

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
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**Opening Statement of Rep. Henry A. Waxman**  
**Ranking Member, Committee on Energy and Commerce**  
**Hearing on “DOE’s Nuclear Weapons Complex: Challenges to Safety, Security and**  
**Taxpayer Stewardship”**  
**Subcommittee on Oversight and Investigations**  
**September 12, 2012**

This is one of those hearings that we occasionally have in Congress where we say together, Democrats and Republicans, that we’re shocked that something like this could happen, but we then blame others and don’t accept responsibility for ourselves.

We have oversight jurisdiction in this Committee to be sure this sort of thing doesn’t happen. We know DOE has oversight responsibility, and we expect them to do their job. And you would think that reasonable people would understand that this is a high priority for this country.

This is a wake-up call if there ever was one. This is a quote from the *New York Times*: “With flashlights and bolt cutters, the three pacifists defied barbed wire as well as armed guards, video cameras and motion sensors.” This security lapse is incredible.

We have to do everything in our power to ensure no one else breaches our nuclear security barriers and particularly that none of our enemies view this as an opening or a weakness they can exploit.

Given this wake-up call, you would think members of Congress or any reasonable person would suggest that rolling back security and safety requirements at NNSA facilities or promoting reducing oversight of these facilities would be outrageous. They wouldn’t think of such a thing. Yet that is what the Republican Congress did.

We had a National Defense Authorization Act, H.R. 4310, that passed the House in May, and that bill weakens protections for our nuclear laboratories and facilities. The bill lowers safety standards at NNSA sites and it limited the ability of the Department of Energy and the Defense Nuclear Facilities Safety Board (DNFSB) to address concerns and propose solutions to problems. Our Committee leadership went along with that and supported the authorization bill to lower our oversight for these kinds of breaches.

This effort to weaken oversight of nuclear facilities makes absolutely no sense. The fact that an 82-year-old nun could breach the security at the sensitive Oak Ridge Nuclear facility and splash blood on a building that holds enriched uranium illustrates why we need more oversight, not less.

Sometimes I think that people are so anxious to save money, they cut off their nose to save their face. We need oversight. We need to spend the money to do this. And all those people who have been telling us we can't afford this or that because we have to give more tax breaks to the upper income ought to think through whether that point of view makes sense.

We need multiple layers of strong oversight at our nuclear facilities. We cannot simply assume that NNSA and its contractors are making appropriate security and safety decisions. That reminds me of Hurricane Katrina. "Great job, Brownie," President Bush said to his appointee who knew nothing about emergency preparedness. He was put in his job because he was an old crony of the President at that time.

The ability of DOE, this Committee, and other oversight experts to ask tough questions is absolutely vital to holding labs and facilities accountable. We cannot leave nuclear facilities exposed to national disasters or threats from hostile enemies. We have to make that sure those who manage nuclear materials are putting safety and security first.

We're lucky that it was just this very nice nun and others who came to express their point of view and gained access to a secure area next to a highly enriched uranium facility. It could have been much worse. We can all view this as a warning call. We have to look closely at our nuclear facilities and make sure that there are strong, effective oversight mechanisms in place to protect them from danger. We cannot remove or repeal the protections already in place.

Mr. Chairman, there are some things we don't agree on – but I think we can all agree that strong oversight of our nuclear arsenal and our nuclear facilities and laboratories is an absolute necessity. And it's time for Congress not just to hold hearings and say, "Oh my gosh, what happened?" but to realize that when we make cuts to this exact kind of surveillance, we are going to end up paying the consequences for it. Luckily, the consequences were not as severe as they might have been, but let this be a warning call to all of us.