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**FOR THE HOUSE SUBCOMMITTEE ON NATIONAL SECURITY,**
**EMERGING THREATS, AND INTERNATIONAL RELATIONS**
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Mr. Chairman and Subcommittee Members,

Thank you for the opportunity to offer my views on whether Department of Energy Office of Energy, Science and Environment (DOE/ESE) protective forces are sufficiently trained and equipped to meet the terrorist threats identified by the intelligence community. Additionally, I have been invited to provide a contractor's assessment of whether DOE/ESE is providing adequate resources for implementation of measures to deal with the 2004 Design Basis Threat (DBT).

To provide some context for my perspectives, it should be noted that my views are shaped by my 14 years experience as a DOE protective force manager, and 26 years as an Army officer. Until recently, I served as Senior Vice President and General Manager, Wackenhut Services, Inc. – Savannah River Site (SRS), one of the five sites reviewed in the GAO DRAFT report (GAO-05-611), *Nuclear Security: DOE's Office of Energy, Science and Environment Needs To Take Prompt, Coordinated Action to Meet the New Design Basis Threat.* I served for more than 12 years in that position and came to SRS from the Department of Energy's Pantex Plant where I served briefly as the Protective Force Manager. My 26 years in the Army included service in three armed conflicts -- Vietnam, Operation Just Cause in Panama, and Operation Desert Storm in Iraq. I commanded an elite military force during the last two combat tours.

My invitation to testify requested that I focus my testimony on the previously mentioned GAO Draft report. Essentially, the report provides a thorough review of DOE protective force preparedness and offers a balanced assessment of their readiness to defend DOE sites. The report's conclusions that protective forces "generally meet existing key DOE readiness requirements" and "comply with DOE standards for firearms proficiency, physical fitness levels, and equipment standardization" are accurate ones. The GAO team's approach to identify possible weaknesses which, if corrected, could enhance our protective forces' ability to defend against the 2004 DBT is a valid one.

Let me say up front, for the record, that our protective forces are well-trained, as groups are as capable as any of the military forces with which I have served, and are motivated to further hone their tactical skills. In fact, the majority of protective force officers with

whom I am familiar come from a military or law enforcement background and bring with them the skills that are necessary for the protection of our national security. Anecdotally, the winner of two recent national-level tactical competitions comes from a DOE/ESE site. In these competitions, they scored consistently higher than military, law enforcement and federalized forces in tests of shooting, physical fitness and tactical skills.

Given that as a backdrop for my testimony, I would note that no matter how capable we might be today, we ought to work to be better than we are. To that end, I offer my views on four areas addressed in the GAO draft report: training, the conduct of force-on-force exercises, equipment, and transformation to an "elite force."

**TRAINING**

The report notes that most protective force officers (74 of 105) "are not at all confident in their current ability to defeat the new threats contained in the 2004 DBT." In fact, there is no expectation that today's protective force will absolutely prevail against the more substantial 2004 DBT until implementation is completed at the end of FY 2008. Nevertheless, these officers and their leaders are trained, motivated and capable of protecting DOE assets against the adversary force they have been trained to defeat.

The report also notes that a very large fraction of officers interviewed (85 of 105) identified deficiencies with their training, especially regarding the "frequency and quality of firearms and tactical training." However, a review of training records by the GAO team indicated that the majority of officers (79) met their weapons qualification requirements within the required time period and an additional 8 officers met their requirements shortly thereafter, due primarily to the closure of a site's firing range during an incident investigation. While additional training is certainly more desirable, the current duration and frequency of live-fire training provides our officers the skills necessary to successfully engage adversaries. For example, the SPO II's at SRS not only undergo 16 hours of firearms qualification training per year (8 hours each, semi-annually), but an additional 16 hours of live-fire training involving Situational Training Exercises (STX's). This quality training includes lateral and diagonal tactical movement through tactical lanes, two-officer fire team training, downed officer rescue, wearing the protective mask while engaging targets with both rifles and handguns, both daylight and low-light shooting and obstacle negotiation among other various firearms skill tests. Our SPO III's (special response team members) receive significantly more firearms training than noted here. In short, our officers receive their required semi-annual qualification training, but also "above-the-line" live-fire training that requires them to shoot on the move as fire teams in challenging situations.

