

January 24, 2017

By email

Birkely M. Rhodes
Manager, Safety Standards Branch
Great Lakes Region —Airports
Division—Safety & Standards Branch
FAA Great Lakes Regional Office
O'Hare Lake Office Center
2300 East Devon Ave., Rm 319
Des Plaines, IL 60018
Birkely.M.Rhodes@faa.gov

Susan Mowery-Schalk
Manager, Airports Division
Great Lakes Region
FAA Great Lakes Regional Office
O'Hare Lake Office Center
2300 East Devon Ave., Rm. 309
Des Plaines, IL 60018
Susan.Mowery-Schalk@faa.gov

Patricia Halpin
FAA Hopkins-CLE Certification
Safety Inspector
Great Lakes Region
Airports Division, Safety & Standards
Branch
FAA Great Lakes Regional Office
O'Hare Lake Office Center
2300 East Devon Ave., Rm. 319
Des Plaines, IL 60018
Tricia.Halpin@faa.gov

Benito De Leon
Acting Associate Administrator for
Airports
FAA
800 Independence Ave, SW
Washington, D.C. 20591
Benito.DeLeon@faa.gov

Stephanie Swann
Deputy Manager
Great Lakes Region
Romulus, Detroit, Michigan
Airport District Office
FAA Detroit ADO
11677-B South Wayne Rd., Rm. 107
Romulus, MI 48174
Office Phone: 734-229-2902
Fax: 734-229-2920
Stephanie.Swann@faa.gov

Vincent L. Murray II
Manager
Audit and Analysis Branch
FAA—Office of Audit and Evaluation
U.S. Department of Transportation
800 Independence Ave., SW
Washington, D.C. 20591
Vincent.Murray@faa.gov

Richard Abernathy
Regional Supervisory Inspector
U.S. Department of Labor – OSHA
420 Madison Ave., Ste. 600
Toledo, OH 43604
Abernathy.Richard@dol.gov

Re: Retaliation threats by City of Cleveland and Cleveland Hopkins
International Airport, related to Case No. #EWB15580 that chill potential for
safety-violation reports

Dear federal officials responsible for the traveling public's safety:

I write on behalf of Abdul-Malik Ali to provide additional information about the climate of fear Cleveland Hopkins International Airport management has created. The airport's conduct is having a chilling effect on the potential for additional safety violations being brought to public attention.

On or about January 19, 2017, following a meeting with top mayoral aides and with the new Director of Port Control Robert Kennedy, Robert Henderson—the current airfield-maintenance manager at Hopkins—addressed all field-maintenance staff. Mr. Henderson threatened those employees with retaliation if they publicly disclose any additional safety violations. The enclosed recording of Henderson's remarks captures the retaliatory threat in reference to our January 18, 2017 complaint to you:

If anybody is caught associating with anything like that, the penalties will be great. So I'm calling y'all together now. Let's go ahead and put it out there; let's talk about it right now. So we can get it out of the way. Because if anyone is caught sitting there having a sideline conversations about this, or with [unintelligible] did to somebody else, or let me send it to this friend or let me do that, that could connect you with something that's, that's frowned upon in the organization—to take internal stuff and leak it out to the media. So please don't engage in, in all that. I'm putting it out right here, right now. It ain't nothing to whisper about. Ain't nothing [unintelligible]. Nothin' going to happen. We goin' keep on doin' business.

That's it. So, if, you are all grown people, you do the choices that you do what you do, but listen don't get caught up in, in that. It's news. It is what it is...

A transcript of the recording is attached for your convenience.

This threat violates the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Air21) as well as the First and Fourteenth Amendments to the Constitution. And it serves as evidence that the retaliation against Mr. Ali is part of a broader custom, policy, and practice of retaliation by the City of Cleveland that must be stopped.

As you know, Mr. Ali was for 15 years the manager of airfield maintenance at Hopkins. On February 18, 2015, he was demoted after reporting blatant safety violations to the FAA, case #EWB15580. The FAA found Mr. Ali's safety concerns "substantiated." (See FAA letter to Mr. Ali dated March 27, 2015 enclosed with my January 18, 2017 letter to you.)

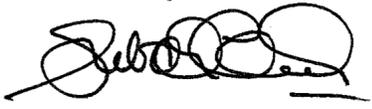
OSHA has been investigating Mr. Ali's retaliation for nearly two years. Mr. Ali spends his days in a veritable mop closet at Hopkins, from which he discharges the

humiliating task of counting trash levels in airport dumpsters for a daily report. On January 18, 2017, we reported additional safety violations to you on Mr. Ali's behalf.

As I explained in my January 18 letter, the intensifying retaliatory climate at Hopkins is chilling public employees' willingness to come forward and report safety and retaliation violations to you, as is their right, and as the law encourages. Many of these distressed employees have been in touch with us—as is their right—and are praying that you will take swift action. If Director Kennedy thinks he can ignore the ongoing retaliation against Mr. Ali without addressing it, then this in effect means that he is succeeding in engaging in and indeed leading it. In purportedly seeking to address internally the concerns raised in our January 18 letter, Director Kennedy has failed to seek input from the *one person* with the most knowledge and experience about airfield maintenance at Hopkins—Mr. Ali. That speaks volumes.

We request your acknowledgement of this and our January 18 correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "Subodh Chandra", written over a horizontal line. The signature is stylized and cursive.

Subodh Chandra

Enclosures (January 19, 2017 Henderson recording and transcript)

Cc: Barbara Langhenry, Esq., Director of Law, City of Cleveland (via email)
Jonathan McGory, Esq. (via email)