

Opening Statement of the Honorable Cliff Stearns
Subcommittee on Oversight and Investigations
Hearing on “DOE’s Nuclear Weapons Complex: Challenges to
Safety, Security, and Taxpayer Stewardship”
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(As Prepared for Delivery)

Today the Subcommittee on Oversight and Investigations will review challenges to safety, security, and taxpayer stewardship in the Department of Energy’s nuclear weapons complex.

DOE is responsible for securing and maintaining the most dangerous materials on the planet, including nuclear warheads. This is one area that must have effective oversight.

This committee, principally through the work of this subcommittee, has a long history of bipartisan scrutiny of DOE’s oversight and management of the contractors that are charged with running DOE’s nuclear weapons programs and operations. And the lessons from our committee’s past investigations and related GAO, Inspector General, and DOE oversight reports should guide our bipartisan review of the current situation.

Chief among these lessons is that independent and effective oversight is essential. The safety and security risks involved in overseeing the nation’s nuclear facilities are enormous and this committee must be vigilant about maintaining the exhaustive oversight that the committee has traditionally wielded in this area.

DOE, through its National Nuclear Security Administration (NNSA), manages programs that involve high-hazard nuclear facilities and materials; the most sensitive national security information; and complex construction and environmental cleanup operations that pose substantial safety, public health, and environmental risks. Interestingly, all of these programs are carried out by contractors – both at the national labs and at DOE’s weapon production facilities.

These contractors and their federal managers – spending billions of taxpayer dollars on dangerous nuclear projects – require rigorous oversight. Today we will review what DOE has done in recent years to reform its oversight and program management. I welcome our witnesses from DOE, the DOE Inspector General, and GAO, who will assist us in examining this issue.

When government vigilance is not sufficiently rigorous, problems occur. A case in point is the recent security failure at the Y-12 National Security Site in Oak Ridge, Tennessee, this past July. By all accounts, contractor and site managers’ failures at Y-12 allowed one of the most serious security breakdowns in the history of the Weapons Complex.

But Y-12 is but the latest in a string of failures. Over the past decade we have seen security breaches and management failures at Los Alamos National Laboratory, in New Mexico. GAO testimony will remind us of one five-year period, after 9/11, in which 57 security incidents occurred, more than half of which involved the confirmed or suspected release of data that posed the most serious rating of threat to U.S. security interests.

In another example, investigated by this subcommittee in 2008, the Lawrence Livermore National Lab gave itself passing marks on its own physical security. And the NNSA federal on-site managers gave it passing marks too. Only when DOE’s Office of Independent Oversight actually tested the security independently was it evident that the lab deserved the lowest possible ratings for protective force performance and for physical protection of classified materials.

On the safety front, the experience has been no better. From 2007 to 2010, Lawrence Livermore lab had multiple events involving uncontrolled worker exposures to beryllium, which can cause a debilitating, sometimes fatal, lung condition. During this period the lab determined it was compliant with DOE’s

beryllium safety regulations. It took an independent department oversight review to determine that the contractors program violated the regulations.

This past May, the DOE Inspector General reported that Sandia National Laboratories had not held its line managers accountable for implementing an important system for preventing and reducing injuries. Neither the contractor nor the federal site managers had addressed problems that had been identified in this program for more than a decade.

For more than twenty years, GAO has designated DOE contract management and oversight relating to the weapons complex as high risk for fraud, waste, abuse, and mismanagement. We have seen examples of this in multi-billion dollar cost increases and schedule delays in important NNSA construction projects.

In the meantime, directors of the national laboratories and others claim that federal oversight is too burdensome and intrusive, that DOE should back off and let the contractors operate as they see fit. Our friends on the Armed Service Committee have moved legislation through the House that would dramatically limit DOE's ability to conduct independent internal oversight over its program management and the contractors.

I recognize that NNSA has not been delivering all that is expected of it. But this committee, given its jurisdictional and long-time policy interests in effective DOE management, has to diagnose the problems for itself, independently. We need to examine the facts and follow the evidence, identify what works and what doesn't work. And identify a clear path to ensuring safe, secure operations, in interests of taxpayers and national security.

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