

ONE HUNDRED ELEVENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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June 22, 2009

The Honorable Janet Napolitano
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Madam Secretary:

Today the Government Accountability Office released a report entitled, "Combating Nuclear Smuggling: DHS Improved Testing of Advanced Radiation Detection Portal Monitors, but Preliminary Results Show Limits of New Technology."¹ The report evaluated the testing program used by the Department of Homeland Security for developing new advanced spectroscopic portal radiation detection monitors to identify nuclear material at points of entry to the United States. We are writing to urge you to adopt the recommendations of the report and reexamine the testing program.

The Committee on Energy and Commerce has a long-standing interest in the development and deployment of nuclear detection capabilities. Since 2002, the Subcommittee on Oversight and Investigations has held five hearings on this issue, including a hearing on September 18, 2007, entitled "Nuclear Terrorism Prevention: Status Report on the Federal Government's Assessment of New Radiation Detection Monitors," which examined the testing program for radiation detection monitors.²

Since 2005, the Department of Homeland Security has overseen a \$2 billion program to supplement or replace the portal monitors currently in use. Congress has required the Secretary to certify that the new radiation detection monitors, which will cost approximately \$822,000 per

¹ Government Accountability Office, *Combating Nuclear Smuggling: DHS Improved Testing of Radiation Detection Portal Monitors, but Preliminary Results Show Limits of the New Technology* (May 2009) (GAO-09-655).

² House Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, *Nuclear Terrorism Prevention: Status Report on the Federal Government's Assessment of New Radiation Detection Monitors*, 110th Cong. (Sept. 18, 2007) (H. Serial 110-663).

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unit, provide a “significant increase in operational effectiveness” before obligating funds for full-scale procurement.

Today’s GAO report raises concerns about the effectiveness of the new monitors in detecting nuclear materials. Although the new monitors detected certain nuclear materials better than existing monitors at light shielding levels, “differences in system performance were less notable when shielding was slightly increased or decreased.” According to GAO, preliminary test results show that “the new portal monitors have a limited ability to detect certain nuclear materials at anything more than light shielding levels.” The Department did not test the new or existing monitors against “moderate or greater shielding because such scenarios are beyond both systems’ ability.”

GAO also reports that there are “multiple problems” with integrating the new monitors “into operations at ports of entry.” In particular, “the performance problems resulted in an overall increase in the number of referrals for secondary screening compared to the existing equipment.”

As a result, GAO recommended that the Department “revise the program schedule to allow time to conduct computer simulations” and to uncover and resolve problems with the new monitors “before full scale deployment.” GAO also recommended that the Department assess new equipment “against the full potential of current equipment.” By comparing the capabilities of new monitors against the “full performance potential” of existing equipment, the Department would be able to accurately assess whether the new monitors “meet the criteria for significant increase in operational effectiveness.” The Department also would be able to conduct an “updated cost-benefit analysis to determine whether it would be more cost-effective” to convert to the new monitors.

Although the Department agreed to a phased deployment of the new technology, it disagreed with GAO’s other recommendations. We recognize that the development and testing of these new technologies were conducted under the previous Administration, but in light of the serious concerns raised by GAO, we urge you to conduct a thorough reexamination of this program before proceeding with any certification. We also request a briefing from relevant Department personnel regarding the concerns raised in this GAO report.

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The Committee looks forward to working with you and the relevant components within the Department to protect the American public by improving the program to detect nuclear threats. Please have your staff contact David Leviss or Kenneth Marty with the Committee staff at (202) 226-2424 to discuss the scheduling of the briefing.

Sincerely,



Henry A. Waxman
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and
Investigations

cc: Joe Barton
Ranking Member

Greg Walden
Ranking Member
Subcommittee on Oversight and
Investigations