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NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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Washington, DC — Tests run by the Department of Homeland Security (DHS) on a new generation of radiation portal monitors are biased and fundamentally flawed, according to testimony by the Government Accountability Office (GAO) before the House Energy and Commerce Committee's Subcommittee on Oversight and Investigations. These portal monitors would be used at seaports and border crossings to defeat smuggling of a nuclear weapon or dirty bomb.

Subcommittee Chairman Bart Stupak (D-MI) repeatedly sought commitments from DHS to delay certification until the detection limits of the machines, called Advanced Spectroscopic Portals (ASP), were known. The failure to understand

these limits could lead to false negative readings permitting nuclear material to enter undetected.

Two DHS officials flatly rejected GAO's recommendation to delay "certification," which allows up to \$1.2 billion to be spent on the ASPs, until federal officials fully understand the detection limits of these machines and the necessary studies are completed. The U.S. Customs and Border Protection currently screens more than 90 percent of all inbound cargo for radioactive materials. The agency uses sensitive radiation detection equipment coupled with a labor-intensive verification process to differentiate between alerts triggered by benign radiation sources, such as kitty litter, and those which signal dangerous materials, such as a radiological dispersal device.

DHS officials acknowledged that they are conducting at least another year's worth of testing to try to remedy the weaknesses in their testing to date.

DHS Under Secretary Paul Schneider disclosed that an independent review team established in early August 2007 has already seen a turnover of three review team leaders in a matter of six weeks. Last Friday, Schneider selected the Homeland Security Institute to lead the review, even though it receives 100 percent of its funding from DHS, and has extensive and intimate business ties to the entity it is charged with independently reviewing. Schneider said that prior to the selection process, he was unaware that Congress criticized the Institute's competency and subsequently cut 50 percent of its core funding in the 2008 Appropriations bill.

"Our nation's defenses against a terrorist attack have to work 100 percent of the time, whereas a terrorist only has to be right once. For that reason, it would be cheap insurance to re-run these tests in an unbiased manner, and take the time to fully understand the limits of this new equipment before it is put on the front lines," said Rep. Bart Stupak (D-MI), Chairman of the Subcommittee on Oversight and Investigations. "I am disappointed that the DHS is rushing to certify a "significant increase in operational effectiveness" when they acknowledge they do not know the detection limits of these new machines."

"What DHS hasn't done, and what any reasonable taxpayer would expect, is take GAO's advice and redo the tests the way they should have been done in the first place to verify the machine's performance. This would cost less than half of one percent of the planned \$1.2 billion procurement," said Rep. John D. Dingell, Chairman of the Committee on Energy and Commerce. "To date, the process of selecting this equipment appears sloppy at best and suspicious at worst."

For more information about today's hearing visit <http://energycommerce.house.gov>.

Prepared by the Committee on Energy and Commerce

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