



# NCSP

**President, Mike Stumbo**  
**P.O. Box 20838 Amarillo,**  
**Texas 79114**

2-07-07

**The Honorable Samuel Wright Hodman**  
**Secretary, Department of Energy 1000**  
**Independence Avenue, SW Room &A-**  
**257 Washington, DC 20585-1000**

Dear Secretary Bodman:

As President of the National Counsel of Security Police ("NCSP"), I am writing to you to express our organization's serious concerns over recent policy developments effecting Department of Energy ("DOE") sites covered by the Atomic Energy Act of 1954. As you may know, the NCSP is a constituent group of labor unions which represent security force personnel throughout the DOE complex. Presently, there are 13 labor unions representing 2,600 protective force personnel. The NCSP is not a labor union and does not engage in collective bargaining on behalf of any of its constituent local unions. We do, however, identify and address regulatory issues which impact security force personnel working at DOE sites. In the past, DOE has recognized our organization as a legitimate voice on matters which affect security force working conditions at DOE sites. On many issues, we have participated in DOE quality panels providing first hand experience on operational issues.

Through this letter, I intend to make you aware of our concerns over recent policy developments effecting retention of protective forces. Our perspective is the perspective of security personnel working at the sites day to day, who see the impact of changes on operations and understand the effects on the mission of protecting national assets. We hope this letter stimulates reconsideration of these recent policy developments and evaluation of alternative policies to better serve national interest.

To begin, NCSP has always fully supported our mission of protecting national assets. First and foremost, protective force personnel understand the important role we play in protecting and securing D.O.E. sites throughout the complex. We have never deviated from our position "security" comes first. In the post 9/11 environment, we have embraced initiatives for heightened security. We are dedicated to our jobs and remain steadfast in our resolve to provide full security at all sites. We have worked tirelessly to provide elevated security in the national effort to defend against terrorist attacks.

In today's security environment, our greatest concern is maintaining current work forces and attracting qualified personnel to augment and replace current protective force personnel. With heightened job requirements, there is an evolving public interest in addressing the impact of these requirements on security personnel. We are already experiencing alarming attrition at many sites. This includes both experienced security police officers who cannot meet all of the increased standards and new security personnel who quickly become unhappy with the job as a career path. The trend is clear, many new hires quickly seek out alternative law enforcement jobs where the physical fitness demands are not nearly as great and the prospect of a law enforcement retirement package provides real income security based on shortened careers. You do not have to take my word on attrition rates, you need only check with your security contractors and review their reports on loss of manpower in the last couple of years.

In analyzing post 9/11 issues, NCSP has identified several key areas where we believe conditions must be improved for protective forces. The areas we identified are listed below:

A law enforcement type retirement system providing full early retirement benefits;

Career progression plans for transition from protective force positions To other jobs when protective force personnel cannot meet job qualifications.

Provisions for "grandfathering" experienced security force providing job security as protective forces are transitioned to a paramilitary model.

DOE has not embraced these initiatives and in many ways has directed its contractors to move in the opposite direction. For example, D.O.E. Order 351.1, currently on hold, would effectively eliminate defined benefit retirement plans and place strict limits on funding of retirement benefits. The net effect of this action, or any like action, will be to curb pension benefits in ways that make a law enforcement retirement system impossible to achieve. DOE cannot attract qualified personnel to accept security positions where the physical demands continue to increase, resulting in the prospect of shorter careers, without providing a retirement system that accounts for shortened careers. Most new hires fresh out of the military quickly realize that a career at DOE sites provides no income security at time of retirement. The retirement plans offered by DOE contractors are not geared for law enforcement retirements and inadequate to meet early

retirements based on failing to meet job requirements and/or job related injuries. Law enforcement opportunities in the public sector have become a much more attractive alternative. DOE Order 351.1 will accelerate this trend by placing more pressure on DOE contractors to eliminate traditional defined benefit plans with guaranteed benefit levels.

Likewise, there have been no real initiatives to effectively provide career progression plans or grandfathering provisions for current and future security personnel. The net effect of increasing job requirements is that many "senior" security officers will be forced out of their jobs before normal retirement age. There is a real need to provide mechanisms to transition these employees into other employment or supplement income until retirement age. It is shortsighted to cast these employees away once they are unable to meet heightened requirements. This is particularly true for employees whose employment began when there were lesser requirements who now face much more stringent physical standards as well as more stringent standards in other areas. Losing many of these valuable employees because they cannot meet current standards creates a real loss of experienced manpower. Moreover, not providing them with a career progression path is a devastating blow to many who have faithfully served the country at DOE sites.

NCSP believes the time is right to take bold steps to assure the retention of qualified protective forces to meet the paramount public interests of protecting national assets against terrorist attacks. There must be initiatives adopted to provide protective forces with law enforcement retirements and career progression plans that provide real opportunity for those who are forced out before normal retirement age. We see the current system as unworkable for the future. Private contractors, based on DOE policies and funding, do not provide adequate retirement security nor do they provide career progression. All too many times we hear the same refrain from security contractors that DOE will not accept proposals to enhance retirements and to provide other means of income security prior to retirement. It is not in the public interest to continue along a path where our jobs become undesirable because of heightened standards, shortened careers, and substandard retirement plans.

We believe that this will inevitably diminish the security at the affected facilities as increased attrition will put pressure on private contractors and DOE to stretch existing human resources beyond reasonable standards. The common and accurate conclusion among employees and candidates for employment is that there is no real opportunity to reach full retirement within the existing scheme. The pressure to reduce standards to fill increasing vacancies will only mount. We are convinced that reductions in standards and security are inescapable within the circumstances that are inherent in the present policies.

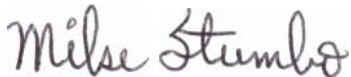
In our view, the alternative to the current system is to federalize protective forces. Under a federal scheme, we can be placed in one of the federal law enforcement pension plans. These plans are specifically designed for law enforcement careers. There will also

be access to other Federal positions under current Federal civil service rules. Access to other positions will provide alternate suitable employment until retirement age for those employees who cannot maintain their protective force positions because of increasing physical fitness requirements and other job related standards. To us, this is an appealing alternative unless there are significant changes to the current system of providing security through security contractors.

We urge you to take a serious look at current policies given all of the public interest considerations. We think you will conclude it is the right time to make bold changes and embrace initiatives that will support strong and dedicated protective forces.

We hope you are open minded on the issues we have raised and we are available to meet with you or your staff to further discuss these important issues.

**Very truly yours,**



**Mike Stumbo**  
**NCSP President**

**Cc: Mr. Clay Sell, Deputy Secretary of Energy**  
**Cc: Mr. William Desmond, NNSA**  
**Cc: Mr. Glenn Podonsky Director**  
**Cc: Nick Steen Senator Grassley's Office**  
**Cc: Mr. Jeff Cutler NCSP Counsel**  
**Cc: Mr. Gary Hankins Washington Labor Consultant**  
**Cc: NCSP Pantex Delegates**  
**Cc: NCSP Los Alamos Delegates**  
**Cc: NCSP Savannah River Delegates**  
**Cc: NCSP Oak Ridge Delegates**  
**Cc: NCSP Y-12 Delegates**  
**Cc: NCSP Hanford Delegates**  
**Cc: NCSP Nevada Test Site Delegates**  
**Cc: NCSP SPRO Delegates**  
**Cc: NCSP ORNL Delegates**  
**Cc: NCSP Portsmouth Delegates**  
**Cc: NCSP Idaho Nat Lab Delegates**  
**Cc: NCSP Lawrence Livermore Delegates**  
**Cc: NCSP Sandia Lab Delegates**