

Written Testimony of Glenn S. Podonsky
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U.S. Department of Energy
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Committee on Armed Services
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Introduction

Chairwoman Tauscher, Ranking Member Everett, and members of the subcommittee, thank you for inviting me to testify today on the Department of Energy's Fiscal Year (FY) 2009 Budget Request for the Office of Health, Safety and Security (HSS). As the Department's central organization responsible for health, safety, and security, HSS provides corporate-level leadership and strategic vision to coordinate and integrate these programs. HSS provides the Department with effective and consistent policy development, technical assistance, professional development and training, complex-wide independent oversight, and enforcement. As the Chief Health, Safety and Security Officer, I advise the Secretary on a wide range of matters related to health, safety, and security across the complex. Today, I am here to assure you that HSS continues to strengthen the Department's safety and security posture.

Since its creation, HSS has institutionalized its infrastructure and is now recognized by the Department's leadership team, the DOE current and former workforce, other U.S. Departments and Agencies, Congress, the Defense Nuclear Facilities Safety Board (DNFSB), and within the international community as an organization striving for excellence in health, safety, and security arenas.

With the creation of HSS, we recognized that it was important for us to identify opportunities to improve DOE worker health, safety, and security programs. Over the past year, HSS conducted a series of focus group meetings with DOE program offices, worker trade unions, professional associations, and other stakeholders to establish and/or strengthen lines of communication, seek feedback, and identify areas of interest and concern.

HSS continues to interface with other Federal organizations such as the Nuclear Regulatory Commission (NRC), Environmental Protection Agency (EPA), Department of Homeland Security (DHS), and Department of Defense (DoD), to share information and coordinate efforts in strengthening the Department's and the Nation's overall safety and security posture. The HSS security technology deployment program leverages millions of dollars previously invested by DoD, the intelligence community, and other agencies for deployment of proven security technologies. HSS functions as the corporate catalyst for deployment of effective and affordable security technologies crosscutting all DOE program offices to reduce the duplication of effort and provide lessons learned across the complex. Using integrated safety and security experts within HSS, full-scale deployment of new security technology systems at three major DOE facilities and partial deployment at six other sites was completed in 2007 and 2008, allowing for an evaluation of these deployed systems that may benefit all Departmental sites in a cost effective and timely manner without significant increases in manpower.

To better facilitate the implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), HSS initiated continuous communication with the Department of Labor (DOL) and the National Institute for Occupational Safety and Health

(NIOSH). HSS published a status report on the Former Worker Medical Surveillance Program to inform our former and current workforce, Congress, and the public of the efforts being undertaken for those individuals who may have been exposed to harmful conditions as a result of working for DOE. In FY 2008, HSS (in cooperation with the grantee service providers) initiated a review of the program to ensure the 10,000 medical screenings conducted in FY 2007 is maintained in the coming years.

In the international arena, HSS renegotiated the agreement between DOE and Spain's Ministry of Education and Science to end the Department's 41 years of financial obligations in FY 2009 for the environmental studies associated with the accidental release of nuclear material at Palomares. HSS also strengthened the Department's relationships with Japan and the Marshall Islands to better manage these DOE-funded health programs.

To ensure a safer environment for Departmental workers and the public, and effective security for National assets entrusted to the Department as well as meeting commitments to stakeholders such as Congress and DNFSB, HSS developed or revised and assisted in the implementation of a variety of safety and security directives related to: worker health and safety, incorporating safety in design, environmental protection, integrated safety management, radiation protection, nuclear materials packaging, nuclear facility restart and operational readiness, personnel security, protective force, physical security, information security, and nuclear material control and accountability. At the direction of the Secretary of Energy, HSS is in the process of completing a review of all security requirements and initiated a review of all safety requirements in order to

identify the basis, and to ensure they are performance-based, meaningful, clear, and concise without being overly prescriptive or redundant.

Notably and in response to a highly publicized security incident at Los Alamos National Laboratory (LANL), HSS formed the Office of Departmental Personnel Security to ensure management attention and leadership at the Departmental level to provide consistent implementation of personnel security requirements. In addition, HSS amended applicable DOE worker safety and personnel security requirements to ensure fitness for duty and the reliability of its workforce as it relates to illegal substance abuse. At the direction of the Secretary of Energy, HSS implemented a more stringent illegal drug testing policy for Federal and contractor applicants seeking DOE access authorizations (clearances) and for current employees with clearances.

