

STATEMENT OF
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ACTING UNDER SECRETARY, ENERGY, SCIENCE AND ENVIRONMENT
DEPARTMENT OF ENERGY
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Introductory Remarks

Mr. Chairman and members of the subcommittee, I want to thank you for inviting me to testify today regarding implementation of the Department of Energy's May 2003 Design Basis Threat at Energy, Science, and Environment sites. Our primary roles and missions include pursuing basic and applied science in the nation's interest, remediating the environmental legacy left us by weapons production and other national security pursuits during the Cold War era, protecting the nation's environmental quality, ensuring that current Department of Energy operations do not create unnecessary hazards to the health and safety of our workers and the public, and ensuring that the unavoidable hazards we must accept are mitigated by effective environmental, safety, and health programs. Let me emphasize, however, that although we at Energy, Science, and Environment have these important responsibilities in areas of national priority, we do not take our security responsibilities lightly. We understand that our operations must be conducted safely and securely. We are fully aware of the challenges presented by the current threat environment and the considerable potential risk to our facilities, assets, and personnel. Everyone in Energy, Science, and Environment having security responsibilities – from myself to our individual employees – is aware that we live in dangerous times and that we have custody of particularly sensitive information, materials, and facilities that must be protected from a range of potential adversaries. The Secretary, Deputy Secretary, and I are committed to meeting our protection

challenges and we have provided the impetus for numerous improvements in our protection programs, some of which I will discuss in this testimony.

The Subcommittee has asked that we specifically address Energy, Science, and Environment processes for developing and evaluating the 2003 Design Basis Threat implementation plans, the status of implementation efforts at Energy, Science, and Environment sites containing Category I quantities of special nuclear material, and cost estimates for complete implementation of the Design Basis Threat at these facilities. The Subcommittee has asked that I focus on these three specific issues as they relate to the General Accounting Office's report: *Nuclear Security: DOE Needs To Resolve Significant Issues Before It Fully Meets the New Design Basis Threat*.

Let me begin by reminding you that Energy, Science and Environment has four sites with Category I quantities of special nuclear material: the Hanford site near Richland, Washington; Idaho National Engineering and Environmental Laboratory; Oak Ridge National Laboratory in Tennessee; and the Savannah River Site in South Carolina. The Category I special nuclear materials at each of these sites are located in robust storage facilities; however, we continue to actively seek effective and efficient ways to further consolidate and protect that material. For example, at Hanford, by 2007 we plan to have Category I material either be moved to another storage site at Hanford or, preferably, transported to a long term storage site elsewhere. At Oak Ridge National Laboratory, we currently plan to begin processing and down blending special nuclear material in 2007, and to have all Category I material removed by 2011. Our Office of Nuclear Energy, Science, and Technology is investigating the possibility of starting this down blending effort in 2006, which would provide a commensurate earlier completion date.

Let me address the GAO recommendations, in turn, with specific reference to these four sites. The first recommendation involved evaluating the cost and effectiveness of existing security conditions (SECONS) implemented at ESE sites in conformance with *DOE Notice 473.8 Security Conditions*. Every DOE site, including ESE sites, has been operating at an enhanced level of security readiness since 9/11. The DOE Notice mandates implementation of specific security enhancements associated with each DOE SECON level. SECON levels, in turn, reflect the current national threat advisory level set by the Department of Homeland Security as well as any specific threat information associated with a particular DOE site. The actual site response to a given SECON level is dictated by an approved SECON plan for that site. At the time GAO was collecting data for the referenced report, ESE sites had not yet specifically analyzed the added benefits of the security enhancements implemented under the various SECON levels. Since that time, ESE sites possessing Category I special nuclear materials have conducted additional vulnerability assessments that explicitly examined the enhancements associated with the SECON level that has become routine over the past three years – SECON 3. In general, the results indicate that the enhanced security measures associated with SECON 3 provide additional security against certain types of adversary actions, such as adversary infiltration of the site and covert introduction of large vehicle bombs onto the site. As we have studied the implementation of these enhanced protection measures at our sites over the past three years, we have identified a number of approaches to refine the initial, manpower intensive responses that we made immediately following 9/11. We continue to identify opportunities to increase the effectiveness and efficiency of enhanced security measures by enhancing access control, barrier, detection, and

assessment technologies with respect to manpower-intensive measures such as stationing additional protective force members to examine every badge as individuals make routine entry.