Perceived shortfalls in the frequency and quality of tactical training, apart from firearms training, are being overcome. A recommendation by the Office of Security and Safety Performance Assurance (SSA), supported by ESE, was made in August 2004 to "eliminate the remaining vestiges of the old industrial security/law enforcement Protective Force model and replace them with a military base defense model, supported by appropriate unit organization and training." Since that time, sites have been

aggressively pursuing tactical training and SSA is testing against tactical standards in their field assessments. At SRS, for example, all SPO II's receive a total of 30 hours of tactical training (in addition to live fire training) and those SPO's assigned to sensitive facilities will receive 105 hours of tactical training in FY 06. Such training includes team training in shooting, moving and communicating; employing modern training technologies such as man-on-man engagements with dye-marking cartridges and Engagement Simulation System lasers; employment of optical aids such as thermal imaging and advanced rifle scopes; night-fighting, recapture operations; and donning and fighting in chemical and biological personal protection equipment. Officers report that they are challenged and highly motivated by such training and there are noticeable improvements in individual and unit skills.

## FORCE-ON-FORCE EXERCISES

Force-on-force exercises are the crucible for protective force training. They test individual and team tactical skills, command and control capabilities, communications, and total systems effectiveness. Consequently, these exercises are the best test of force readiness. At the same time, these are substantial undertakings because they are expensive ($15 – 80K per iteration, depending on the complexity of the facility/system being tested), require months of planning, and present potential safety hazards.

The GAO report identified two issues associated with force-on-force exercises:

1) Only 46 of 84 protective force officers who had participated in such exercises believed that they were either realistic or somewhat realistic.
2) DOE does not have a requirement for individual officers to participate in these exercises, nor is there a requirement that sites track individual officers' participation.

With regard to the realism of force-on-force exercises, some clarification is required as to what the surveyed officers meant. For the 38 officers who believed that force-on-force exercises were not realistic, were they of the opinion that these exercises were overly conservative (i.e. the adversaries demonstrated less of a capability than could realistically be expected), or that the adversaries' capabilities were so substantial as to not be credible?

Relatedly, the GAO team found that 33 of 84 officers reported that safety considerations interfered with the realism of the exercises because they were limited in the tactics they could employ (e.g., exceeding the speed limit in patrol vehicles, not climbing fences, or not being able to run in certain areas). To some degree, these officers' perceptions are correct. Typically, "safety walk downs" are conducted in an exercise area prior to the conduct of an exercise to identify potential hazards to participants. Subsequently, control measures are identified and implemented to reduce the probability of injury or even death. Therefore, the realistic conduct of an exercise may be somewhat attenuated by these precautions. What may be shaping our officers' perceptions is the appearance of safety personnel having veto authority over security planning. What DOE/ESE and

protective force managers must ensure is that there is a balance between safety and security considerations when planning force-on-force exercises.

The second issue raised with regard to these exercises is the lack of a requirement for individual officer participation in major force-on-force exercises, or a requirement for sites to track such participation. This finding is accurate as there is no such policy requirement. Site security contractors do maintain training records for officer participation in individual training, but have not done so for individual officer participation in unit training during force-on-force exercises. DOE shares the GAO's concern about officer participation in force-on-force and other tactical training with some degree of regularity and is developing appropriate policy changes. As a practical matter, at least two of the five sites surveyed by the GAO now record protective force member participation in force-on-force exercises.