By aggressively championing DOE environmental programs, HSS, in collaboration with DOE Program and Site Offices, helped the Department achieve a “green” rating for status and progress for the 1) environmental management systems implementation, 2) green purchasing, 3) electronics stewardship, and 4) compliance management elements of the Office of Management and Budget’s *Environmental Stewardship Scorecard*. HSS was instrumental in the submittal of 28 DOE nominations for the 2007 White House *Closing-the-Circle* Awards; winning four awards and receiving three honorable mentions out of the 17 winners and 13 honorable mentions from the 200 nominations submitted from agencies across Federal government. In addition, HSS continues to support outstanding environmental performance throughout the Department through the DOE Pollution Prevention (P2) Star Awards program.

In addition to providing the Department with safety and security policy and assistance services, HSS is also responsible for performance feedback via operational experience analyses, independent oversight and enforcement activities. These activities provide Departmental leadership, line management, and stakeholders with timely information needed to gauge the success of implementing Departmental safety and security requirements.

HSS has established viable safety indicators applicable to the majority of DOE contractor operations. Safety indicators are collected through various reporting mechanisms, analyzed, and provided to senior Departmental management every two to three months. Results are used to focus management attention to prevent serious events such as loss of life or serious injuries; over exposures to radiation, hazardous materials or other conditions; inadvertent off-site releases of nuclear and non-nuclear materials; nuclear criticalities; and fires and explosions that would negatively impact the ability of the Department to accomplish its mission.

HSS continued to conduct comprehensive independent oversight appraisals of DOE performance in the areas of safeguards and security; cyber security; emergency management; and environment, safety, and health. Information gained from these appraisals provides Departmental senior management, line management, and HSS and other policy organizations, e.g., the Office of the Chief Information Officer, the information needed to effect improvements in these programs.

More specifically, for example, the Office of Cyber Security Evaluations, within HSS's Office of Independent Oversight, continues to execute one of the most aggressive and sophisticated cyber security corporate oversight programs in the Federal government, which allows the Department to proactively self-identify and address weaknesses. The cornerstone of our cyber security oversight function is to implement a rigorous penetration-testing program in a variety of ways to achieve multiple objectives. These include:

- Announced external and internal penetration testing of Departmental classified and unclassified networks conducted in conjunction with announced cyber security inspections that evaluate a broad set of threats and are designed to assess protection boundaries, physical and logical security configurations and controls, access authorizations, and activity monitoring practices;
- Unannounced remote penetration testing or "red teaming", which emulates a stealthy, methodical, and sophisticated external attack on the network and is designed primarily to test intrusion detection and incident response capabilities. These attacks often target the work force itself, using deceptive emails, fake websites, and unsolicited mailings of compact disks and flash drives, all of which introduce malicious software onto the networks.

In conjunction with our penetration testing activities, HSS assesses key management processes that are essential to an effective cyber security program such as risk management, certification and accreditation, configuration management, and patch management. While our technical testing provides a good snapshot of the effectiveness of the network's cyber security protection, the programmatic evaluation allows an assessment of the direction and sustainability of the cyber security program along with identification of underlying root causes for implementation

weaknesses identified through technical testing. This same basic approach is used to assess unclassified, classified, and intelligence systems operated by the Department. Other cyber security performance testing includes evaluating the protection posture of telephone modems and identifying vulnerable wireless access points that could potentially provide an unprotected alternate pathway into one of our networks.

Threats to our information systems have never been greater and continue to grow in sophistication and intensity every day. Like all Federal agencies, the Department of Energy faces constant challenges to identify, evaluate, and apply cyber security measures that will mitigate these threats and establish an appropriate protection posture for our information and information systems in this ever-changing cyber threat environment. It is of paramount importance that we protect the confidentiality, integrity, and availability of these critical resources utilizing sound risk management approaches. While continuing to have many challenges in this area, the Department has greatly benefited from the HSS cyber security oversight program and continues to make cyber security an area of senior management focus.

