

## **The National Almost IF**

An Engineer's account of working on the NaIF  
Livermore California, 2002-2003

<https://lasers.llnl.gov/programs/nif/about.php>

Dear Reader,

If you pursue a career in physics, chemistry or engineering and you are considering a professional position with the Lawrence Livermore National Laboratory, then before you accept an offer to work for this facility, you should read this article.

### *Hiring*

From 2002-2003 I was employed as a flex-term employee at the Lawrence Livermore National Laboratory in Livermore California. I was hired as a software engineer to develop algorithms for the Integrated Computer Control System (ICCS), a critical and integral part of the controversial National Ignition Facility (NIF).

### *Termination*

I supported the NIF program for one year when I was aggressively fired and expelled from LLNL for asking too many embarrassing questions from NIF management about engineering requirements for my assigned task.

### *Legal remedy*

I sought a resolution for the Lab's draconian reprisal and a legal remedy for my dismissal but found no relief through this effort. Today I am labeled a Whistleblower as a consequence of the publicity and legal proceedings. Despite reviews in two Appellate Courts and the California Supreme Court my case was dismissed because there are no whistleblower protections offered for employees of the University of California. I have exhausted the legal means to expose the Lab's conduct in my case, so I now resort to post this story to the Internet because without doing so this story would never be told.

### *How WB protection' worked*

In popular documented cases of whistleblowing, the individual reveals some questionable behavior or impropriety discovered in the workplace to an authority outside the employer while still employed. Despite having never approached authorities outside the Laboratory to report wrongdoing while employed there, my complaint was treated as a case of whistleblowing where California whistleblowing protection statutes (§8547) apply for public institutions. The account of my unlawful termination has been reported as a case of "retaliation for whistleblowing" in both the San Francisco Chronicle and by my council at Gwilliam Ivary et. al. .

### *UC has WB Immunity*

In Miklosy vs. University of California the California Supreme Court sided with the UC in a literal interpretation of the whistleblower protection statutes. In its present form §8547 has no teeth and the Laboratory (UC) is both unaccountable and held immune from any complaint brought by employer retaliation. Whistleblower protections intended by these statutes are illusory and the statutes must be corrected.

### *The WB statutes for UC*

The statutes called Whistleblower Protection are intended to provide UC employees protection from employer retaliation in the workplace. The UC has effectively excluded themselves from the California statutes through a loop-hole in the law. The statutes contain the loop-hole since 1991 but today the California Legislature is taking steps to correct the whistleblower statute for UC employees. Naturally the new legislation is not in the interest of UC and the UC will oppose. At this writing the new legislation is not yet adopted having been delayed many months in the Legislature. We shall see if the corrections ever make it into law.

### *The LLNL Culture understood*

Without whistleblower protections the draconian management at LLNL is allowed to run amok. As more and more employees accept the "Livermore Culture" and remain silent, corruption will proliferate the work organization. One LLNL engineer expressed to me, he "keeps his head down and asks no questions". Performing engineering duties held to industrial norms will expose any engineer to the same retaliation by this draconian management. For my participation in engineering process and a legal remedy I am now labeled a Whistleblower by the media.

### *NIF management style*

While working at the Laboratory on the NIF project I witnessed management style unlike anything I experienced in my 25 year engineering career, and yet this style is typical in whistleblower cases where the dictatorial hierarchy kills the messenger. On the NIF program I witnessed a blatant disregard for engineering process, fuzzy time record keeping, sequestering the messenger, fabrications and harassment by management, confiscation of work and property, collusion with the DOE, and abrupt termination and physical removal from the Laboratory. For my complete chronological work record, see the detailed "Historical Work Record" attached.

### *Organizations that retaliate*

NIF management will no doubt dismiss all I have to reveal about them since they have already discredited me. The reason given for my termination was "Unacceptable Performance" as written on both the LLNL website and in a separation letter. In typical dictatorial fashion common of institutions in cases of whistleblower retaliation, they discredit the whistleblower as an underachiever while deflecting any attention brought to themselves.

### *What Livermore stands to loose*

Since NIF management operates under the administration and cover-up afforded by a large public institution with special exclusions written into statutory law to protect them, they have much to loose by revealing the truth. During my expulsion they confiscated all my work materials, files and computer records and will not release these materials requested under the Freedom of Information Act (FOIA). For a program controversial as NIF, management certainly took extreme measures to fire a single employee, so what else could they be hiding that justifies taking such measures?

### *Intro to NIF*

The NIF is a sophisticated high powered laser designed to explore the fusion of Hydrogen as a potential source of clean “carbon-free” energy. That is the mantra of the marketing campaign to sell the NIF to politicians, secure next round funding and to attract fresh Post-doctoral employees. The NIF is also a tool to confirm the US stockpile of nuclear weapons without resorting to a detonation test.

### *Sustaining NIF without documentation results*

The stated purpose of NIF changes in order to posture the program optimistically for the next round of taxpayer funding. Most recently the program is sold to the general public and to the Congress as the promise for carbon-free energy independence and a source of unlimited energy from Inertial Confinement Fusion. The NIF Directorate would have the general public believe the world energy crisis can be solved by a few drops of ocean water. Be sure to watch their laughable marketing video presentation by Dr. E. Moses to high school sophomores on YouTube.

### *Where's the criteria for success*

Since the program requirements change as the marketing hype changes, there **is no specified written criteria** for success of the NIF. To attract the next installment of DOE funding with DOE in collusion, some colored light is adequate for the purpose. Since there is so little documentation on the computer software control system, there will be no paper trail for follow-up by a congressional investigation committee. The software control system will become critical and untenable long after the concrete on the ramparts has dried. With success criteria missing, program management is bold enough to boast that fusion Ignition is imminent in the first “Shot” attempt.

### *Remarks on Work History*

The work record that follows is copied from personal laboratory notes, the collaboration between myself and other NIF employees, and data files in my possession prior to my termination date. The following are accounts of bizarre management style and disregard for engineering process I experienced while working on the National Ignition Facility (NIF).

Signature,

Les G. Miklosy  
(former Computer Scientist LLNL)

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