As DOE considers relevant policy changes, I would recommend that training records be maintained on team or unit participation in force-on-force exercises. As we work to build unit cohesion in an elite force (see later testimony), we should measure unit effectiveness in training. Military units maintain records on unit participation in major training exercises and their associated success or failure. As DOE protective forces have a paramilitary mission, we should adopt similar policies. In short, individual training records should reflect participation in *individual* training and unit training records should record the results of *unit* participation in major exercises.

## EQUIPMENT

The GAO report concluded that the five ESE sites visited had the equipment necessary to "generally" meet the readiness requirements contained in DOE orders and federal regulations. They did, however, find some weaknesses that they believe could adversely affect the ability of ESE forces to defend their sites. Among these weaknesses were the lack of dependable communications systems; insufficient protective gear, including protective body armor and chemical protective gear; and the lack of armored vehicles.

Following the issuance of the 2004 DBT, the Office of Security and Safety Performance Assurance (SSA) initiated Site Assistance Visits (SAV's) to assist sites in meeting the increased requirements of the new postulated threats. Reportedly, four of the five ESE site examined by the GAO team received these visits. These substantive visits by SSA included subject matter experts who evaluated response plans in preparation for the new DBT, advised on the applicability of new and emerging security technologies, and offered equipment recommendations. Since that time, sites have modified equipment lists to better meet 2004 DBT challenges

Some of the equipment shortcomings cited in the GAO report are resource-driven and are in the process of being fixed with DBT funding based on priorities. At SRS, for example, some armored vehicles are on station with more to follow. They were not on site when the GAO team did their assessment. Advanced weapons systems have also been

procured and others are in the procurement system. Comments on other equipment issues follow:

*Communications Equipment.* The GAO report indicated that 66 of the 105 protective force officers reported that they did not always have dependable radio communications, with 23 officers identifying sporadic battery life and 29 officers reporting poor reception at some locations on site. Communication upgrades at one site now provide for higher capacity nickel metal hydride batteries in portable radios. Transitioning to state-of-the-art lighter, smaller portable radios has also resulted in a better service history. However, there are still a limited number of communication "dead spots" which cannot be technically overcome because of the nature of the structures in which Special Nuclear Material is stored. To overcome this problem, officers are trained on the location of these poor reception areas and alternate means of communication are made available to include hard-wired "ring down" phones and PA systems.

*Individual Protective Gear.* Protective gear, including protective body armor and chemical protective gear are absolute necessities for the threats our officers face not only under the 2004 DBT, but also under the current postulated threat. At the one site where most Security Police Officer II's had not been issued body armor and had received a waiver for that requirement, testing and procurement actions for body armor are now taking place. Equally important is the necessity for Security Police Officer II's to be able to fight in chemically contaminated environments. Security Police Officer III's at all surveyed sites were equipped to operate and fight in such environments, but all SPO II's were not. I certainly agree with the GAO team's conclusion that both protective masks and special protective suits be available to all officers who are expected to fight in chemically contaminated environments.

*Armored Vehicles.* The report notes that only a single ESE site, as opposed to all NNSA sites, with Category I Special Nuclear Materials has armored vehicles. The report also correctly notes that there is no DOE requirement for such vehicles. The DOE rationale for this policy is that armored vehicle use and employment must be tailored to the protection strategy for a particular facility. I agree with that approach. Armored vehicles are a mobile fighting platform which may or may not be appropriate for certain kinds of targets, and their employment should be based on a terrain analysis. At the Savannah River Site, no armored vehicles were available at the time of the GAO review, but are now on station.

## TRANSFORMATION TO AN ELITE FORCE

Of the areas addressed in the GAO report, this effort may be the one with the greatest potential for enhancing protective force readiness and capabilities. The report notes that "to successfully defend against the much larger terrorist threat contained in the 2004 DBT by October 2008, DOE and ESE officials recognize that they need to take several prompt and coordinated actions," to include the transformation of current protective forces into an "elite force." The former Secretary of Energy proposed in May 2004 that this force be patterned after the U.S. military's special operations forces (e.g., Army

Rangers and Navy SEALS). These special operations forces have as their primary mission the destruction of targets through rapid deployment, stealth, and violent execution of operational orders. Conversely, protective forces have as their primary mission the defense of critical DOE assets. Therefore, it is now commonly understood that the Secretary meant that DOE protective forces ought to be as well-prepared to perform their mission (defense) as special operations forces are to perform theirs (destruction).