The Secretary of Energy is ultimately responsible and accountable for the performance of DOE, including NNSA. Through HSS, the Secretary establishes Department-wide environment, safety, health, and security policy, which also applies to NNSA. The Secretary relies on HSS to conduct corporate independent oversight of all safety and security disciplines, and expects NNSA to respond to all findings with effective corrective actions to eliminate weaknesses. As a result, it is imperative for HSS to maintain a close working relationship with NNSA. The roles of certain elements within NNSA, such as the Office of Defense Nuclear Security, are

complementary to HSS in providing policy, assistance, and training. The role of the Office of Defense Nuclear Security is to provide a line management support function by advising the Administrator, NNSA, on the status of security within NNSA.

Finally, HSS promotes overall improvement in the Department's safety and security programs through management and implementation of the statutorily required DOE enforcement programs under 10 C.F.R. Parts 820, 824, and 851. Over the past 18 months, HSS has integrated the classified information security and worker health and safety enforcement programs into the more established nuclear safety (Price Anderson Amendments Act) enforcement processes. Draft thresholds for reporting into the voluntary Noncompliance Tracking System were developed and used by DOE contractors during a six-month, trial-reporting period to validate the thresholds and familiarize contractors with the reporting process. Results of these efforts include the highly publicized notice of violation against the former and current Los Alamos National Laboratory contractors. HSS is currently conducting several enforcement investigations, including the inquiry into events that led to the release of nuclear material at the Hanford Site Tank Farm.

FY 2009 Budget Request Overview

The HSS FY 2009 budget request of \$446.868 million includes \$347.271 million for the Health, Safety and Security Programs and \$99.597 million for Program Direction. A summary of the programs and activities proposed to continue in FY 2009 with this funding request includes:

Health and Safety Policy, Standards, and Guidance (\$4,425,000): DOE issues policy, standards, and guidance to ensure workers and the public, property, and the environment are

protected from the common industrial and unique hazards of DOE activities. Policy, standards, and guidance must take into account the nuclear, chemical, and industrial hazards posed by DOE operations and must be current with worldwide technologies, knowledge and experience.

Environmental compliance programs at DOE sites are, for the most part, driven by U.S. Federal, state, and local regulations. HSS provides environmental corporate direction and assistance to DOE sites, especially in the areas of pollution prevention and Environmental Management Systems (EMS) development and implementation. In FY 2008, HSS initiated a review of all safety orders and manuals using the process implemented in FY 2007 for the review of security requirements. The purpose of this review is to identify the basis for all requirements to ensure they are performance-based, meaningful, clear and concise. The FY 2009 budget request provides for HSS to:

- Continue implementation of 10 C.F.R. Part 851, Worker Safety and Health Program
- Amend 10 C.F.R. Part 850, Chronic Beryllium Disease Prevention Program, that implements lessons learned over the past eight years
- Amend 10 C.F.R. Part 835, Occupational Radiation Protection to reflect updated dosimeter standards
- Strengthen worker health and safety, nuclear safety, radiation protection, and environmental policies and standards, including Integrated Safety Management (ISM) and EMS by continuing the review of all requirements contained in DOE directives
- Continue implementation of the Federal Employee Occupational Safety and Health (FEOSH) program via training, guidance, and other communications methods
- Continue assisting DOE sites to implement EMS and the DOE Environmental Compliance Management Improvement Plan

- Continue implementation of the Human Performance Improvement Initiative to identify and correct the organizational and cultural factors that increase the potential for human error causing accidents that interrupt accomplishment of mission
- Develop and issue the DOE Annual Site Environmental and National Environmental Standards for Hazardous Air Pollutants Reports
- Conduct and support cultural resource and environmental protection program workshops, lessons-learned programs and guidance and tools, including those related to implementation of environmental management systems requirements under the new Executive Order 13423 (Strengthening Federal Environmental, Energy, and Transportation Management) as well as those for continued compliance with environmental laws
- Continue supporting training for Nuclear Executive Leadership, Senior Technical Safety Managers, and Environment, Safety, and Health Project Managers
- Update, clarify and strengthen nuclear safety directives and guidance, including those addressing facility maintenance, operational readiness, and integration of safety into design of new facilities
- Maintain requirements for the Federal Technical Capabilities Program (FTCP) which supports the development of Federal personnel with the demonstrated technical capability to safely accomplish the Department's mission and discharge its responsibilities

