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Richardson Sends Nuclear Security Agency Plan to Congress, but Dual Roles Provoke Questions

On 7 January, Energy Secretary Bill Richardson sent Congress his plan for a new, semiautonomous agency within the Department of Energy (DOE) to manage the nuclear weapons programs. The 30-page "implementation plan" assures the lawmakers that DOE will meet the mandatory deadline of 1 March to reorganize the department by creating the National Nuclear Security Administration (NNSA), which Congress legislated in the Defense Appropriations Act for fiscal 2000.

NNSA was originally conceived last year by the President's Foreign Intelligence Advisory Board, chaired by former Senator Warren Rudman, a spunky New Hampshire Republican, in the wake of allegations that Wen Ho Lee, a Taiwan-born research mathematician, had turned over data on US nuclear weapons contained in classified computers at Los Alamos National Laboratory to China. Both the board and a special House committee led by Christopher Cox, a California Republican, caustically criticized DOE's dysfunctional management and lax security (see *PHYSICS TODAY*, August 1999, page 49). Richardson resisted the creation of a new agency, expressing concern that it would undermine his authority. He repeatedly trashed the Senate's proposal that the agency would be headed by an undersecretary who would have direct access to the president. In one acrimonious exchange with several Republican senators, Richardson argued that the agency would create "a fiefdom within a fiefdom."

Richardson backed down after the fiscal 2000 defense authorization conference report, setting out the structure of the new agency, cleared the House and Senate by overwhelming majorities. Nonetheless, he remained adamant on one point: The agency's top administrator, whether called an undersecretary or something else, should report to the secretary, who would be ultimately responsible and accountable for weapons programs. Richardson convinced both senators from his home state of New Mexico—Pete Domenici, a powerful Republican, and Jeff Bingaman, a moderate Democrat—to amend the legislation



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FACING ANGRY LAWMAKERS: Richardson (right) and Habiger, DOE's security czar.

and give the secretary direct control of the agency. Domenici and Bingaman, whose state contains two weapons labs, Los Alamos and Sandia, helped convince other lawmakers to accept the reorganization.

Under Richardson's plan NNSA's director, who will also serve as a DOE undersecretary, should be appointed and confirmed by 1 March. "We are committed to implementing NNSA and ensuring that the national security mission of the department is met," Richardson said in a statement describing his plan. To achieve that, he appointed a search committee headed by former Deputy Energy Secretary Charles Curtis, now CEO of the United Nations Foundation.

The implementation plan "recognizes that the reorganization of departmental operations to accommodate the establishment of NNSA may need to occur in phases." It acknowledges the short period available to appoint NNSA's officials and institute management reforms, as well as the months remaining in the Clinton administration—factors that are likely to deter the best candidates from accepting top positions. So Richardson proposes that DOE's current directors of security and counterintelligence should hold similar positions at NNSA. The new posts would be given to retired Air Force General Eugene E. Habiger, DOE's "security czar," and Edward J. Curran, the FBI's former counterintelligence specialist, who

joined the department in late 1998.

Although Richardson admits that the next president's administration may make changes in NNSA's operations, he has not decreed radical alterations in DOE's field structure or in reporting relationships between operations offices and so-called lead program secretarial offices in Washington. "For example," the plan says, "the assistant secretary for environment, safety, and health, the office of independent oversight and performance assurance, and the office of inspector general will continue to perform their current functions," along with their duties at NNSA.

Some members of Congress have already voiced dissatisfaction with Richardson's plan. Two House members, Mac Thornberry, a Texas Republican who was a principal sponsor of the legislation to establish NNSA, and Ellen Tauscher, a California Democrat whose district includes Lawrence Livermore National Laboratory, complained that Richardson was resisting the full implications of an agency separate and distinct from DOE. Thornberry accused Richardson of "attempting to shoehorn" the DOE bureaucracy into NNSA's management by awarding dual roles. Thornberry, whose district holds the Pantax nuclear weapons facility near Amarillo, argued that Richardson's approach "runs counter to the spirit and intent of the law."

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