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FOR ENGINEERING AND SCIENCE

# **Inez Austin - Inquiry Finds Illegal Surveillance of Workers in Nuclear Plants**

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## **Description**

An article from The New York Times about Inez Austin from August 1, 1991.

## **Body**

## **(An article from The New York Times about Inez Austin)**

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Washington, July 31 -- The Energy Department's inspector general has found that security personnel at the nation's nuclear weapons plants illegally acquired and used equipment for wiretapping, eavesdropping and other surveillance in violation of department regulations and Federal law. The inspector general's findings about surveillance of employees, including some who had publicly complained of serious safety problems at the Hanford nuclear reservation in Richland, Wash., directly contradicts assertions by Hanford's security directors, in public and in legal depositions, that the plant had no such surveillance equipment. The report, which is expected to be released shortly, also raises fresh questions about the ability of Energy Secretary James D. Watkins and his top deputies to oversee the department's employees and contractors that operate Hanford and the other weapons plants and laboratories for the Government.

## **Some Engineers Complained**

Engineers at Hanford had complained that they were victims of illegal wiretaps and surveillance after they disclosed severe environmental, safety, and security lapses at the plant. The problems have all been confirmed by the department. But the inspector general, John C. Layton, said in his report that he found no direct evidence that the surveillance equipment had been used against critics of the plant. But he identified an array of sophisticated listening devices and a wiretapping network so extensive it can listen in on 200 phones at once, according to a copy of the report that was made available in advance by a critic of the department.

## **Restrictions on Use**

It is illegal, in most cases, for wiretapping equipment or eavesdropping devices to be used without a court order. Only law enforcement agencies designated by the states or investigative agencies designated by Congress are lawfully allowed to use such equipment, say security experts. Mr. Layton said he found evidence that similar surveillance equipment was being used by security forces at other nuclear weapons plants, among them the Idaho National Engineering Laboratory near Idaho Falls and the Savannah River nuclear weapons plant near Aiken, S.C. The bulk of the investigation, though, focused on Hanford and its 750 security workers. The report said that officials at Hanford, which is operated by three big contractors, including

Battelle, which operates a major laboratory at the plant, and a subsidiary of the Westinghouse Electric Corporation, evaded questions from the inspector general about why such technical listening equipment would be needed by the security force, nearly 400 of whom are armed uniformed guards. The Hanford plant employees 15,000 people and covers almost 600 square miles along the Columbia River. But the report noted that Hanford's security forces conduct criminal investigations, operate covert surveillance and counterintelligence programs to protect the plant against terrorists, and provide perimeter security for Hanford's closed plutonium production buildings and laboratories. Since the mid-1980s, the Energy Department has spent billions of dollars to improve safeguards and security for its weapons plants.

In the draft of the report, Mr. Layton omitted specifically listing the kinds of equipment Hanford and the other weapons plants possessed, saying that such information is classified. Employees at Hanford who said they were familiar with such equipment describe the devices as capable of listening through walls, monitoring computer and telephone messages from remote locations, and remotely recording conversations with tiny microphones that can be planted in telephones, homes and offices. The Inspector General said 37 pieces of the surveillance equipment were located during the investigation that are now in the possession of the Energy Department's office in Richland. Some of the listening devices were purchased and used by security agents of Pacific Northwest Laboratory, which has been operated for years for the Government by Battelle Memorial Institute, an Ohio-based research and development company. In several instances, said the report, Battelle fabricated or modified the listening devices. A Battelle spokesman in Richland, Jerry Holloway, said the company would have no statement on the report. A spokesman for the Energy Department's office in Richland said all questions were being handled by officials in Washington. Westinghouse issued a statement today that said the report cleared the company of allegations that it had "covertly observed or tapped the phones" of the plant's critics. Westinghouse also said the report clearly shows that the company does not "procure, own or control any kind of covert surveillance equipment." But it still unclear to what extent the nearly 600 security agents employed by Westinghouse used the listening devices.

