whistle-blowers from EPA headquarters, regional offices, and labs, frequently complained of persecution and First Amendment rights violations at the hands of Martin and Yamada. (See related article.) IG John Martin was the subject of a scathing investigation by Rep. Dingle that exposed only the tip of the iceberg regarding EPA's failure to prosecute criminal polluters, while expending considerable IG resources in going after EPA employees. Both have been involved in covering the tracks of the previous administrations, raising suspicions about their motives and integrity which could taint Browner's new team.

Pointed out the virtues of "telecommuting" espoused in Vice President Gore's book "Earth In the Balance," NFFE local 2050 Senior Vice President James Handley asked Browner whether she would support agency-wide flexi-place, a subject about which the union has asked to bargain. Browner indicated that she was interested in the idea but was non-committal about implementation.

## **THIS AIN'T THE ARMY SERGEANT FRAN**

by Dwight Welch

Some EPA managers seem to think we're in the Army. Local 2050 has received several complaints from employees about Virginia buildings manager Fran Klacik's seizure and destruction of employee property. In fact, Klacik openly boasts about seizing "illegal" employee property such as extension cords, heaters, and coffee pots and then destroying them after employees fail to retrieve them. Although the items should not be used in the buildings where wiring cannot handle the additional current, a shake-down inspection is not the most diplomatic and professional approach. How about a memo to the employee first? What happened to employee rights?

On October 6th, Local 2050 reached agreement with Labor Relations Chief Jim Jackson for the local to hold a membership drive on EPA premises. Instead of cooperating, Klacik tried to undermine the agreement. First she told us that the building manager of Crystal Station would not go along with the membership drive. She has also indicated previously that the building manager was against putting up bulletin boards in spite of the fact that Local 2050's Collective Bargaining Agreement calls for Union Bulletin Boards in every building where Local 2050 has bargaining unit employees. When Chief Steward Steven Spiegel called, he found out that the building manager was opposed to neither idea and was told that the EPA floors were EPA space and could be utilized as EPA saw fit. Ms. Klacik also asserted that setting up a membership drive display (two people behind a folding table) in the second floor lobby would be a fire evacuation hazard.

Ms. Klacik also failed to cooperate with the posting of notices of the drive, indicating that she wasn't allowed to talk to Union officials, and apparently tried her best to turn the building manager and her boss Jim Anderson against us. After a cordial telephone conversation with the Crystal Station Building Manger, Chief Steward Spiegel received a phone message that the Crystal Station meeting could not take place due to objections from "his boss" Jim Anderson. A call to Facilities Division Director Rich Lemley quickly straightened out the confrontational situation created by Klacik.



## CRIME REPORTS

### EPA SHUTTLE BUS PASSENGERS WITNESS EXECUTION-STYLE MURDER

On November 8, employees witnessed a murder while riding on the EPA shuttle-bus just a block from EPA. According to employee accounts, one young man had another on the ground and was repeatedly shooting him with a handgun. According to Metro PD, the murder was part of the continuing drug turf battle and was retaliatory. No EPA employees were injured in the incident.

### SHOT FIRED AT CRYSTAL STATION BUILDING, KLACIK DOESN'T REPORT IT

According to an employee complaint, a shot, apparently from a small calibre pellet gun, hit a plate glass window in the Westfield Building. According to the same employee, building manager Fran Klacik refused to report the shot, because it failed to penetrate the glass. At the request of President-Elect Dwight Welch, Rich Lemley agreed to include this latest incident in the regular security report. Lemley quipped, "No one reads my security reports, everyone reads the FISHBOWL, that's where it ought to be published." We agree.

### EYE WITNESS ACCOUNT OF ARMORED CAR ROBBERY (Author's name withheld by request.)

Yesterday, while walking with a cup of coffee in front of Waterside Mall, outside of Harry's Liquor store, a man jumped in front of me in great haste. He waved a large handgun above his head and said something like, "You guys are dead..." Nobody stayed to hear what else he had to say, and it was clear that rather than walk as planned toward the EPA entrance by the Safeway store, I should run immediately in the other direction. Gunfire started popping as women, kids, grocery shoppers, and hangers-out sped as fast as their feet could take them, in all directions...Screams, gunfire, panting, then finally some quiet ensued.

Thinking that, for some reason, the gunman may be targeting me, I zigzagged and ran the 100 feet or so from in front of Harry's, where the man was attempting to hold up an armored truck parked in front, past the Mall's south entrance, the Jamaican shop, and the bank of mailboxes. By the time I got into the small newspaper stand near Pizza Hut, i.e., about ten seconds after the shootout began, I saw two guys running with their guns across M St.

