



**Testimony of
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on
Nuclear Security:
Can DOE Meet Facility Security Requirements
Before the
House Subcommittee on National Security,
Emerging Threats and International Relations
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Thank you for inviting me to testify today. The Project On Government Oversight (POGO) is heartened that this Committee has remained so active in overseeing the nuclear weapons complex and its ongoing security challenges. I must say, at your previous hearing I was relatively pessimistic that we would ever be successful in gaining any real security improvements from the Department of Energy (DOE). At the hearing, National Nuclear Security Administration (NNSA) Director Ambassador Linton Brooks announced the formation of yet two more commissions to review security around the complex: This announcement left us cold, as we had previously compiled a list of over 50 reports, testimonies, commissions, hearings and briefings issued between 1998 and 2002 concluding that security was inadequate at the DOE weapons complex. We didn't need any more. We still don't.

Since then, however, POGO has become more guardedly optimistic. We had the opportunity to meet with Secretary Spencer Abraham, Deputy Secretary Kyle McSlarrow and Security and Safety Performance Assurance Office Director Glenn Podonsky in January 2004. We began, in that meeting, ongoing communication with Secretary Abraham regarding our concerns and recommendations. We have reason to believe that he is taking these issues seriously. Our best evidence of that is the recent announcement that Los Alamos' Technical Area -18 (TA-18) is *finally* going to be de-inventoried of its Special Nuclear Materials (SNM).

Furthermore, two significant security policy directives have recently been issued. The new Design Basis Threat (DBT) issued last Spring requires that the sites be able to defend against a larger attacking force and a much larger truck bomb by 2006. The second directive is an April 5, 2004, requirement that all sites with weapons quantities of SNM increase their defensive posture to a “denial” strategy because of the Improvised Nuclear Device (IND) vulnerability. In other words, they must be able to prevent terrorists from even entering the facility because the terrorists could create a nuclear detonation within minutes. Both of these directives will require major changes in defensive strategies and upgraded infrastructure.

In the face of these requirements, the majority of the Category I sites containing weapons quantities of plutonium and highly-enriched uranium can no longer apply band-aids to their security problems. DOE simply no longer has the luxury of having SNM at sites that can't be adequately protected, or where the costs of protection are prohibitive.

This is a critical turning point in the direction of the nuclear weapons complex. The growing awareness by the DOE of the vulnerabilities posed by these sites is a hollow victory, however, without commensurate actions. The Department has to immediately begin to de-inventory certain sites, transferring the SNM to more secure sites; build underground storage facilities at Savannah River and Y-12; and blend down excess highly-enriched uranium and immobilize excess plutonium. These steps would make the nuclear materials far less attractive to terrorists.

In addition to highlighting the urgent need to move the SNM from TA-18, we raised several other priorities for the Secretary's consideration. This Winter, POGO began focusing on security at two additional NNSA sites: Lawrence Livermore National Laboratory just east of San Francisco and the Y-12 Plant in Oak Ridge, Tennessee. Both face serious physical security challenges – perhaps insurmountable challenges. We don't feel comfortable discussing publicly the specific concerns we have regarding Livermore security. However, we can say that the encroaching residential community surrounding Lawrence Livermore has made it nearly impossible to properly protect the weapons quantities of plutonium and highly-enriched uranium stored there. Clearly, they will not be able to comply with the new directives. If you haven't already, I would recommend the committee review “Systems Under Fire,” a film produced by DOE's independent oversight office which demonstrates the lethality of the weapons that would be used by terrorists in attacking one of these facilities. In light of the facility's vulnerabilities, POGO recommends that all weapons quantities of plutonium and highly-enriched uranium should be de-inventoried from Livermore immediately and sent to the Device Assembly Facility (DAF) at the Nevada Test Site. Any research that requires weapons quantities of SNM can easily be accomplished by flying the Livermore scientists to the DAF, only a one-hour flight away. This move would dramatically increase security while saving about \$30 million in annual security costs.

Some in DOE and the Congress have identified Y-12 as the most serious security concern in the complex. Y-12 stores hundreds of tons of highly-enriched uranium, and is a prime target for terrorists who would want to create an IND within minutes. Given the obsolete infrastructure currently housing the HEU, it should come as no surprise that the Y-12 guard force has been systematically cheating in order to pass security performance

tests. They simply cannot protect the materials in the six material access areas given the multiple targets, dilapidated infrastructure, and very short time lines for the terrorists to reach their target.