**Requested by Glenn**

The Inspector General's report was prepared at the request of Senator John Glenn, Democrat of Ohio and chairman of the Senate Committee on Governmental Affairs, which will hold a hearing on Thursday. According to the Senate Committee, a criminal investigation of how the equipment was used was begun earlier this year by the Federal Bureau of Investigation. The criminal investigation gained new urgency in April when the inspector general's office learned that Hanford's equipment control officer had destroyed at least seven bugging devices, according to the report. Critics of the plant in Washington State say the covert surveillance equipment was used against them.

One of them is Gary Lekvold, a 48-year-old engineer in Hanford's security division who was suspended in March 1989, after he told the top Energy Department official at the plant that intrusion-detection systems and other devices to protect plutonium from theft or a potential terrorist attack did not work. In the years since, said Mr. Lekvold, his house near Pasco, Wash., has regularly been watched by Hanford security officers, he has been trailed by Hanford security officers while driving, and his phone has been bugged. "I've worked in electronics for 30 years," said Mr. Lekvold. "I can recognize audible evidence that something is intruding on a phone line that shouldn't be there. I notice during important telephone calls with my attorney the clicking and the hollow sounds, like an echo effect. "It's happening here," Mr. Lekvold added. "In a lot of respects the activities I have personally observed are similar to what we've heard about the K.G.B. and the Gestapo. If you want to describe it as a police state, I think that's fair." In a statement he prepared for the hearing before the Glenn committee, Mr. Layton said: "The Department of Energy Acquisition Regulations prohibit the Department of Energy and Department of Energy contractors from acquiring devices which are primarily designed to surreptitiously overhear or record conversations.

Further, a D.O.E. order prohibits D.O.E. and its contractors from procuring, installing, or using wiretapping and/or eavesdropping devices." The questions comes as Mr. Watkins's department is spending billions of dollars annually in an almost frantic project to open a nuclear-waste repository in New Mexico and restart long-closed nuclear weapons plants in South Carolina and Colorado. Mr. Watkins has said repeatedly that he has been successful in gaining authority over contractors and in instilling a new culture in the industry that stresses safety and public openness and makes managers accountable for their actions. Members of Congress and several governors have sought to block the restart of the closed plants, saying they are not

convinced Mr. Watkins has been as successful as he asserts. Mr. Layton's new investigation suggests that Mr. Watkins's message has not yet reached important segments of the industry.

## Says Problems Addressed

Mr. Watkins was unavailable for comment today, but the department's chief spokeswoman, Mary Joy Jameson, said Mr. Watkins has taken action to address the problems, and that those will be discussed at the hearing on Thursday. "The department has found no instances of abuse of this equipment, nor has the inspector general's report," said Ms. Jameson. The fact that the department and its contractors have the equipment, she said, "is another situation where there were not proper controls in the department that have been going on for a long time." Another of the employees who raised safety problems and says she was a target of surveillance is Inez Austin, a 41-year-old engineer who last summer refused to approve a plan to pump highly radioactive nuclear waste from one underground tank to another. She said she feared that the brew of chemicals and radioactive materials would explode. Westinghouse officials threatened to dismiss her, then ordered her to see a psychiatrist, and finally transferred her, she said. An investigation of the incident by the Department of Labor found Westinghouse supervisors harassed Ms. Austin for revealing a safety problem, and the company agreed to settle the complaint in December by paying her for a month's leave and removing critical remarks about her from her file. That did not end her troubles, Ms. Austin said in an interview. Her home has been broken into numerous times, she said. Once she returned from a shopping trip to find every door in her Richland home open, every light turned on including the small lights on her bedside table, and nothing missing even though her wedding and engagement rings were in the bedroom and \$47 in cash was on the dishwasher where she had left it for her son. She said she has noticed strange noises in her phone, that she is often required to report to security at the plant, and that supervisors mention details about her life that they could only have known if they were spying on her.

### Notes

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