DOE-Wide Environment, Safety, and Health Programs (\$3,575,000): DOE-Wide

Environment, Safety, and Health Programs support worker and nuclear facility safety, and protect the public and the environment. Activities under these programs develop state-of-the-art analysis tools and approaches specific to the nature and mix of radioactive, hazardous, and toxic

materials at DOE facilities. Efforts include construction safety; work planning activities, and techniques to identify, evaluate, and eliminate hazards; methods for reducing or eliminating release of pollutants; and the identification of technologies and innovative adaptations of existing practices. Over the past year, HSS has strengthened the DOE Voluntary Protection Program (DOE-VPP) by increasing the number of performance-based evaluations conducted at DOE sites by HSS. The FY 2009 budget request provides for HSS to:

- Continue providing assurance that worker radiation exposures are accurately determined through the DOE Laboratory Accreditation Program (DOELAP)
- Prepare the Annual DOE Occupational Radiation Exposure Report
- Work with DOE sites to increase the utilization of the DOE-VPP program to enable additional workers to benefit
- Promote pollution prevention through DOE Pollution Prevention (P2) Star Awards and improve pollution prevention data reporting and analysis
- Assist sites in maintaining safe operations throughout the life-cycle of their nuclear facilities
- Assist in the implementation of Environmental Management Systems (EMS); provide EMS Status Report to the U.S. Environmental Protection Agency
- Strengthen the implementation of the Enforcement Program by integrating enforcement protocols for both nuclear and worker safety and health
- Improve the Non-compliance Tracking System to strengthen report generation and address feedback received from end users

Corporate Safety Programs (\$8,289,000): Corporate Safety Programs serve a crosscutting safety function for the Department and its stakeholders by ensuring excellence and continuous

improvement in environment, safety, and health in the conduct of its missions and activities.

Elements that comprise Corporate Safety Programs include Performance Assessment, the Quality Assurance (QA) Program (which includes the Corrective Action Management Program [CAMP]), Filter Test Facility (FTF), the Facility Safety Program (which includes Accident Investigations and Corporate Safety Basis), Safety and Security Enforcement Program, and the Analytical Services Program. The FY 2009 budget request provides for HSS to:

- Strengthen trending and analysis of DOE's safety performance and report performance using the Corporate Safety Performance Indicators
- Communicate feedback and improvement information throughout the Department via the Operating Experience Program
- Continue improving the DOE QA Program through updated directives, assessments, technical assistance, and maintenance of the Corrective Action Management Program
- Consolidate the HSS QA mission and function into a single integral organization to better provide DOE with leadership in setting policy, developing directives, and providing assistance to Program and Site Offices as well as the contractor community in the consistent and effective implementation of QA across the Department
- Operate and maintain the High Efficiency Particulate Air Filter Test Facility
- Conduct Type A investigations for serious incidents and oversee the conduct of Type B investigations via the Accident Investigation Program
- Continue implementation of the Nuclear Safety, Worker Health and Safety, and Security Enforcement Programs

- Implement the Analytical Services Program by developing corporate-level environmental sampling protocols and conducting quality assurance audits of environmental laboratories used by the sites in support of environmental compliance programs
- Analyze the effectiveness of site suspect or counterfeit items programs and prepare the DOE Annual Suspect or Counterfeit Items Activities Report
- Participate in Operational Readiness Reviews and Readiness Assessments, and associated program training, at Category 1, 2, and 3 nuclear facilities prior to the startup or restart of those facilities
- Implement the Differing Professional Opinion program on technical issues related to environment, safety, and health activities
- Enhance management systems supporting employee assistance activities associated with employee concerns, workforce reliability, and violence in the workplace
- Continue support for the DOE Continuity of Operations program to ensure the Department meets its mission and maintains operational viability in an emergency impacting the National Capital Region
- Fund the Federal Energy Regulatory Commission to conduct periodic structural integrity inspections of DOE dams and other water retention/detention structures