The second, third, and fourth GAO recommendations involved a reexamination of the May 2003 Design Basis Threat. Specifically, they addressed the approach used to develop the revised DBT, the approach used to address improvised nuclear devices, and the appropriateness of the protection criteria used for radiological, biological, and chemical sabotage. On May 6, 2004, the Deputy Secretary directed the National Nuclear Security Administration (NNSA) and the Office of Security and Safety Performance Assurance (SSA) to review the 2003 Design Basis Threat, with particular emphasis on the GAO recommendations, to determine whether changes are needed. ESE will actively participate in this reexamination effort and I will personally monitor this effort to satisfy myself that it produces a Design Basis Threat based on documented analyses of the best available intelligence information. I feel confident that this effort will be fully responsive to the GAO concerns, and I assure you that ESE will support and implement any requirements that may result. I understand that Mr. Podonsky, the SSA Director who is also to testify today, will have further details for you concerning that review.

The fifth and sixth GAO recommendations involved implementation of the requirements of the 2003 DBT. Implementation plans have been prepared for each of our ESE sites possessing Category I quantities of special nuclear material. These plans have been reviewed and approved by the respective program offices, and they currently are being examined by the Office of Security. As the GAO report points out, these plans include very aggressive completion schedules to allow all sites to be in compliance with the May 2003 DBT by the end of FY 2006.

We have already identified funding to support these plans in FY 2004 and FY 2005, and we are now preparing our FY 2006 budget, which will reflect the funding needed to complete all necessary actions by the end of FY 2006. Of course, these plans are based in part on some key assumptions and upon studies and analyses that are not yet complete. For example, the current goal at Hanford is to remove all Category I and II special nuclear material from K-Basin, the Fast Flux Test Facility, and the Plutonium Finishing Plant by the end of FY 2006. The material to be removed from K-Basin and the Fast Flux Test Facility is planned to be processed on-site to prepare it for long-term storage and disposal. Some of the special nuclear material currently stored at the Plutonium Finishing Plant will either be moved to another storage site at Hanford or, preferably, transported to a long term storage site elsewhere. At the Savannah River Site, the implementation plan envisions further consolidation of special nuclear material on-site in some cases, and, in other cases, limited processing of the material to enable concentration of Category I and II special nuclear materials into those storage facilities that are most robust to resist incursions. At Oak Ridge National Laboratory, we are taking advantage of technical support offered by the Office of Security to identify cost-effective security measures that can support the limited processing effort required to down-blend and relocate the special nuclear material in our remaining Category I facility at that site. I believe that the assistance provided by the Office of Security will allow us to apply innovation and technology to achieve our operational and security goals, rather than just relying on manpower intensive protective force solutions. This is especially important at a site like this, where enhanced security measures will be required only for a limited time preceding the decommissioning of the facility. So, while our implementation plans are based on the best currently available information and projections, we understand that we must remain alert to conditions that may affect those plans, and we must maintain the

flexibility to implement any modifications to the plans that may be necessary to ensure that we meet our established implementation goals.

A new factor that will have some impact upon the level of protection at some ESE sites is the classified April 5, 2004, memorandum from the Deputy Secretary entitled, “*Results of the Design Basis Threat Annex Special Evaluation Team.*” This memorandum directed a change of protection strategy for some storage locations at some of our facilities. Our sites that are affected by this requirement are conducting vulnerability analyses to fully analyze its implications, but the final results, including the impact on funding projections, are not yet available. However, the Department remains committed to our goal of fully implementing the May 2003 DBT by the end of FY 2006, and will work to incorporate changes dictated by this new requirement into ESE implementation plans.

The final GAO recommendation concerns the required quarterly DBT implementation plan status reports required by the Deputy Secretary and the identification of any ESE facilities that are currently considered to be at high risk under the new DBT. With regard to the quarterly reports, I will be receiving those as required from my program offices, as will the Office of Security. I can assure you that should any of those reports reflect any significant deviations from critical milestones, I will immediately take actions necessary to address those deviations. I will also rely on the Office of Security to review those reports and to advise me of any potential concerns that they may identify. Mr. Podonsky has assured me that he is prepared to offer any technical assistance we may require to keep these projects on track.