I would point out that "elite" forces already exist within the Department of Energy. Sites with SPO III's have forces which must meet increased standards for weapons qualification and fitness, receive increased tactical training, and are generally incorporated as the ultimate force option in response plans. Therefore, in my view, transforming existing forces to an "elite force" translates to raising the standards for SPO III's to an even higher level and enhancing the existing capabilities of SPO II's.

It should be noted that while this transformation is clearly desirable to provide a substantial defense and higher levels of confidence in defending DOE targets, current DBT implementation plans do not require the establishment of elite forces beyond additional numbers, training, and weaponry. Nevertheless, both DOE officials and contractor security managers have ongoing actions to improve the capabilities of our protective forces. The Office of Security and Safety Performance Assurance is currently defining the requirements for an elite force to protect DOE's most critical assets, and identifying the necessary policy changes to create and sustain such a force through a Force Management Advisory Team (FMAT). The FMAT is comprised of subject matter experts from throughout DOE and supporting contractor organizations. Similarly, contractor protective force managers have initiated efforts to increase tactical training and raise performance standards for protective forces at DOE/ESE sites.

Currently, protective force contractors are moving existing, or "legacy," forces to a more capable "interim" force with resources currently available. Understanding that we are moving away from an industrial /law enforcement protective force model to a military "base defense" model, training resources are being effectively redirected to improve the tactical capabilities of our forces. For example, we have been able to accomplish this at the Savannah River Site by increasing tactical training hours and instituting a training relief shift.

While substantive efforts are underway to move our legacy force to an interim force with enhanced tactical capabilities, there are certain policy and regulatory issues which must be dealt with to achieve the objective "elite" force. These follow:

*Physical Fitness Standards.* The level of physical fitness of a security force has a direct impact on the operational readiness and the ability of a unit to fight and win. Existing DOE protective force fitness and, relatedly, medical standards can be improved upon to support the creation of an elite force.

A military-type physical fitness test should be the standard by which individual readiness is measured for those forces designated as "elite" forces. For example, the Army Physical Fitness Test is a validated, three-event physical performance test that measures muscular endurance and cardio-respiratory fitness levels. It is easily administered, age- and gender-specific, and battle tested. This standard results from world–class research and analysis by physicians and fitness specialists who comprise the Army Physical Fitness Board. The type of rigor associated with elite force standards stresses the body in wear and tear and, hence, a graded scoring scale based on age and gender is appropriate for our purposes. Adoption of the Army standard, or one similar, would require little or no further analysis by DOE. Additionally, these standards are likely to be defensible if legally challenged because there is a precedent (the military), and there is no adverse impact on protected classes (primarily female protective force officers). While we are likely to hear arguments for a single standard (SPO's should be held to the same standard for the same job), adopting military standards to accomplish a paramilitary mission should be legally defensible. To accomplish this regulatory change, the Code of Federal Regulations would have to be modified to adopt military standards as the DOE fitness standard for those forces designated to protect selected categories of Special Nuclear Material.

*Height and Weight Standards.* DOE policy should incorporate height and weight standards for DOE protective forces to enhance operational readiness. Overweight SPO's simply do not have the wherewithal to conduct tough, demanding tactical training and are more prone to injury. Individuals with excessive body fat reflect a lack of personal and organizational discipline, and negatively influence organizational character and morale. A strong deterrent to an adversary force is the appearance of a tough, professional security force prepared to violently execute response plans.

