



PRESS RELEASE

House Armed Services Committee

Floyd D. Spence, Chairman

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CONTACT: Maureen Cragin

Ryan Vaart

(202) 225-2539

STATEMENT OF CHAIRMAN FLOYD SPENCE

FULL COMMITTEE HEARING ON NATIONAL NUCLEAR SECURITY ADMINISTRATION

SECRETARY OF ENERGY BILL RICHARDSON

This afternoon, the committee will review the status of the implementation of the Department of Energy reorganization provisions approved by Congress in last year's National Defense Authorization Act. I am pleased that Secretary Richardson has agreed to appear before us to address this important topic and welcome him back to the committee.

The reorganization legislation passed by Congress and signed into law by President Clinton last year represents the most significant restructuring of DOE since the Department's inception in 1977. The legislation created a "semi-autonomous" agency within DOE — the National Nuclear Security Administration, or NNSA—with responsibility for the safety, reliability, and effectiveness of the U.S. nuclear weapons stockpile, nuclear non-proliferation, and naval nuclear reactors.

The reorganization effort was driven in large part by the nuclear espionage scandal that rocked the Department last year. The committee first became aware in the fall of 1998 that some nuclear secrets had been compromised. However, in the spring of 1999, a bipartisan House committee headed by Representatives Chris Cox and Norm Dicks concluded that China had gained sensitive information on all of our currently deployed nuclear warheads.

At that point, President Clinton tasked his Foreign Intelligence Advisory Board to look into the security problems at DOE. The Board came back in June of 1999 with a dramatic recommendation. Citing years of mismanagement, a culture of hostility toward security, and the Department's inability to reform itself, the Board recommended the establishment of a semi-autonomous agency within DOE. The new agency, according to the Board, should report to the Secretary but have minimal bureaucratic ties to the rest of the Department.

In response, Congress adopted a reorganization plan intended to correct the confused lines of authority and reporting chains that have troubled the Department from the very beginning. When fully in place, the NNSA would result in the nuclear weapons complex finally operating under those clear lines of authority, a clearly defined mission, and a needed degree of operational autonomy from the Department of Energy. At the same time, the Secretary of Energy will ultimately remain responsible for formulation of policies and oversight of NNSA operations, and he will have the staff and authority to do that job.

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By law, this reorganization was to be fully implemented by yesterday, March 1. I am eager to hear Secretary Richardson's report on how well the Department is doing to achieve this objective as well as what needs to be done to bring the Department more completely into compliance with the law.

Unfortunately, I have serious concerns about the Department's efforts to date. A careful review of the implementation plan suggests that the goal of the Department was not to implement the fundamental changes required by law, but rather to ensure that the existing organizational structure, lines of authority, and fiscal and managerial practices of DOE remain intact.

For example, the plan proposes to fill senior NNSA positions with current DOE officials serving in a "dual hat" arrangement. As a principal author of this legislation, it is my view that this approach is in direct and clear violation of congressional intent, and I don't know of any credible reading of this law that could conclude that the "dual-hatting" practice is consistent with the letter of the law. This approach, if carried out, threatens to undermine the clearly established goal of semi-autonomy for the NNSA.

It should be stated that I don't consider this debate to be about Secretary Richardson. I certainly don't hold Secretary Richardson responsible for DOE's past mismanagement and security problems. In fairness, many of these difficulties started long before his tenure and he has made good faith efforts to address many of them.

But while I recognize these positive steps, it is my view that the Department today stands in conflict with the will and intent of Congress and the clearly established requirements of law.

Mr. Secretary, I welcome this opportunity to hear from you on these issues and to have a candid and productive exchange on how best to rectify this situation.

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