

Opening Remarks – As Prepared for Delivery

**Honorable Mike Rogers
Chairman, Subcommittee on Strategic Forces
House Armed Services Committee**

Hearing on “Nuclear Security: Actions, Accountability, and Reform”

February 28, 2013

Good morning and welcome to today’s hearing on nuclear security at the Department of Energy’s National Nuclear Security Administration. This is the subcommittee’s first hearing of the 113th Congress, and we place a strong priority on ensuring these longstanding problems with security are fixed.

Before we get into the hearing, I want to pause and welcome new members to the subcommittee. But first and foremost I want to recognize our ranking member, Mr. Cooper of Tennessee. I look forward to working closely with him over the next two years as we carry out the important work of this subcommittee.

With every new Congress we always have some shuffling of seats at the subcommittee level, as well as new members to the committee and to the House.

New to the Strategic Forces Subcommittee on the Republican side, I welcome:

- Mr. Coffman of Colorado
- Mr. Wilson of South Carolina
- Mr. Nugent of Florida
- Mr. Bridenstine of Oklahoma

And on the Democratic side, I welcome:

- Mr. Johnson of Georgia
- Mr. Carson of Indiana
- Mr. Veasey of Texas

I look forward to working with all of you, as well as my colleagues who are returning for another two years of Strategic Forces oversight. This subcommittee has responsibility for many big, critically important issues—and we’re going to get into one of them right now.

Today’s hearing is part of the committee’s continuing oversight of the aftermath of the security breach at the Y-12 National Security Complex on July 28, 2012. At this point, the facts of the incident are well-established, so I won’t repeat them here. Needless to say, the intrusion of an 82-

year old nun and two other men into supposedly one of the most secure perimeters in the country is astonishing and completely unacceptable. Through its hearing and closed briefing last September, this subcommittee is aware of the immediate corrective actions taken by NNSA and DOE.

Today, this hearing is focused on the broader implications of the incident, including organizational, leadership, and structural failures that enabled it to occur. Depending upon how you count them, anywhere from 6 to 10 different reviews have occurred in the past six months—some narrowly focused on the Y-12 incident, and some focused on broader security management problems. Reviews are good, but now—six months after the incident—we need to see action. And if history tells us anything, it is that the Department of Energy is not known for action.

Reviewing the testimony from our witnesses, as well as other reports on DOE nuclear security stretching back 15 years, I am deeply concerned that we've been identifying the same problems for more than a decade. And those problems remain unresolved.

For instance, a 1999 report by the President's Foreign Intelligence Advisory Board (PFIAB) said the DOE "embodied science at its best and security at its worst." Highlighting a string of recurring security problems that DOE had failed to correct in the 1990s, the Board described DOE as a "dysfunctional bureaucracy that has proven it is incapable of reforming itself." The Board recommended radical reorganization, calling for a new agency, either with some autonomy with the DOE or completely divorced from it. Congress responded by creating the semi-autonomous, separately-organized NNSA.

In 2002, a few years after the creation of NNSA, another study found the same problems. The Commission on Science and Security, led by former Deputy Secretary of Defense John Hamre, said:

"the Department [of Energy's] continuing management dysfunction impairs its ability to carry out its science and security missions....DOE's headquarters, field, contractor, and laboratory relationships create a complicated layered structure in which assigning accountability is difficult."

Ultimately, the Commission recommended that, if security reforms are to succeed:

"the Secretary and the Administrator of the NNSA must address basic organizational problems at DOE, most significantly confusion over line and staff responsibilities...Together with a more clearly defined chain of command, DOE needs to reduce excess layers of management staff that have built up since the late 1980s."

In 2005, an independent study of NNSA security conducted by Admiral Richard Mies found the same problems, and said 8 years ago that they "are not new; many continue to exist because of a lack of clear accountability, excessive bureaucracy, organizational stovepipes, lack of collaboration, and unwieldy, cumbersome processes."

Those reports were from 1999, 2002, and 2005.

So where are we at today? To anyone paying attention the answer is undeniably: nowhere. The assessments done after the Y-12 incident show that the exact same fundamental problems remain.

Asked by the Secretary of Energy to do an independent assessment, Dr. Richard Meserve noted in December that:

“part of the challenge in providing proper oversight may relate to the extraordinarily complicated administrative structure within DOE, with security responsibilities spread across several offices at headquarters and between headquarters and the DOE field offices.”