With regard to high-risk facilities, no ESE facility is currently considered to be at high risk under the new DBT. While we have identified a number of permanent security enhancements that we will work to implement, we have already applied compensatory measures where necessary to maintain acceptable levels of risk until those permanent enhancements are complete.

I now want to depart somewhat from the specifics of the GAO report to provide a more comprehensive overview of our strategy for improving security at ESE sites. In his speech on May 7, 2004, Secretary Abraham announced 14 security initiatives. I want to focus especially on some of them that are closely aligned with ESE strategic objectives – consolidation of special nuclear materials, increased use of security technologies, and the initiatives concerning cyber security.

Consolidation of special nuclear materials is a keystone of ESE's overall mission, as well as of our plans to implement the new DBT. The Office of Environmental Management, in their role of managing the accelerated cleanup of sites no longer needed by the Department, is focused upon the removal of all special nuclear materials from a number of facilities, including the Hanford Site K-reactor basins, Fast Flux Test Facility, and Plutonium Finishing Plant, and the F-Canyon and FB-Line at the Savannah River Site. We have already successfully demonstrated our ability to consolidate materials at the Rocky Flats Environmental Technology Site in Colorado and at other sites. In fact, ESE has led the way and has been the backbone of material consolidation in DOE. We need to do more, of course. For example, we must continuously examine our programs to ensure that we do not continue to store special nuclear materials in quantities exceeding mission needs. I assure you that I will continue to focus on identifying opportunities

to further consolidate special nuclear materials at our sites and to reduce the number of Category I and II storage sites.

I share Secretary Abraham's belief that we can improve the effectiveness and efficiency of our protection systems through the intelligent application of security technologies that provide force multipliers for our protective forces and reduce our reliance on manpower-intensive solutions to protection requirements. I previously mentioned our current efforts to do just that with our project at Oak Ridge National Laboratory involving the assistance and cooperation of the Office of Security. I support the Secretary's security technology initiative, and ESE intends to mine the results of the Blue Sky Commission's efforts and the results of other technology development efforts to select technologies that are appropriate for the protection systems at our sites.

The Secretary announced three initiatives aimed at improving the Department's cyber security posture: expanded cyber security performance testing by SSA's Office of Independent Oversight and Performance Assurance; various enhancements in cyber security policy, network intrusion detection systems, and dissemination of critical cyber threat information; and a technology initiative aimed at developing diskless workstation technology to a level that can support the most intensive scientific calculations. I am excited about these initiatives. Cyber technology is at the core of much that we do at ESE. I am pleased to tell you that we had made strides in some of these areas even before the Secretary announced his broader initiatives. In particular, we have been working with the Office of Independent Oversight and Performance Assurance for almost a year in a program involving enhanced cyber security testing of Office of Science facilities. We have had very positive results from this effort and have identified and corrected a number of

potential vulnerabilities in our unclassified cyber systems. This effort is ongoing and we continue to profit by it. We look forward to better communications and refined and clearer policy that supports more effective identification and implementation of cyber security programs at our laboratories and other facilities. Finally, we recognize the importance and security benefits of establishing diskless environments for our classified networks, as appropriate technology becomes available. Overall, we are supportive and enthusiastic participants in the Secretary's cyber security initiatives, and will continue to push forward in this area.

In conclusion, I want to assure you, Mr. Chairman and Members of the Subcommittee, that my colleagues and I at ESE are fully aware of the tremendous responsibility we have for protecting the special nuclear materials, information, and other national security assets residing at our facilities. Since 9/11 we have worked to improve the robustness and effectiveness of our protection programs, and we believe we are successfully meeting the challenges associated with implementing the new DBT. However, I also want to assure you that we fully understand that we cannot rest on our laurels or be satisfied with our recent accomplishments. I intend to maintain the focus on DBT implementation and to emphasize the need to effectively capitalize on the fruits of the Secretary's recent security initiatives. We have made substantial progress, but we cannot afford to rest now. I am committed to ensuring a strong and effective protection program throughout ESE, and I will work with the Department's other senior managers to ensure that we continue to strengthen what I believe is already a good program.

Thank you. This concludes my prepared testimony.