To improve force capabilities, DOE should adopt a body composition program that includes height, weight, and body fat standards. Once again, the Army uses an age- and gender-specific height and weight screening table to delineate their standards. The Army accounts for differences in body composition (e.g., as with weightlifters) by allowing those over the screening weight table to have an allowable percentage of body fat. DOE could adopt a similar program to enhance force readiness.

*Safety Performance Expectations.* Protective force officer participation in rigorous training while routinely meeting challenging performance standards will require DOE/ESE to reassess safety performance expectations. Comparing protective force injury rates against those of site operating contractors will create an unfair, biased comparison. New DBT requirements necessitate the safe integration of state-of-the-art security and military technology into nuclear facility operations. New training programs to support remote weapons systems, explosive capabilities, and shoot-on-the-move tactical training courses are becoming a routine part of protective force training. The aggressive nature of elite force, tactically-biased training will require a new baseline of protective force safety performance expectations.

Elite forces in the U.S. military special operations community undergo tough, challenging training. Their accident and injury experience are more likely to be akin to elite protective force training than that of DOE site operating contractors. Benchmarking the safety performance of military special operations forces and training programs will likely provide reasonable baseline expectations for the DOE/ESE elite force.

*Uniform Benefit and Retirement Plan.* One of the most critical components in transforming the legacy force into an elite force is the ability to effectively cycle human capital. As physical standards and training requirements are raised, the ability to efficiently replace protective force officers who can no longer meet elevated standards will be a critical system feature. The military model offers a 20-year retirement with medical benefits to support the cycling of personnel through military units. The DOE will have to examine the potential for twenty-year and medical retirement benefits to provide for effective exit options for elite force personnel when they can no longer meet standards.

The military model promotes a strong sense of loyalty as foundational to its elite forces. That loyalty is established on the premise that the payoff for training hard, regularly demonstrating your capabilities, and standing ready to make the ultimate sacrifice is rewarded with a graceful way out for those who have served honorably. Absent such a mechanism, the elite force human capital cycle will develop a bottleneck of employees who do not have a viable "way out" and who can no longer meet tough standards. While there may be significantly increased costs associated with such a plan, DOE should consider the creation of a universal retirement and medical benefit plan that will promote the maintenance of an elite protective force.

## CONCLUSIONS

DOE/ESE protective forces are sufficiently trained and equipped to meet existing DOE readiness requirements. Site implementation plans identifying how sites will meet the increased challenges presented by the October 2004 DBT are being provided to DOE/ESE by the end of July 2005. Meanwhile, the ESE site for which I had security responsibilities (Savannah River Site) is providing the necessary resources to support the phased implementation of measures to meet October 2004 DBT protective force requirements. Of course, funding for the out years must provide for adequate resourcing of requirements identified in the implementation plans.

The protective force training programs with which I am familiar have been well-planned, aggressive, and performance-oriented. Training and equipment shortfalls identified in the GAO DRAFT report (GAO-05-611), *Nuclear Security: DOE's Office of Energy, Science and Environment Needs To Take Prompt, Coordinated Action to Meet the New Design Basis Threat,* have been corrected or will be corrected in the near term.

The continued development of an elite force will do much to counter the increased threat addressed in the October 2004 Design Basis Threat. I am aware that the Office of Security and Safety Performance Assurance, supported by ESE, is currently working to

revise existing DOE protective force policies and practices to facilitate movement from an interim force to the objective elite force. In my view, the most pressing policy needs relate to:

- Physical fitness standards
- Height and weight standards
- Safety performance expectations, and
- A uniform benefit and retirement plan

While addressing these issues will clearly enhance our force readiness, I have confidence in our protective forces' ability to counter today's threat. Simply stated, I am as proud to serve with these forces as I was to serve with America's sons and daughters in my military experience.

Thank you, Mr. Chairman, for the opportunity to appear before this Subcommittee today and offer my views on DOE/ESE protective force readiness.

Very respectfully,

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