I found a safer entrance (than by Safeway) into EPA, and went inside. Enough of that sort of action for today! Upstairs above the mall some people were anxious about a ringing elevator that had a woman occupant inside. As it turned out, the lady, another

EPA employee, was shot in the shoulder or neck and took refuge in the elevator. She later was taken to GWU hospital, and is now said to be doing OK.

I don't know who fired all those shots (6 to 10 in just a few seconds). (Employee name withheld) told me he saw a guard, low near the pavement in front of the Mall entrance, firing at the tall armed would-be robber. Considering what I now think were the trajectories of several bullets, based on the holes in the telephone booths by the Mall entrance and in the Radio Shack sign, it seems that I must have been running right down the pike, you might say, where the hail of bullets was flying. Perhaps we should rethink whether our jobs should be called "sedentary."

Other ominous thought crossed my mind: What if the gunman had taken a hostage or decided to shoot bystanders to show he meant business? Ten years ago I lived as a Peace Corps volunteer in a country where bullets and weapons dangled across each man's shoulder. I felt a lot safer in that environment than the Safeway counter here on M St. This experience was somewhat of a shock for me, and I hope this article serves as a call for people to increase their awareness.

## **"OZONE ACTION" CLAIMS UV-B ALERT STIFLED BY NASA AND EPA**

According to Ozone Action, a group based in Alexandria, Virginia, NASA and NOAA were, and still are, measuring the lowest global stratospheric ozone averages ever recorded, starting this past spring and continuing through the present. For the Washington area, during a 175 day test period, satellite data show 161 days were below average and 80 days were record lows for stratospheric ozone. The scientists at NASA who measure this data wanted to put out a public health warning before this past beach season, but were told by their superiors that a public health warning was the responsibility of EPA not NASA. The two Agencies went back and forth about the language of such a warning for months. The situation was finally reported in an EPA press release on Friday August 13.

## **OGC'S CRAIG ANNEAR MEETS WITH LOCAL 2050 OFFICERS TO RESOLVE MISCOMMUNICATIONS**

by Dwight Welch

In the past two issues we reported that OGC's Craig Annear denied the Union adequate time to bargain over two proposed moves. We asked Mr. Annear for an apology. Last month we reported the adverse health effects resulting from a combination of carpet

fumes and poor ventilation in the second OGC move and indicated that if Mr. Annear had negotiated with us, we could have helped him to avoid these indoor air quality problems prior to the move.

At a recent Labor-Management Conference, Mr. Annear met with Local President Bill Hirzy and Dwight Welch. Mr. Annear explained and apologized for the misunderstandings which took place regarding the OGC move. Mr. Annear also complained that he had been unfairly treated in my article regarding the adverse health effects suffered by the OGC employees in the carpeted space.

Mr. Annear has exhibited a great deal of personal character in issuing his apology, in a situation where many managers would continue to deny and coverup. To set the record straight, the carpet sickness article was not an expose of some secret memo by Mr. Annear, but was intended to expose the ironic result of OGC's non-cooperation. Mr. Annear seems very concerned about the welfare of the people in his office and which is why he wrote the memo to Health and Safety. Historically, Mr. Annear was one of the few managers to vacate employees sickened by toxic carpeting in the infamous 3600 corridor.

Mr. Annear promised to cooperate fully with Local 2050 in the future. He also discussed some of his carpet concerns with toxic carpet expert Bill Hirzy. Mr. Annear's impressed us as sincere and we commend him for doing the right thing.

## LABOR ART EXHIBITION

An exhibition of paintings by Abraham Graber, on display through January 6 at the George Meany Center for Labor Studies in Silver Spring, should be of special interest to EPA employees. Graber's paintings would be exciting art, even without their social and political content. Graber, who is in his late 80's, studied painting with Arshile Gorky and Boardman Robinson and was influenced by the great Mexican muralists and taught art for the WPA during the Great Depression. He writes,

"As a young man, I hitch-hiked around the country and witnessed the poverty and misery that gave birth to the historic labor struggles of this century... My art developed in the midst of great economic upheaval. Recession and hunger followed the Stock Market Crash. The malaise of helplessness ensued over the land. Reason was estranged from social, spiritual, and moral values. Inspired by Walt Whitman's poetry Leaves of Grass, my paintings evolved focusing on issues of reason and the human experience."

The show continues through January 6, 8:30 a.m. to 5:30 p.m. Monday through Friday, at the George Meany Center for Labor Studies Gallery Lounge, 10000 New Hampshire Avenue, Silver Spring, Md., 301/431-6400.

## **CAN WE "RE-INVENT" GOVERNMENT?**

by Alex Arce

The Federal government was not "invented," it was created to fill needs, which for the most part, it is meeting. In making changes we must take care that they are real improvements. Let me add a few ideas to the thousands that have already been suggested. I intend not to "re-invent," but to improve.