One of our witnesses, Major General Don Alston, drily noted in his letter to Secretary Chu that:

“study of a variety of DOE and NNSA organizational charts could not demystify where authority [for security] lies.”

Another of our witnesses, Brigadier General Sandy Finan, made similar findings, reporting that:

“there is no clear line of authority within the NNSA security organization...Absent clearly defined lines of the authority, many individuals assert authority, while correspondingly few have been assigned responsibility.”

I have an organization chart here from a 2009 report called “Leveraging Science for National Security,” where yet another independent study tried to understand the lines of authority within DOE. I credit the authors for even trying to make sense of it via a diagram. Without objection, I’d like to enter this for the record.

I understand that NNSA has created a new office, NA-00, that it believes will help clarify security responsibilities. But I also understand that the other security offices, including NA-70 and the Department of Energy’s Office of Health, Safety, and Security, will remain in place and likely grow in size. I am curious how the creation of yet another office within DOE Headquarters will create clarity in roles and responsibilities and simplify an already bureaucratic chain of command.

Regardless of the structural issues, there is also a problem of accountability. Based on a letter from Secretary Chu on January 31 (which I will also enter into the record), the only people who have been fired as a result of the Y-12 incident are a few guards and perhaps a few contractor employees. But no federal officials have been fired. Some NNSA site and Headquarters security officials have been “reassigned” to other positions within DOE or allowed to retire—but not fired.

Tellingly, the Department of Energy’s Chief Security Officer is still in place—and is being asked to implement solutions to a dysfunctional security management system that he has presided over for 10 years. This is happening despite the fact that his organization performed an independent inspection of Y-12 only two months prior to the incident and gave its security effectiveness a resounding endorsement.

Further, a press report last week quotes this senior DOE security official saying that prior to creation of NNSA, when the nuclear weapons complex was still a full part of DOE, he believes “it really wasn’t working badly.” This is either revisionist history or a terrible memory, because we remember the long series of security failures in the 1990s that caused that independent board to call DOE in 1999: “security at its worst” and “a dysfunctional bureaucracy that has proven it is incapable of reforming itself.”

This isn't accountability—it is deplorable. Indeed, it is the exact opposite of what Secretary of Defense Gates did after the Air Force's nuclear security problems in 2007 and 2008. His demonstration of accountability in the Air Force's senior-most leadership is my example of firm accountability—and it should be everyone's.

Last year, this committee put forward a set of proposals to fix the longstanding, well-documented governance problems at NNSA and DOE that were a contributing factor to this security incident. We are still waiting for the Administration to put forward its own proposals for reform—I am curious if and when we will see them.

But one thing should be clear by now: the status quo is not working and must not be continued. Security of our nuclear weapons is at risk, as is the NNSA mission of sustaining our nuclear stockpile. Dozens of reports and other indicators have shown that the system itself is broken, in addition to leadership, management, and personal failures. I will say to Ranking Member Cooper, and all of my colleagues, I am here to work with you to fix this broken system. It would be a crime if we find ourselves here next year and nothing has changed.

We look forward to the hearing the recommendations of the congressional advisory panel created by Section 3166 of the FY13 defense authorization act. But we cannot wait a year to start making progress. This subcommittee is soliciting all ideas regarding how to go forward, and will continue to push the system to make the changes that are so obviously needed.

Our first panel of witnesses will help us do that. They are each the author of separate independent assessments of the Y-12 incident or broader security issues at DOE and NNSA. We hope they will elaborate on their findings and recommendations, and give us a deeper understanding of the problems and potential solutions. The witnesses are:

- **Major General C. Donald Alston, USAF (ret.)**
Former Commander, 20th Air Force
Former Air Force Assistant Chief of Staff, Strategic Deterrence and Nuclear Integration
- **Brigadier General Sandra E. Finan, USAF**
Commander, Air Force Nuclear Weapons Center
Former Principal Assistant Administrator for Military Applications, National Nuclear Security Administration
- **The Honorable Gregory H. Friedman**
Inspector General
U.S. Department of Energy

Thank you to our witnesses for appearing today, I'm looking forward to our discussion.

With that, let me turn to our Ranking Member, Mr. Cooper, for any opening comments he would like to make.

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