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U.S. House of Representatives
Subcommittee on Oversight and Investigations
of the
Committee on Energy and Commerce
Washington, DC 20515

ROOM 223
RAYBURN HOUSE OFFICE BUILDING
PHONE DED 21244

January 28, 1986

The Honorable Ronald W. Reagan
President of the United States
The White House
Washington, D. C. 20500

Dear Mr. President:

The Subcommittee on Oversight and Investigations understands that you will soon be briefed by senior officials of the Department of Energy (DOE) on the adequacy of safeguards and security at DOE nuclear weapons facilities. The Subcommittee has been conducting an extensive review into the adequacy of DOE's safeguards and security program since mid-1982. On several occasions, I have written to you about the Subcommittee's concerns. The Subcommittee staff has also briefed the staff of the National Security Council and several members of the Council's staff have attended our closed hearings.

While many improvements have been made, serious vulnerabilities remain. Compounding this problem are unresolved management issues and a lack of confidence in the Department's Inspection and Evaluation function, which is supposed to provide independent, credible assurances as to the adequacy of safeguards and security. The Subcommittee will be holding a closed hearing in the near future concerning these issues and others. We will notify the National Security Council of the date of our upcoming hearing.

You have said many times that America will not be held hostage to terrorism. You advocate strong actions to curb this threat to the safety of not only the American people, but to the international community as well. While strong measures against terrorism are absolutely essential, we should also be doing the best job possible to protect our domestic nuclear weapons production facilities from the catastrophic consequences of a terrorist attack.

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Unfortunately, the Subcommittee has found that serious safeguards and security vulnerabilities continue to exist at some DOE nuclear weapons sites. The DOE's own internal inspection reports show that plutonium and highly enriched uranium are still highly vulnerable to theft and sabotage at these locations. In meetings with the Subcommittee staff, DOE officials seemed unaware of many of these vulnerabilities. The Subcommittee will continue its vigorous oversight over this critical program until the Department is doing an adequate job to protect the nation's nuclear weapons complex.

The following are several generic problem areas that the Subcommittee believes must be resolved in order to have an effective safeguards and security program and which you may want to insure are addressed in your DOE briefing:

- Credibility of the DOE's Inspection and Evaluation program -- The Subcommittee has evidence that Inspection and Evaluation personnel altered ratings on inspections of safeguards and security interests having important national security significance. The rating system which is used is highly misleading.
- Guards forces are inadequately trained -- In one exercise using sophisticated testing apparatus known as MILES equipment, the mock terrorists were able to steal plutonium because of a bizarre sequence of blunders on the part of the guard force. One machine gunner had not been trained to load his weapon. Another guard's machine gun jammed and he was not able to unjam it because he had not been trained adequately. A helicopter was dispatched to chase the escaping terrorists. The guards, however, were unable to fire on the terrorists because they had forgotten to bring their weapons. The terrorists disappeared into the woods. This is a contractor guard force that is paid \$40 million to guard this critical site. This same guard force has lost M-16 rifles, has refused to allow guards to carry loaded M-16 rifles and shotguns, and has even defied DOE authority, yet received \$762,400 in an award fee in 1985 for "excellent" performance.
- Inadequate protection against insider threat -- During a recent exercise at one of our most critical facilities, an insider was able to smuggle a pistol, with a silencer, and explosives into the facility to be used several days later in a successful attempt to steal bomb parts containing plutonium.

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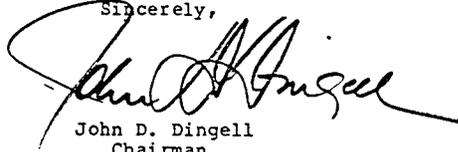
- Use of deadly force by security guards -- There is a conflict with state law in some states over whether deadly force can be used to prevent the theft of Special Nuclear Materials. The DOE has been "studying" this matter since it was raised in our September 1982 hearing. It is not resolved and, therefore, is a continuing serious weakness.
- Lack of coordination with the military, other Federal agencies and local law enforcement for external assistance in the event of an attack -- At a Subcommittee hearing in September 1982, concern was raised over the failure of the DOE to provide for proper outside assistance. This issue is far from resolved.
- Inability to track and recover Special Nuclear Material and nuclear weapons in the event they are stolen from the DOE -- The Subcommittee believes major problems exist. In a recent test, the mock terrorists successfully stole plutonium bomb parts and disappeared. DOE officials admit they would have had a very low probability of locating the terrorists or the bomb parts. To our knowledge, this capability has never been adequately tested.
- The Department's inverse rewards and punishment system -- The DOE continues to promote and reward officials who have been responsible for safeguards and security problems, including the misleading of the President and the Congress, while holding back the careers of those employees who have tried to improve safeguards and security and to insure that the President and Congress are properly advised of major safeguards and security deficiencies.
- Inadequate protection of classified information -- The DOE has lost seven sensitive TOP SECRET documents that, to our knowledge, have not been located. Computer systems are vulnerable to compromising highly sensitive, classified data in some DOE locations.
- Reduction of funds for safeguards and security upgrades -- While the DOE has historically thrown money at its problems, there are essential safeguards and security programs that must be funded adequately. It is important that safeguards and security effectiveness not be hurt due to lack of adequate funding.

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We both want adequate protection at these critical facilities. I hope that these concerns will be helpful in your efforts to insure that proper security throughout the nuclear weapons complex does indeed become a reality. Please inform the Subcommittee of your observations after receiving your briefing.

The Subcommittee and its staff will be pleased to assist you and the National Security Council in any way we can.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Dingell". The signature is fluid and cursive, with a large initial "J" and "D".

John D. Dingell
Chairman
Subcommittee on
Oversight and Investigations

cc: Vice Admiral John M. Poindexter
Assistant to the President
for National Security Affairs