Each new administration brings new directions from new people. Political appointees are often dynamic people with great new ideas, but because they are ambitious and political they frequently compromise where they should not, often to the detriment of career employees. Why should career Federal workers strive to improve government when the real control, and much of the glamour goes to political appointees? In parliamentary countries, even the Prime Minister must gain a vote of confidence to govern. But in the U.S., a political appointee is almost "untouchable;" we can do nothing when a bad one is appointed as our boss. Despite poor or mediocre performance, political appointees can apply for permanent Federal positions, and many do. Career employees become discouraged when they wait years for positions that go to less-qualified political hacks. Many government workers try to ignore each round of grandiously-titled new political appointees above them. They become disenchanted; they do their jobs efficiently but unenthusiastically and wait for retirement.

Politicians love to preach about reducing waste and regulation; but what about making government "legalese" more understandable and giving affected communities more influence over local decisions? I recently met with some Louisiana citizens who feel that a certain insecticide is needed in areas in which the mosquito population can literally eat you alive--long before any pesticide-related cancer would develop. Perhaps we need to listen better to local citizens and more clearly explain the reasons for our decisions.

Communication is critical in the Federal government. "Move the paperwork" is the battle cry, but the quality or substance of the message are too often neglected. The "communication frenzy" leads to countless meetings and memoranda, and new "toys:" voice mail, local-area-networks (LANs) and computer programs, such as "calendar." Are these really worthwhile? Isn't a simple paper "desk calendar" or appointment book, sufficient? Someone needs

to be at their desk to assist our real customers, U.S. taxpayers. "Voice Mail" can be very aggravating; does it really add productivity, or are we all talking to one another's voice mail instead of really communicating?

Electronic gadgets will not solve the government's problems, but they present a challenging future. Perhaps these technologies are paving the way for us to work at home. We could save money on transportation and could reduce air pollution. Ultimately we still will need meetings-- but perhaps these can be minimized; they're often a waste of time. Will secretaries be replaced by computers, electronic calendars, and voice mail? Good secretaries will always be in demand, but their responsibilities will change. I hope their much-needed personal touch is not lost.

I cannot resist a comment on the ubiquitous "memorandum." Certainly some memoranda are useful, but MANY are a waste of paper and resources (copy machines, electricity, etc.). Federal employees waste an enormous amount of paper on memoranda, reports, and publications. Any visitor to a Federal office is struck by the amount of paper generated, which all must ultimately be discarded. Must we have multiple copies of everything? Maybe electronic communications can help with this problem, but we need to make more effort.

To improve government, each of us must do our job well and be rewarded and respected for it, not manipulated as pawns of political appointees. We must use electronic devices to communicate not to avoid communicating, and we must avoid unnecessary memoranda and other nonessential papers. Most of all, we need to focus on the real problems, not just moving paper or advancing our careers or those of our bosses.

to be at their desk to assist our real customers, U.S. taxpayers. "Voice Mail" can be very aggravating; does it really add productivity, or are we all talking to one another's voice mail instead of really communicating?

Electronic gadgets will not solve the government's problems, but they present a challenging future. Perhaps these technologies are paving the way for us to work at home. We could save money on transportation and could reduce air pollution. Ultimately we still will need meetings-- but perhaps these can be minimized; they're often a waste of time. Will secretaries be replaced by computers, electronic calendars, and voice mail? Good secretaries will always be in demand, but their responsibilities will change. I hope their much-needed personal touch is not lost.

I cannot resist a comment on the ubiquitous "memorandum." Certainly some memoranda are useful, but MANY are a waste of paper and resources (copy machines, electricity, etc.). Federal employees waste an enormous amount of paper on memoranda, reports, and publications. Any visitor to a Federal office is struck by the amount of paper generated, which all must ultimately be discarded. Must we have multiple copies of everything? Maybe electronic communications can help with this problem, but we need to make more effort.

To improve government, each of us must do our job well and be rewarded and respected for it, not manipulated as pawns of political appointees. We must use electronic devices to communicate not to avoid communicating, and we must avoid unnecessary memoranda and other nonessential papers. Most of all, we need to focus on the real problems, not just moving paper or advancing our careers or those of our bosses.

