

Roy Hamil  
[REDACTED]  
[REDACTED]

Ms. Olare Nelson  
US Office of Special Counsel  
1730 M Street, NW, Suite 218  
Washington, DC 20036-4505

June 26, 2013

Dear Ms. Nelson,

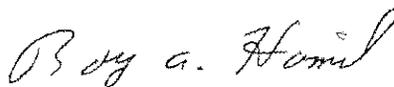
In response to your letter dated 18 June 2013, I would like to take you up on your offer to comment on the report that you enclosed with your letter. I do think that some of the testimony needs to be clarified because it gives a rather inaccurate representation of what occurred in movement of Air Force material without any written authorization. In my long career with the Air Force labs and 22 years with Sandia National Laboratory before I came back to the Air Force, I have always been told and instructed that collaborations and exchange of information between labs is a very good and proper thing to do. However, when material or money is transferred from one laboratory to another to carry out activities, even activities that are of common interest, there must be a written document, MOU, MOA, or whatever that allows this to happen and this is especially true if those laboratories reside in a different agency which is the case here. In that case, the movement of material without such authorization is to my knowledge a violation of statute. The idea that the material that was transferred was not accountable is beside the point. You cannot transfer money or equipment, accountable or not, between agencies without proper documentation and approval. Even though the statements involving LMCA seem to state that it is their responsibility to track equipment, that's true if the equipment is accountable and has an accountable number associated with it. But, it is the personal responsibility of the Air Force employee not to abuse or send equipment away from the laboratory without proper documentation and approval which is what happened here. This happened in light of the fact that the individuals were notified that such documentation was necessary.

In response to the testimony given by [REDACTED] and [REDACTED] referring to the fact that [REDACTED] (who has since left this laboratory) had only an advisory capacity and no managerial authority, I guess that 80% of our staff would disagree with that in light of the fact that her signed approval was necessary for proceeding with research under the annual Execution Plan. She did not sign travel or line management documents, however, she was given total authority over many aspects that one would consider in the realm of management including who was able to travel at times, who could be assigned to certain positions, which proposals could go forward for funding, etc. In light of this, in my opinion, her authority went far beyond simply an advisory capacity. As far as [REDACTED] sending the equipment to Sandia Livermore National Laboratory, I'd be exceedingly surprised if he did that of his own volition. In general, people took [REDACTED] direction as though it was coming from high level management and no one ever challenged that.

In addition, the testimonial statement that [REDACTED] was the program manager is not at all accurate. First of all, the original involvement of [REDACTED] and [REDACTED] could be best be described as technical discussions and never involved any money or any agreement to move equipment. Second, the program itself was never an official program. It was only towards the end that [REDACTED] decided to provide assistance to Sandia Livermore National Laboratory to enable them to obtain results at higher power levels. This is what led to the need to ship equipment to Sandia. [REDACTED] decided to help out by trying to put a MOA in place. After several months of work, [REDACTED] stopped pursuing the MOA when the legal staff here at AFRL insisted upon a high level signature in the Department of Energy for this cooperative work to go forward which included the shipment of material in question. The scientists involved at Sandia Livermore National Laboratory viewed this as unworkable since the signature would take a year to obtain. Once this became know, it was decided to try to gain approval through LMCA for the transfer of equipment since there was accountable equipment involved. To get around the requirement for this approval, [REDACTED] removed the accountable equipment items from his shipment of equipment. The remaining equipment items, although not accountable, were quite expensive. As I understand it, LMCA has no responsibility for tracking unaccountable items, but this still doesn't make the transfer of non-accountable equipment legal.

As a final point, I am taking you at your word that by signing my approval for release of my comments and the various testimony that the public version will have names redacted from the attached file and this letter.

Thank you for your attention to this matter.



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