

WILLIAM M. "MAC" THORNBERRY, TEXAS, CHAIRMAN  
 WALTER B. JONES, NORTH CAROLINA  
 JOE WILSON, SOUTH CAROLINA  
 FRANK A. LOBIONDO, NEW JERSEY  
 ROB BISHOP, UTAH  
 MICHAEL R. TURNER, OHIO  
 MIKE ROGERS, ALABAMA  
 BILL SHUSTER, PENNSYLVANIA  
 K. MICHAEL CONAWAY, TEXAS  
 DOUG LAMBDORN, COLORADO  
 ROBERT J. WITTMAN, VIRGINIA  
 DUNCAN HUNTER, CALIFORNIA  
 MIKE COFFMAN, COLORADO  
 VICKY HARTZLER, MISSOURI  
 AUSTIN SCOTT, GEORGIA  
 MO BROOKS, ALABAMA  
 PAUL COOK, CALIFORNIA  
 JIM BRIDENSTINE, OKLAHOMA  
 BRAD R. WENSTRUP, OHIO  
 BRADLEY BYRNE, ALABAMA  
 SAM GRAVES, MISSOURI  
 ELISE M. STEFANIK, NEW YORK  
 MARTHA MCSALLY, ARIZONA  
 STEPHEN KNIGHT, CALIFORNIA  
 STEVE RUSSELL, OKLAHOMA  
 SCOTT DESJARLAIS, TENNESSEE  
 RALPH LEE ABRAHAM, LOUISIANA  
 TRENT KELLY, MISSISSIPPI  
 MIKE GALLAGHER, WISCONSIN  
 MATT GAETZ, FLORIDA  
 DON BACON, NEBRASKA  
 JIM BANKS, INDIANA  
 LIZ CHENEY, WYOMING  
 JODY B. HICE, GEORGIA

## COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED FIFTEENTH CONGRESS

September 4, 2018

ADAM SMITH, WASHINGTON, RANKING MEMBER  
 ROBERT A. BRADY, PENNSYLVANIA  
 SUSAN A. DAVIS, CALIFORNIA  
 JAMES R. LANGEVIN, RHODE ISLAND  
 RICK LARSEN, WASHINGTON  
 JIM COOPER, TENNESSEE  
 MADELINE Z. BORDALLO, GUAM  
 JOE COURTNEY, CONNECTICUT  
 NIKI TSONGAS, MASSACHUSETTS  
 JOHN GARAMENDI, CALIFORNIA  
 JACKIE SPEIER, CALIFORNIA  
 MARC A. VEASEY, TEXAS  
 TULSI GABBARD, HAWAII  
 BETO O'ROURKE, TEXAS  
 DONALD NORCROSS, NEW JERSEY  
 RUBEN GALLEGO, ARIZONA  
 SETH MOULTON, MASSACHUSETTS  
 COLLEEN HANABUSA, HAWAII  
 CAROL SHEA-PORTER, NEW HAMPSHIRE  
 JACKY ROSEN, NEVADA  
 A. DONALD McEACHIN, VIRGINIA  
 SALLUD O. CARBAJAL, CALIFORNIA  
 ANTHONY G. BROWN, MARYLAND  
 STEPHANIE N. MURPHY, FLORIDA  
 RO KHANNA, CALIFORNIA  
 TOM O'HALLERAN, ARIZONA  
 THOMAS R. SUOZZI, NEW YORK  
 JIMMY PANETTA, CALIFORNIA

JENNIFER M. STEWART, STAFF DIRECTOR

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

Dr. Bruce Hamilton  
September 4, 2018  
Page Two

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