



March 16, 2021

Via Email Only:
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Michael Ondocin
Executive Assistant Administrator
Law Enforcement/Federal Air Marshal Service
Transportation Security Administration

Re: PHL Field Office – Immediate attention required

Director Ondocin,

The AMA has been contacted concerning an ongoing matter in the Philadelphia Field Office (PFO). We believe that an inappropriate investigation had been initiated against various Philadelphia Field Office AMA Members, and we have noted what appears to be unethical behavior associated with it.

Background

The following ITRs have been brought to our attention, and some of the employees named in the investigations are represented by the AMA.

ITR 13180 (FAM is now Retired)

ITR 13181

ITR 13182

ITR 13183

These 4 ITRs were initiated under questionable circumstances, and they are unwarranted. The generation of the ITRs implicates an SFAM and ASAC, not the named FAMs.

We understand FAM Cupo contacted the ITR'd FAMs to see if they "were available" for the VIP Mission. No particulars were provided to any of them. We also know that SFAM Cupo was calling about a mission that did not exist.

Specifically, although the MOC had discussed Philadelphia based FAM availability with SFAM Cupo, the subsequent call to the MOC by PFO OPS resulted in the MOC advising that the PFO REC FAMs were 'not a good fit'. The MOC indicated the mission was better suited for a particular Chicago based team and decided to utilize them instead.

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For his own reasons, SFAM Cupo was aware of the MOC conversation with OPS but still inserted himself into the matter. After a conversation with the on duty OPS Officer, SFAM Cupo was advised that 4 FAMs were on shift recovery (REC) and given their names. SFAM Cupo then contacted each of the REC FAMs to inquire about their availability for the non-existent mission. Again, SFAM Cupo was now fully aware that a VIP mission never existed for PFO, and the MOC was assigning the coverage to another office.

Involved AMA members became immediately concerned that the recovery was being mischaracterized to 'set up' certain REC FAMs, and they reached out to AMA regarding SFAM Cupo's behavior. Subsequent complaints by other AMA members who received these ITRs helped us corroborate initial reports and establish that SFAM Cupo was fabricating controversy and manipulating statements to entrap employees in unwarranted discipline.

We have confirmed that all involved employees were ordered to provide statements, and were given deadlines. Although the FAMs provided statements, SFAM Cupo wanted certain statements rewritten to include his own specific wording. Some FAMs were ordered to rewrite statements, but were uncomfortable with the alterations. To force the altered statements, on Thursday March 11, 2021, SFAM Cupo sent at least one email to the SFAM of an ITR'd employee. The subject of SFAM Cupo's email read 'FW: **PAST DUE: IACT Requested Documents'. Therein were specific instructions on the manner in which the employee should amend their statement, even though the employee had previously submitted a complete statement in his own words.

It should be noted that ASAC Clay Robbins assisted SFAM Cupo's inappropriate conduct by personally contacting involved parties in an attempt to mischaracterize the MOC call as a missed mission and pursue AWOL based ITRs.

AMA members, and any TSA employee, has a right to know the specific charges being levied against them. In this case, there was no missed mission. All ITR'd FAMs were in a suitable response window as required by PFO policy. No ITR'd FAM was told they violated a TSA policy. No ITR'd FAM was ever assigned to any flight.

PFO Management is on a witch hunt with a pre-ordained outcome. Simply put, SFAM Cupo and ASAC Robbins are conspiring to retaliate against certain FAMs.

History of PFO management misconduct

The managers involved - SFAM Cupo, ASAC Clay Robbins - have all been bad actors in previous and ongoing AMA actions. Specifically, two of the employees involved in the instant REC matter faced similar management harassment in October of 2020 when they correctly refused to escort a hired COVID-19 cleaning crew into the field office without training or PPE. A third FAM involved in the instant REC matter recently retired under hostilities; he was an outspoken member of the PFO Local Action Planning Group that you (Director Ondocin) established due to low morale and the previously identified discriminatory actions of ASAC Robbins.

These PFO manager's actions are abhorrent. Although the previous incident of harassment was exposed and addressed (with the charges dropped), managers persistently fabricate disciplinary matters that

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require AMA exposure and intervention to rectify. AMA members expect managers to be accountable for their actions, and to follow the intent of TSA policy – we do not expect managers to weaponize the discretion they enjoy, or exploit the many gray areas of TSA policy.

- Cupo received a call from the MOC about a VIP coverage, and inquired with PFO Operations about FAM availability.
- Operations contacted the MOC to confirm, and was told that ORD was a better fit for coverage and PFO FAMs were not needed.
- When Cupo subsequently discovered that there was no mission, he was angry and called each employee to see if they were available for the flight.
- Cupo then submitted ITRs against these REC FAMs under his own unsupportable opinion that the FAMs were out of policy and unable to respond to the nonexistent mission. Facts show that the FAMs were within PFO policy at that time and able to respond if there had been a mission requiring coverage.
- Cupo demanded that involved FAMs write a statement to support his actions and fabrications. When the statement he received did not support his actions, he demanded an altered statement.
- ASAC Robbins called involved FAMs to exert pressure. He conspired with Cupo to fabricate AWOL charges against the REC FAMs.
- Cupo emailed an involved FAMs SFAM. He directed the SFAM to ensure the FAM included specific wording in the memo he had requested, and indicated that the memo was now ‘past due’.

PFO Management’s fabrication of employee misconduct violates federal worker civil rights. It demonstrates a lack of candor and lack of professional responsibility. Moreover, it decreases the efficiency of the service.

Employee rights during Inquiries and Investigations

The charge of AWOL can lead to removal. Employees have rights when facing disciplinary charges which can lead to removal. PFO Management is deliberately violating employee rights.

PFO management is fabricating damning ‘evidence’ against employees by forcing altered statements.

Employees need to know when they are facing charges and disciplinary action. It is up to the employee to understand and enforce their rights, and they cannot make informed decisions unless they understand what is happening.

This is all very basic, and it is astonishing that TSA managers and OOI investigators remain so poorly trained. It has been almost 20 years since 9/11/2001. Over the past 2 decades, a minority of agency managers have repeatedly destroyed the careers of countless patriotic FAMs who volunteered for this difficult mission. The agency must take swift and immediate action against these toxic managers. They are not being paid to make mountains out of molehills, or to frame FAMs that have exposed management shortcomings.

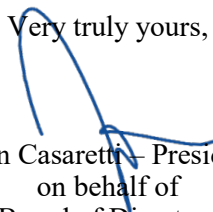
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There are very good managers at PFO; SFAM Cupo, and ASAC Robbins are not among them. Please take appropriate disciplinary action against these managers – give their serious ethical and policy violations the same punishment a flying FAM would receive. Their fabrications and retaliatory actions have wasted agency resources, decreased the efficiency of the service, diverted employee time away from the mission, and clearly demonstrate their lack of suitability to a law enforcement position.

If you would like to discuss any of the above, or would like the AMA to assist in further gathering information related to the above, please do not hesitate to contact me.

Very truly yours,



John Casaretti – President
on behalf of
Board of Directors
Air Marshal Association