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The Paul Revere Forum: National Security Whistleblowers Speak, Canon House Office Building, Room 402

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In the beginning of 1997 as the senior engineer on the support contract to the Department of Energy, Headquarters, Office of Safeguards and Security I was selected as the lead analyst for a new quality assurance team. The purpose of the team was to evaluate the risk to the public from the loss of control of bomb grade special nuclear materials at the 10 DOE sites that house weapons quantities of nuclear materials, as well as to the transportation of these nuclear materials and nuclear weapons. The total nuclear materials in the inventory at those sites is about 1000 metric tons of uranium and plutonium.

We were addressing loss of special nuclear materials to terrorists that could result in:

theft uranium and/or plutonium;  
radiological dispersal to surrounding communities, and  
fast construction of a "homemade" nuclear bomb in the facility where it was housed.

At the end of March 1997, less than four months after the formation of the nucleus of the quality assurance team, it was determined that there was high risk of theft and radiological dispersal from terrorists at the Rocky Flats Plant outside of Denver.

The quality assurance group ultimately consisted of personnel from the DOE, Sandia's simulation lab, Army Special Forces, and RETA analysts. These personnel provided an independent three way cross check of risk at the DOE sites. Over the next three years we also identified major risks from terrorists at Los Alamos National Laboratory and the Transportation Division, as well as lesser problems at most of the other sites. These problems were briefed at the highest levels in DOE. I want to emphasize that the vulnerabilities and risk reported was not the work of one person or one company.

In January 2000, I wrote an internal memo to the "Security Czar" in DOE alerting him to my concern of the unnecessary risk to public health and safety posed at a number of these facilities. Rather than talking to me he turned over my concerns to the IG. After a nine month investigation the IG stated in their executive summary "... certain "Risk" issues remained unresolved ... or were not fully evaluated." The IG had been supplied with over 200 classified documents by RETA citing vulnerabilities at the three sites and yet they could not resolve the risk question? The Czar took no action to address the risk vulnerabilities. I then wrote to the incoming Secretary of Energy Spencer Abraham in January 2001 hoping he would actively address the risk to the public. He took no action on our concerns.

In the spring of 1998 I was assigned as technical support to the Special Assistant for Security to then Secretary Richardson. In this role we generated 13 classified position papers for the Secretary for a wide range of security problems that included issues in both nuclear materials and cyber security. While in this role the Director of the office responsible for the security in DOE actively sought to limit my support to the Secretary and later ignored the issue papers as they were delegated down to his organization.

I finally began working with the Project On Government Oversight in the production of their report "U.S. Nuclear Weapons Complex: Security at Risk." I had tried to work from the inside to address my concerns. Never before in my professional life had I gone outside the system to resolve problems. In this case, however, the system was and is unwilling to address these issues.

In response to the POGO report, we have been asked, "Is DOE corrupt?" The question is not framed accurately - the Department of Energy is dysfunctional. It has been reported as a dysfunctional bureaucracy by the executive and the congress continuously since 1995, up to and including today.

With the tragedy of September 11, the concerns expressed heretofore in classified correspondence, and in the POGO report, have been exacerbated because of the dramatic increase in the threat and the actual use of chemical and biological weapons. If the DOE could not protect the 1000 metric tons of bomb grade nuclear materials earlier - it certainly cannot protect it now. The DOE response has been to dismiss our concerns with trite reactionary comments that our allegations are dated and the whistle-blowers are angry. Today as we speak there is no definitive protection against the use of chemical weapons in tactical attacks at the 10 fixed sites; there is no new threat statement to address the actual terrorist size and weapons used on 9/11 and in fact it will not be ready until September 2002; the proposed security budget for 2003 in DOE is less than that of this year in spite of 9/11.

In October of 2000, at my request, I met with the czar of security for DOE to discuss the IG report and the open question of risk He said he was sure security was adequate in DOE and that we needn't always concerns ourselves with 13-foot tall terrorists. He went on further to say there would be no reprisals to us for our letter to him. In November 2000, 50% of our contract was reduced to zero. In December 2000, the remaining 50% was reduced to zero.

In February 2001, we appealed the retaliation against us to the DOE Office of Employee Concerns (OEC) asking for protection as a whistle-blower. In July we sent another letter was sent by us asking for the status of the compliant. Later that month a letter was received from OEC that stated that there appeared to be no precedence for a compliant by a contractor against DOE, but that the spirit of the regulations seemed to cover our complaint and that they would proceed with it. In September a letter was received from OEC stating that they would not continue with the complaint because there was no jurisdiction for a contractor retaliated against by a government employee. We appealed this ruling with the DOE Office of Hearings and Appeals (OHA) and they quoted the

regulation back to us stating that there is no protection afforded contractors from retaliation by DOE. We are currently appealing this finding directly to Secretary Energy Abraham.

During the period of review by OEC and OHA we approached two of our congressional delegates Representative Biggert (13th IL) and Senator Durbin asking for their help and they have responded with letters to Secretary Abraham. In January of this year Congressman Markey sponsored a news conference about the risk to the public from terrorists attacking a DOE nuclear weapons facility and his concern of radiological dispersal and homemade nuclear bomb I was a speaker. He has also sent a letter to the Secretary. This news conference is another step in our concerns with the risk to the health and safety to the public and the retaliation by government bureaucrats against professionals that point out when the "king is without clothes." This risk is not make believe and the threat does exist as poignantly portrayed in September in four coordinated attacks by 19 homicidal and suicidal terrorists against the public.