Health Programs (\$47,559,000): Health Programs support domestic and international health studies including the Former Worker Program (a nationwide program of medical screening to identify work related health effects) and studies to investigate and identify work-related injury and illness in DOE workers and the public surrounding DOE sites. The benefits of these projects and programs include discovery and documenting health effect outcomes that provide the

scientific basis for national and international worker protection policy and standards. These radiation protection standards and practices, in turn, provide levels of protection appropriate for the risk posed to workers by hazards present at DOE sites. In FY 2007, 10,000 medical screenings were performed through the National Supplemental Screening Program and individual site-specific cooperative agreements managed by HSS. The same number of screenings is expected to be performed in FY 2008 and FY 2009. In FY 2008, HSS published a status report on the Former Worker Medical Surveillance Program and, in cooperation with the grantee service providers, initiated a review of the program to enable more former workers to receive program benefits. The FY 2009 budget request provides for HSS to:

- Continue implementing the Former Worker Medical Surveillance Program by conducting 10,000 medical screenings to identify potential health issues. This program has screened over 51,000 individuals to date and will continue its important efforts with greater coordination and outreach
- Provide rapid medical expertise, response, and physician training in response to accidental exposure to radiation via the Radiation Emergency Accident Center and Training Site
- Collect and analyze medical and industrial hygiene data on current workers exposed to beryllium, plutonium, and other hazards
- Implement the health-related aspects of the Human Reliability Program designed to ensure certain individuals who occupy positions affording access to certain materials, nuclear explosive devices, facilities, and programs meet high standards for trustworthiness, dependability, and physical and mental reliability
- Continue conducting studies to determine the effect of DOE operations on surrounding populations and communities

- Strengthen pandemic influenza preparedness planning
- Conduct international health and environmental monitoring programs associated with:
 - the atomic blasts above Japan - Radiation Effects Research Foundation
 - assist the Marshall Islands with resettlement, medical surveillance, and cancer treatment
 - the accidental dispersal of radioactive materials in Palomares, Spain (FY 2009 marks the end of the Department's financial commitment for this activity)
 - the health of workers of and communities near a nuclear weapons production facility in Russia

Employee Compensation Program (\$4,500,000): This activity funds DOE's efforts in support of the implementation of the Department of Labor (DOL) Energy Employees Occupational Illness Compensation Program Act (EEOICPA). DOE assists DOL, the National Institute of Occupational Safety and Health (NIOSH), and the Advisory Board on Radiation and Worker Health by providing access to all available records and information needed to support claims filed by DOE contractor employees, and to enable DOL to fulfill its responsibilities. In FY 2007, DOE responded to almost 18,000 record requests from DOL and NIOSH. The Department expects to receive this same level of requests in FY 2008 and FY 2009. The FY 2009 budget request provides for HSS to:

- Provide DOL, the NIOSH, and the Advisory Board on Radiation and Worker Health, access to all available records and information needed to support such claims in a timely manner
- Maintain continuous communication and coordination with DOL and NIOSH through weekly conference calls and periodic meetings with the President's Advisory Board on Radiation and Worker Health

- Work with line management to identify Field contacts to improve program implementation
- Increase efforts to recover records that potentially would assist workers / former workers in EEOICPA claims
- Support DOL initiative to develop a site exposure matrix detailing the hazards and potential resulting illnesses for each DOE site

Safety and Security Training (\$16,656,000): Funding supports development and maintenance of the proficiency and competence of DOE safety and security personnel through standardized training, education, and professional development services. Funding also provides for the conduct of workforce analyses and career development programs required for the protection of the environment, safety, and health of the public, the Departmental workforce, and critical assets and national security. The DOE National Training Center, in Albuquerque, NM, is the designated DOE Center of Excellence for safety and security training and the primary resource for performing these functions. In FY 2007, the NTC opened the Integrated Safety and Security Training and Evaluation Complex designed to replicate DOE facilities to provide students with hands-on, performance-based training in a simulated environment. In FY 2007 and 2008, the National Training Center developed and implemented safety and security professional development and executive leadership training programs. The FY 2009 budget request provides for HSS to:

- Increase focus on safety and security training interface, based on the safety and security expertise within HSS
- Enhance the Tactical Response Force courses by providing performance-oriented training
- Conduct professional development courses emphasizing leadership and management

