



U.S. Office of Special Counsel  
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## **OSC SELECTS U.S. ARMY CORPS OF ENGINEERS WHISTLEBLOWER FOR PUBLIC SERVANT AWARD, 2009**

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### **FOR IMMEDIATE RELEASE**

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WASHINGTON, DC/December 15, 2009 – The Office of Special Counsel (OSC) has selected as the recipient of its Public Servant Award for 2009, Maria E. Garzino, an engineer from the United States Army Corps of Engineers (USACE), Los Angeles, California. From March 2006 to September 2006, in the aftermath of Hurricane Katrina, Ms. Garzino served as Pumping Systems Installation Team Leader at USACE’s New Orleans District.

Through this award, OSC recognizes Ms. Garzino’s substantial contribution to public service by her disclosures of serious management and public safety matters in New Orleans. OSC also acknowledges Ms. Garzino’s courageous dedication and unwavering commitment to public accountability and professionalism. OSC takes this opportunity to honor and express gratitude to Ms. Garzino on behalf of the public for her service to the nation.

In 2007, Ms. Garzino came forward to OSC as a whistleblower to raise concerns about the reliability of the New Orleans’ pumping equipment system, which would be used to help prevent flooding in New Orleans. She alleged that USACE lacked proper management and contract oversight over Moving Water Industries (MWI), a contractor tasked with the design, testing, and installation of pumping equipment. The pumping equipment was installed at the three outfall gated canal closure structures in New Orleans. She also disclosed that attempts to address these serious management and public safety issues were consistently thwarted by MWI and USACE employees. OSC referred the allegations to the Secretary of Defense for an investigation and a report.

In May 2008 and, again, in March 2009, the agency presented OSC with reports in response to Ms. Garzino’s disclosures. The reports partially substantiated Ms. Garzino’s allegations, but ultimately concluded that “... these deficiencies [were] performance related short-comings that did not rise to the level of a serious violation of law or regulation, abuse of authority, or gross mismanagement. Nor did they result in a gross waste of funds or a danger to public health or safety.”

In June 2009, OSC notified the President and congressional oversight committees that OSC believed that the Department of Defense’s findings were not reasonable. OSC found that there was little logical justification for USACE to: (1) restrict solicitation bids to untested hydraulic pump systems, especially when MWI hydraulic pump systems took longer to procure, design, factory test, and install compared to the proven direct drive pumps; (2) spend millions of dollars to install forty MWI hydraulic pumps in 2007, which are scheduled to be replaced within 3-5 years at a cost of over \$400 million, when more

reliable and less costly direct drive pumps could have been used; and (3) install hydraulic equipment without containment protection to prevent hydraulic leaks from polluting waterways, potentially violating the Clean Water Act. In August 2009, the White House initiated efforts to create an interagency federal task force to oversee the flood protection system and restoration of the Louisiana and Mississippi coastlines.

The Public Servant Award is a non-monetary and merit-based award to publicly recognize the most significant contributions made by federal whistleblowers who have either filed disclosures with OSC or who have sought relief from OSC on the grounds that they have suffered retaliation.

The award will be presented to Ms. Garzino at OSC's Oakland, California, Field Office by Associate Special Counsel William E. Reukauf on December 16, 2009. Mr. Reukauf said, "We are pleased to recognize Ms. Garzino's actions as a whistleblower who sounded the alarm about serious management and safety issues involving the pumping systems in New Orleans. We are grateful for her service to our country."

To learn more about Ms. Garzino's disclosures, the Department of Defense investigations, and OSC's findings, please refer to OSC's public file, which contains all the relevant documents, now available online on our website, [www.osc.gov](http://www.osc.gov).

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