The current contractor operating Y-12, BWXT, inexplicably changed a plan to build a bermed facility covered by earth on three sides and its roof, similar to the DAF, and is now planning to build an above-ground facility. The change in design was approved based on the contractor's estimate that it would both increase security and save money. However, in a March 19, 2004, Inspector General report about Y-12, the IG concluded that the new design for the storage facility will actually *decrease* security and significantly *increase* costs. Project costs have skyrocketed, going from an estimated \$144 million in 2001 to \$253 million in 2004, while security features for the facility have been seriously degraded. Cost escalation is a classic foot-dragging maneuver that POGO has seen repeatedly throughout the nuclear weapons complex. All the security experts we have interviewed conclude that a bermed facility would be far more secure. Immediate funding for underground storage at Y-12, and the blending down of the over 100 tons of excess HEU, should be the top priorities of the NNSA budget. Again, this would lead to significant savings in annual security costs, because only one hardened facility would need to be protected, versus the current six aging buildings.

There have also recently been significant security problems at Sandia National Laboratory in Albuquerque, New Mexico. The only weapons quantities of SNM stored at Sandia are the highly-enriched uranium fuel plates for the SPR-III burst reactor. The reactor is rarely used. DOE had made plans in 2000 to move that reactor (machine and the fuel) to the Nevada Test Site. Although Lockheed Martin, the contractor running Sandia, agreed to the move, it never took place. This move would again drastically reduce security requirements and save about \$30 million annually in security costs.

In addition, the Idaho facilities store tons of SNM – the second largest repository of highly-enriched uranium in the complex. These nuclear materials are left over from the Cold War and abandoned research projects – they have no current national defense mission. Tens of millions of tax dollars are spent securing these materials. These facilities should be de-inventoried of weapons quantities of SNM, again significantly increasing security while saving annual security costs.

DOE has publicly stated that the new Design Basis Threat (DBT) issued late last Spring is robust. However, POGO's sources have suggested that the DBT at most sites remains inadequate, far below the level of security recommended by the intelligence community, particularly at sites with IND vulnerabilities. As the General Accounting Office (GAO) pointed out in its report presented at your last hearing, the DBT was cost-driven: NNSA simply didn't want to spend the money to defend against a more robust and realistic threat. The GAO wrote, "DOE and NNSA officials from all levels told us that concern over resources played a large role in developing the 2003 DBT, with some officials calling the DBT the 'funding basis threat,' or the maximum threat the department could afford." This is not an acceptable method for determining security standards. The DBT should be reevaluated to bring it more in line with the realistic threat contained in the intelligence community's Postulated Threat, particularly for IND-vulnerable sites.

A final note regarding the TA-18 move: POGO is concerned that there are people in the complex who are still trying to sabotage this move. While POGO was heartened by the original announcement regarding the move, our hopes were dampened after meeting with the head of the nuclear weapons complex, Dr. Everet Beckner. Despite Secretary Abraham's intentions that all Category I Special Nuclear Materials should be out of TA-18 by 2005, Dr. Beckner informed us that NNSA only intends to move 50% of it. In a separate meeting, NNSA Administrator Linton Brooks told us that moving only part of the material would not improve security at all. (This is because enough material would remain behind to create an improvised nuclear device.) Dr. Beckner went on to inform us that the ballooning cost for this move – from \$100 million to over \$300 million – was in large part a result of the requirement to produce Authorization Basis documents to move the burst reactors from Los Alamos and to operate the reactors at the Nevada Test Site. He told us this paperwork requirement alone would cost \$150 million. We checked with the person in the Los Alamos Area Office who is responsible for signing off on such documents: He estimated the cost to be between \$1-2 million if done correctly, and as much as \$6 million on the outside if it needs to be reworked. The reason I'm raising this is to illustrate how the bureaucracy knowingly provides completely baseless information to Headquarters as a way of protecting the status quo. I think it is essential that the Committee straighten out this confusion today during this hearing.

POGO is guardedly optimistic that Secretary Abraham and Deputy Secretary McSlarrow are sincerely concerned about the state of security at the nuclear weapons complex. However, these two officials have a limited time in office. The Office of Security and Safety Performance Assurance will be the entity left behind to oversee any improvements. Our concern is that the Office currently does not have either the necessary independence or power to see this difficult job through. POGO recommended in our 2001 report that this Office be moved outside the DOE in order to establish real institutional independence. At the very least, Congress needs to formalize its communications with this Office, as it has with the Inspector General.

Your ongoing hearings are critically important. I fully believe that this Committee's vigilance has played a vital roll in moving the ball forward. Don't go anywhere, though, because the country is not more secure yet.