- Conduct safety and security training needs assessment surveys to identify training requirements for new security and/or safety technologies
- Enhance safety training Department-wide by developing and presenting 10 new safety courses
- Expand safety awareness for the Department's senior executives through Nuclear Executive Leadership Training

Security Operational Support (\$12,652,000): Security Operational Support activities provide technical expertise to support the implementation of Department-wide security requirements. HSS initiated a review of all security and safety directives (orders and manuals) to identify drivers, eliminate unnecessary requirements, and shift toward performance-based requirements to provide meaningful, clear, concise directives that are not overly prescriptive or duplicative. HSS examined and evaluated innovative vulnerability assessment methodologies and techniques to update processes that result in a more effective evaluation of a site's security posture. The FY 2009 budget request provides for HSS to:

- Continue evaluation of the Design Basis Threat (DBT) Policy and security directives
- Enhance rules of engagement in support of force-on-force performance exercises and for response to security events
- Maintain the security aspects of the Human Reliability Program
- Continue support for sharing methods and products to satisfy regulatory security requirements through the Security Awareness Special Interest Group
- Maintain security-related data systems, e.g., Safeguards and Security Information Management System

- Continue support for the Foreign Ownership, Control or Influence and Foreign Visits and Assignments programs and associated data management systems
- Maintain the Nuclear Materials Management and Safeguards System (NMMSS) and other nuclear and radiological material tracking programs in support of DOE operations, international treaties, and Nuclear Regulatory Commission initiatives
- Continue implementation of the Elite Protective Force Initiative
- Provide risk management, vulnerability assessment, and security system performance evaluations, verifications, and validations for identification and clarification of threats to Departmental assets
- Continue technical enhancements to the security risk management framework and processes to promote cost-effective Departmental objectives

Headquarters Security Operations (\$25,509,000): Headquarters Security Operations supports the security protective force and systems designed to provide protection of DOE Headquarters facilities and assets. In FY 2007 and 2008, physical security barriers and equipment at Headquarters facilities located in Washington, D.C. and Germantown, MD, were enhanced. In addition, HSS has begun to replace and upgrade access control equipment to meet HSPD-12 requirements. The FY 2009 budget request provides for HSS to:

- Conduct physical protection and access control operations and programs for DOE activities in the National Capital Area (Washington, D.C. and Germantown, MD)
- Perform Technical Surveillance Countermeasures (TSCM) Program activities for DOE Headquarters and contractors in the greater Washington, D.C. area
- Maintain security alarms and access control systems

- Conduct security briefings for DOE federal and contractor employees; other personnel granted DOE access authorizations, and non-DOE personnel granted unescorted access to DOE Headquarters facilities

Security Technology Development and Systems Deployment (\$14,796,000): The Security Technology Development and Systems Deployment activity provides technology-based solutions to known security vulnerabilities throughout the DOE complex as an alternative to costly increases in manpower needed to implement the DBT Policy, and provides technologies to counter threats for which no current defensive capability exists. The activity identifies and evaluates commercial and military technologies to ensure that system performance is commensurate with operational safety and security requirements before such technologies are purchased and deployed to protect critical national security assets. Funding provides for the modification of existing technologies to meet site environmental and system operability requirements, deployment of technologies, training and technical assistance to meet security expectations in the most cost-effective manner possible. Funding also provides for deployment data generation and distribution, including safety and software certifications, performance test metrics, procurement and lifecycle costs, tactical impacts, training materials, and other lessons learned, essential for safe and effective deployment.

Classification, Declassification and Controlled Information (\$11,178,000): This activity ensures that the Department meets its statutory responsibility to implement the U.S. Government-wide program to classify and declassify nuclear weapons-related technology (e.g., Restricted Data and Formerly Restricted Data), and to implement the requirements of Executive

Order (E.O.) 12958 to classify other information that is critical to the national security (e.g., National Security Information). This program also identifies information controlled under statute to protect national security and other governmental, commercial, and private interests. Funding provides for the training and certification of DOE and other U.S. Government Department and Agency personnel. Funding also provides for the final review of classified DOE documents and documents with DOE equities from all U.S. Government Departments and Agencies requested under the Freedom of Information Act (FOIA) and under mandatory provisions of E.O. 12958 to ensure that classified and other controlled information is identified and protected from unauthorized release to the public. Other U.S. Departments and Agencies are prohibited from conducting such reviews under 10 C.F.R. Part 1045. In FY 2007 and 2008, significant reductions in the backlog of classification reviews of FOIA and mandatory requests were achieved.

