COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515–6035

ONE HUNDRED FIFTEENTH CONGRESS

September 4, 2018

Dr. Bruce Hamilton
Acting Chairman
Defense Nuclear Facilities Safety Board
625 Indiana Avenue NW, Suite 700
Washington, DC 20004

Dear Chairman Hamilton:

We write to express our strong concern about your abrupt plans for major reforms to the Defense Nuclear Facilities Safety Board (DNFSB or "Board"), announced August 15, 2018, with limited notice and input, to reorganize the Defense Nuclear Facilities Safety Board, particularly the ill-advised plan to cut your agency's headquarters staff level by one third. Hamstringing your agency and targeting your technical staff that represent the core and strength of your agency would likely jeopardize the mission and capability of the Board to fulfill its important mission of ensuring nuclear safety across the nuclear enterprise. We urge you to postpone implementation of these changes, which are apparently due to start taking effect on October 1, 2018.

A reduction from a level of expected use 117 full-time equivalents (FTEs) down to 79 FTEs constitutes a 32.5% reduction of the Board's technical staff, and furthermore an even greater reduction of nearly 40% from the authorized level of 130 FTEs. In contrast, NNSA's budget has increased from $6.356 billion in fiscal year 2010 to a budget request of $11 billion in fiscal year 2019, an increase of 73%, and the administration's nuclear modernization and expansion plans call for continuing this steep increase into the 2020s. It is incumbent on the DNFSB to make the investments and maintain the personnel and expertise level necessary to oversee these nuclear weapons modernization plans in order to reduce the risks of nuclear safety accidents at sites across the nuclear complex.

We have seen problems in maintaining nuclear criticality safety experts at Los Alamos National Laboratory, and there have been several safety violations in recent years. In addition, the DNFSB provides critical safety oversight of not only complex and expensive construction projects at sites such as Y-12, Tennessee, but also necessary oversight and recommendations of the Environmental Management Program that funds and manages nuclear clean-up activities at sites across the nuclear complex, including Hanford which continues to face safety culture and worker contamination challenges. In addition, the 2014 incident, caused by rupture of a

radioactive drum that had been incorrectly packaged at the Los Alamos National Laboratory, resulted in a significant contamination release at the Waste Isolation Pilot Plant in Carlsbad, New Mexico, and shut down repository operations for nearly three years.

Now is not the time to increase nuclear safety risk by making cuts to the experts whose primary mission is to provide independent nuclear safety oversight. Coupled with changes in the Department of Energy's recently proposed 140.1 order, your proposed change to cut DNFSB personnel would undermine the critical oversight on which an enduring, effective and safe nuclear enterprise depend.

In addition, this unexpected proposal, due to take effect in one month, directly contradicts the fiscal year 2019 budget request of $31.24 million that you submitted for the Board and briefed to Congress, and that Congress recently authorized in the fiscal year 2019 defense authorization bill. The majority of this budget requested maintaining a level of 117 full time equivalent positions, a similar level to the level proposed and authorized in past years.

We are also concerned that you plan to implement these changes before you receive recommendations due October 1, 2018, from the National Academy of Public Administration which has been reviewing DNFSB's operations and management at your request. Additionally, we are deeply concerned about this proposal worsening the problem of low morale at your agency. Further limiting the capacity of your agency, and exacerbating low morale at a time when many senior technical experts are retiring, risks severely crippling the DNFSB's long-term capability.

This significant change also comes as you stand in as an acting chairman, as the Board membership still has one vacancy, and as all other board members except for one are acting beyond the expiration of their term as they wait for new nominations. This proposed change begs the question as to whether you are providing the kind of leadership that will strengthen, rather than weaken the Board.

We have yet to see any written analysis to explain the proposed cut to the Board's staff by a third, and repeated requests by our committee staff for a detailed briefing on these proposed changes have gone unanswered. Therefore, we expect a more detailed explanation for this sweeping change that would have enduring implications and potential significant risk for ensuring nuclear safety. In the meantime, we strongly urge you and the Board to reconsider this change.

Sincerely,

Adam Smith
Ranking Member

Jim Cooper
Ranking Member
Subcommittee on Strategic Forces