EMPLOYEE CONCERN REVIEW
Battelle Energy Alliance (BEA)
National & Homeland Security

On October 25th, 2010 the Department Of Energy Idaho Operations Office (DOE-ID) Employee Concerns Program (ECP) Manager received a concern by e-mail from Mark Siciliano, a Battelle Energy Alliance (BEA) employee working in Strategy & Program Development (D001). Mr. Siciliano was contacted regarding these concerns and the DOE-ID ECP Manager met with him on November 2nd, 2010. After meeting with Mr. Siciliano it was determined that the DOE-ID ECP office would investigate the following concerns:

1. That BEA did not investigate the removal or use of a classified computer in an offsite uncleared facility which involved Vista (a BEA subcontractor) in 2008.
2. [redacted], refused to accept work from SOCOM because of the risk.

DOCUMENTS REVIEWED:
DOE O 481.1C Work for Others (Non-Department of Energy Funded Work)
DOE O 484.1 Reimbursable Work for the Department of Homeland Security
DEAR 907.5217-1 Work for Others Program
DE-ACO7-05-ID14517 Idaho National Laboratory Contract
Department of Homeland Security Work for Others (WFO) Decision Package Review & Approval (BEA form 481.37A)
Work for Others Checklist DHS Only (BEA form 481.17)
Project Risk Identification and Response Plan (BEA form 410.06)
Project Risk Management (BEA procedure LWP-7350)
Work for Others Contract Process (BEA procedure LWP-4004)
BEA Work for Others Process Flow

INTERVIEWS:
[redacted]

<u>Concern #1 BEA did not investigate the removal of a classified computer</u>

BACKGROUND:
On July 25th, 2008 [redacted] set an e-mail to [redacted] with a cc to Mark Siciliano. The e-mail stated that [redacted] was shown a Powershot SD 950 IS camera, a Dell Precision CPU serial #80045-681-540, 2 veiw sonic LCD display monitors and 2 speakers by [redacted]. The print label was from [redacted] with a handwritten label from [redacted]. That same day [redacted] sent an e-mail to [redacted] stating that he would add these to the property inventory being done at the INL. On October 28th, 2010 [redacted] sent an e-mail to Mr. Siciliano regarding her surprise that [redacted] was working for USIS. Mr. Siciliano e-mailed back that he was concerned about the removal of the Dell Precision CPU serial #80045-681-540 and

that he had reported the concern to [redacted] but he did not believe the incident was investigated.

CONCLUSIONS:
This concern is not substantiated.

[redacted] did conduct an investigation with the following results:

a) All PCs purchased by INL for classified processing for these projects were accounted for in WCB and had computer security plans with ISSO/ISSM.
b) PCs used outside INL by [redacted] staff were confirmed by INL staff and client as not processing classified materials.
c) COTS PC related materials sent to client [redacted] by Newbanks were verified by client [redacted]] as not being classified.
d) There was unverified speculation as to whether an unclassified PC at WCB had ever left WCB to [redacted] home and then returned to WCB. But all INL PCs accounted for at time of inventory.
e) There was speculation about the location of a classified CD that was created with client deliverables (to be securely mailed to [redacted] before [redacted]/subcontractor's termination, but most all paper/electronic media were destroyed and it was not found in stray CD inventory. An INL S&S inquiry official ([redacted]) was notified of speculated CD in case any other actions required.

<u>Concern #2 [redacted] refused to accept work from SOCOM</u>

BACKGROUND:
[redacted] *refused to accept work from SOCOM because of the risk.*

CONCLUSIONS:
This concern is not substantiated because BEA procedures allow for not accepting Work for Others.

During interviews with [redacted] and [redacted] they stated that DOE-ID approves National and Home Land Security Work for Others proposals when BEA plans to do the work. DOE-ID, however does not review Work for Others proposals that BEA National and Homeland Security rejects.

BEA's authority to reject Work for Others without approval from DOE-ID is outlined in LWP- 4004 were Work for Others is defined as "The performance of work for non-Department of Energy (DOE) entities by DOE contractor personnel and/or the utilization of DOE Facilities that is not directly funded by DOE appropriations. WFO allows others to take advantage of DOE's immense and unique research, development and manufacturing facilities on a fully reimbursable basis." LWP-4004, however, goes on to state that the work cannot adversely impact or interfere with INL missions and/or programs. This LWP and LWP-7350 (Project Risk Management) which requires the identification and the process for describing analyzing and addressing project risk were

used by [redacted] to determine that the work for SOCOM would be rejected because the INL could not assume the project risk.

DEPARTMENT OF ENERGY – IDAHO OPERATIONS OFFICE
Employee Concerns Closeout Summary Form

File Number: ECP-11-010

Date Filed: 11/2/10
Date Closed: 1/12/11

Date Concern Originator Notified of Resolution:

Concern: Substantiated Unsubstantiated X Partially Sustained

Summary of Investigation

Who Conducted the Investigation: DOE-ID ECP

Conclusions of Investigation:

1. That BEA did not investigate the removal or use of a classified computer in an offsite uncleared facility which involved Vista (a BEA subcontractor) in 2008.
   Unsubstantiated
2. [redacted], refused to accept work from SOCOM because of the risk. This concern is not substantiated because BEA procedures allow for refusing to accept Work for Others.
   Unsubstantiated

Did Anyone Receive a Copy of the Investigation Report:
Yes No X

Follow-up Requirements
Yes No X