# POACHING

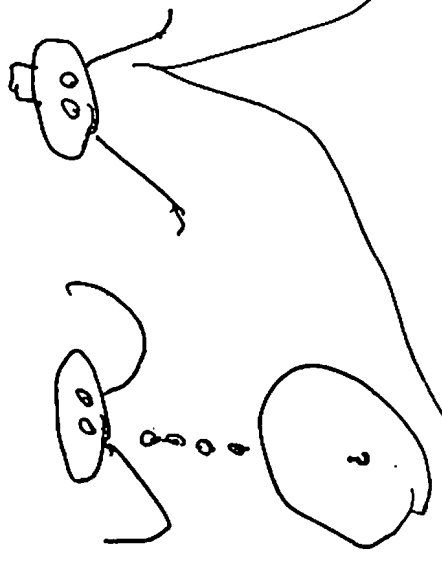
NEW EMPLOYEES' SURVIVAL KIT

BULLET PROOF VEST TO PROTECT AGAINST STRAY BULLETS FROM DRIVE-BYS, HOLDUPS, AND GANG EXECUTIONS

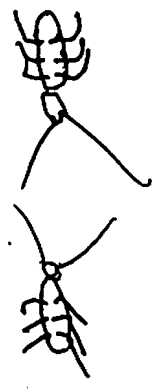
ENVIRACAIRRE AIR CLEANER

MEMO FROM JOHN CHAMBERLIN KEEPING YOU FROM USING THE AIR CLEANER

NO, CAROL BROWNER SHOOTING HERSELF IN THE FOOT.....



BAMM-BAMM



SHE JUST USED "JOHN MARTIN" AND "ETHICS" IN THE SAME SENTENCE!



WHAT WAS THAT, ANOTHER DRIVE-BY?



SO MUCH FOR CREDIBILITY.



# PO#CHSE

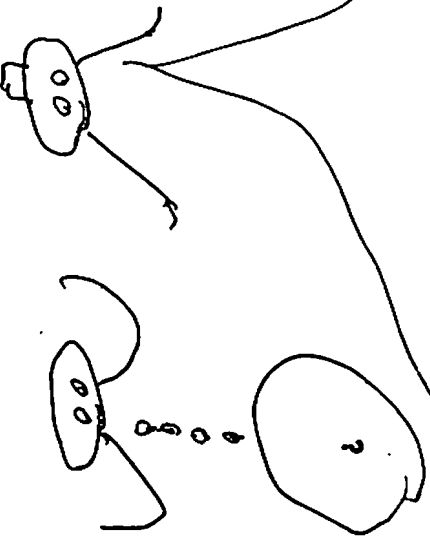
## NEW EMPLOYEES' SURVIVAL KIT

BULLET PROOF VEST TO PROTECT AGAINST STRAY BULLETS FROM DRIVE-BYS, HOLDUPS, AND GANG EXECUTIONS

ENVIRACAIRE AIR CLEANER

MEMO FROM JOHN CHAMBERLIN KEEPING YOU FROM USING THE AIR CLEANER

NO, CAROL BROWNER SHOOTING HERSELF IN THE FOOT.....



BAMM-BAMM



SHE JUST USED "JOHN MARTIN" AND "ETHICS" IN THE SAME SENTENCE!



WHAT WAS THAT, ANOTHER DRIVE-BY?



SO MUCH FOR CREDIBILITY.





## **Local 2050 Executive Board Seeking to Fill Vice President Vacancy**

The Executive Board of Local 2050 has a vacancy for a vice president. We seek a person who is interested in participating actively in the union and can contribute ideas and effort to make working at EPA better.

### **UNION MEMBERS:**

### **\$20 REWARD FOR NEW MEMBERS**

### **EARN CASH FOR THE HOLIDAYS**

**CURRENT MEMBERS\* OF LOCAL 2050 ARE ELIGIBLE TO RECEIVE \$20 FOR EVERY NEW MEMBER THEY SIGN UP DURING NOVEMBER AND DECEMBER.**

As a recruiting incentive to members of Local 2050, we are offering a \$20 bounty for every new member you recruit during November and December. Be sure to write your name as the sponsor on the bottom of the membership form for each new member you sign up. Send new membership forms to Steven Spiegel, Chief Steward, Local 2050 (2244W).

\* (Sorry, officers of Local 2050 are not eligible).

## **Local 2050 Executive Board Seeking to Fill Vice President Vacancy**

The Executive Board of Local 2050 has a vacancy for a vice president. We seek a person who is interested in participating actively in the union and can contribute ideas and effort to make working at EPA better.

### **UNION MEMBERS:**

### **\$20 REWARD FOR NEW MEMBERS**

### **EARN CASH FOR THE HOLIDAYS**

**CURRENT MEMBERS\* OF LOCAL 2050 ARE ELIGIBLE TO RECEIVE \$20 FOR EVERY NEW MEMBER THEY SIGN UP DURING NOVEMBER AND DECEMBER.**

As a recruiting incentive to members of Local 2050, we are offering a \$20 bounty for every new member you recruit during November and December. Be sure to write your name as the sponsor on the bottom of the membership form for each new member you sign up. Send new membership forms to Steven Spiegel, Chief Steward, Local 2050 (2244W).

\* (Sorry, officers of Local 2050 are not eligible).