

Statement of Ranking Member Yvette D. Clarke (D-NY)

Subcommittee on Cybersecurity, Infrastructure Protection, And Security Technologies

“Protecting the Homeland from Nuclear and Radiological Threats.”

July 29, 2014

Thank you for holding this hearing on the threats of radiological and nuclear smuggling our country faces. The issues before us today include how to measure the balance between investment in near-term and long-term solutions for nuclear detection gaps, and how we gauge the degree and efficiency of federal agency coordination, and especially the mechanisms that DNDO employs for setting agency investment priorities.

Today, we will hear about some of the achievements that the hard-working federal and civilian employees of DNDO have accomplished to protect us. Other testimony today will help us understand the challenges that we experience in such a highly complex technological world—preventing terrorists from acquiring, transporting, and using radiological materials as a weapon of terror.

If we are to think about reauthorizing this program, which I understand the Chairman is inclined to do, this Subcommittee, in its oversight responsibilities, needs to possess ways to evaluate and measure the outcomes of DNDO's R&D activities, their resource requests, and their asset allocations.

I think its safe to say that over the years, this Subcommittee has seen many examples of DNDO pushing for acquisition decisions well before some technologies had demonstrated that they could live up to the promises made. In my opinion, we must deal with this issue directly in any potential legislative language.

It will be paramount that DNDO policy and strategy be translated into operations, tactics and implementation that meet the requirements of Department-wide needs, and that this Subcommittee be able to transparently see that process. Furthermore, there are natural tensions among federal agencies created by overlapping missions in the nuclear arena, especially in the field of nuclear detection. This fact of life does not make matters of policy and strategy easy to implement, nor outcomes easily measured.

Since 2009, under President Obama's Administration, DNDO has made important changes, and made especially good progress in nuclear forensics, and I hope that our Congressional oversight efforts also have had a positive effect. In 2010, the Committee, under then Chairman Thompson, wrote a combined S&T DNDO authorization, H.R. 4842, which set out the premise that research and development, and operations and procurement, are best left to separate organizations in order to avoid obvious and glaring conflicts of interest. While not all goals of that legislation were achieved, the message was clearly received by the Administration.

What I hope we are going to hear today is, “How can DNDO's mission can be better defined”? Some claim there is still confusion as to whether the office is an end-to-end R&D procurement entity for all things nuclear/radiological...is it a development entity...or an operational entity? Some still question whether there is an inherent conflict of interest when an office, agency, or program, is both an R&D workshop and a procurement platform. I hope we can explore some of these questions today.

Let me finish with this thought. On the ground, and every day, our nuclear deterrence effort as a nation depends on motivated and vigilant officers across the globe, supplied with the best equipment and intelligence we can give them. Officers working at our nation's ports of entry have an especially complex and difficult job. Thousands of decisions are made every day to clear a container or a personal or commercial vehicle for transit into the United States.

Other cargo requires further inspection—or even denial of entry—or an interdiction action on a vehicle or person. That is the hard, cold, repetitive, and everyday reality of our mission to prevent this kind of violent nuclear attack. However, this is part of the flow of commerce in the world's premier and largest trading market, the United States, and we are grateful for all of our dedicated men and women in the field who perform these vital tasks.