Security Investigations (\$35,206,000): This activity manages funding for background investigations to provide access authorizations to DOE federal and contract personnel who, in the performance of their official duties, require access to classified information or certain quantities of special nuclear material. Background investigations are required by Section 145 of the Atomic Energy Act of 1954, as amended, and E.O. 12968, Access to Classified Information. The investigations are performed and access authorizations granted in accordance with 10 C.F.R. Part 710, *Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material*. Beginning in FY 2009, HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing

the additional funds. The centralized management of access authorizations and related data is performed in a cost-effective, efficient manner using electronic databases and Internet-capable tools that constitute the electronic DOE Integrated Security System (eDISS+). These electronic tools support and track the adjudication process from the beginning to the disposition of the access authorization request. Background investigations are performed by the Federal Bureau of Investigation (FBI) or the Office of Personnel Management (OPM), as required by law or DOE requirements. This activity also provides support for performing evaluations, preparation of decision packages and associated correspondence by the Office of Departmental Personnel Security. Professional level support is also provided to Headquarters Clearances adjudications (case reviews and analysis and conducting interviews), and other support such as court reporting and consulting physicians on an as needed basis.

Program Direction (\$99,597,000): Program Direction provides the salaries, benefits, travel, working capital fund and other related expenses for the 398 federal employees as well as other resources and associated costs required to support overall direction and execution of HSS programs. As a result of a skills mix evaluation and the use of early retirement and buyout authority, HSS has been able to reduce its FY 2009 FTE allocation by 39 compared to the FY 2008 level. Program Direction provides for implementation of independent oversight activities that evaluate the Department's performance in safeguards and security; cyber security; emergency management; environment, safety, and health; and other subject areas as directed by the Secretary and Deputy Secretary. Funding also supports the activities of the Departmental Representative (DR), which provides liaison support for DOE to the DNFSB. DR also provides the leadership necessary to maintain DOE's Facility Representative Program, a proactive

program focused on ensuring that work throughout the Department is accomplished in a safe and environmentally responsible manner.

Specialized Security Activities (\$162,926,000): Funding provides for the identification and communication of information necessary to ensure adequate protection of the Department's national security assets.

HSS Priorities

As the Chief Health, Safety and Security Officer, I am constantly aware of the vital role and significant responsibilities assigned to HSS to ensure the health, safety, and security functions of this Department. Last year when I testified before you, I identified priorities for HSS to ensure we meet our commitment to the Department and our Nation. We have remained focused on those priorities and will continue to pursue initiatives to further strengthen the Department's safety and security posture in FY 2009. Those priorities include:

- Continuing to improve the quality and timeliness of safety and security policies and requirements
- Enhancing worker health and safety based on priorities developed from operating experience, health studies and surveillance data, independent oversight results, enforcement activities, and stakeholder feedback
- Improving Federal expertise in the area of line management oversight of field operations
- Improving issues management to provide a foundation for continuous improvement and preventing recurrences of adverse events
- Improving worker health, safety, and security interface

- Continuing to lead and coordinate Departmental efforts in the deployment and evaluation of security technologies with the support of Departmental organizations to provide cost effective solutions for implementing the Design Basis Threat Policy and necessary security enhancements
- Strengthening the management and delivery of the Former Worker Medical Screening and EEIOCPA programs
- Continuing and enhancing independent oversight and enforcement activities

Concluding Remarks

Madam Chairman and members of the subcommittee, the Secretary of Energy created HSS to strengthen the worker health, safety, environment, and security functions within the Department. Since its creation 18 months ago, HSS has received strong and continuous support from the Secretary, the Deputy Secretary, and others in the Department's leadership. We have made significant strides towards improving the health, safety, environment, and security functions of the Department including better alignment of responsibilities associated with these functions. We are confident that with the continued support of DOE management, our stakeholders, and Congress, we can expand on the accomplishments and further strengthen the Department's health, safety, environment, and security functions. This will result in increased assurance that all DOE workers, the public, and our national security assets are both safe and secure.