



U.S. DEPARTMENT OF
ENERGY

Department of Energy's Responses to Information Requested by the Defense Nuclear Facilities Safety Board

Report Period: January 1 – June 30, 2020

Report to Congress
August 2020

United States Department of Energy
Washington, DC 20585

Message from the Secretary

This is the U.S. Department of Energy's (Department or DOE), including the National Nuclear Security Administration's (NNSA), second biannual report to Congress addressing DOE's response to requests by the Defense Nuclear Facilities Safety Board (DNFSB or Board) for access to information during the period January 1, 2020, through June 30, 2020. This report is in accordance with 42 United States Code (U.S.C.) Section 2286c paragraph (b)(2), which states:

- (2) If the Board requests access to information under subsection (a) in written form, and the Secretary denies access to such information pursuant to paragraph (1)—
 - (A) the Secretary shall provide the Board notice of such denial in written form; and
 - (B) not later than January 1 and July 1 of each year beginning in 2020—
 - (i) the Board shall submit to the congressional defense committees a report identifying each request for access to information under subsection (a) submitted to the Secretary in written form during the preceding six-month period and denied by the Secretary; and
 - (ii) the Secretary shall submit to the congressional defense committees¹ a report identifying—
 - (I) each such request denied by the Secretary during that period; and
 - (II) the reason for the denial.

Pursuant to statutory requirements, this report is being provided to:

- **The Honorable James Inhofe**
Chairman, Senate Committee on Armed Services
- **The Honorable Jack Reed**
Ranking Member, Senate Committee on Armed Services
- **The Honorable Richard Shelby**
Chairman, Senate Committee on Appropriations
- **The Honorable Patrick Leahy**
Ranking Member, Senate Committee on Appropriations
- **The Honorable Adam Smith**
Chairman, House Committee on Armed Services

¹ The term 'congressional defense committees' has the meaning given that term in section 101(a) of title 10, United States Code. (42 U.S.C. Section 2286c paragraph (b)(3))

- **The Honorable Mac Thornberry**
Ranking Member, House Committee on Armed Service
- **The Honorable Nita Lowey**
Chairman, House Committee on Appropriations
- **The Honorable Kay Granger**
Ranking Member, House Committee on Appropriations

If you have any questions or need additional information, please contact Mr. Christopher Morris, Deputy Assistant Secretary for House Affairs or Mr. Shawn Affolter, Deputy Assistant Secretary for Senate Affairs, Office of Congressional and Intergovernmental Affairs, at (202) 586-5450 or Ms. Kathie Donley, Associate Director for External Coordination, Office of the Chief Financial Officer, at (202) 586-0176.

Sincerely,



Dan Brouillette

Department of Energy's Responses to Information Requested by the Defense Nuclear Facilities Safety Board Report Period: January 1 – June 30, 2020

During this reporting period, the Department of Energy (Department or DOE) continued to promptly process and respond to all Defense Nuclear Facilities Safety Board (DNFSB or Board) requests for information and access (over 2,500 in total). The Secretary of Energy has not issued any written denial of information requested by the DNFSB.

One DNFSB access request of note during this reporting period is the DNFSB's request to attend a nuclear explosive safety (NES) change evaluation deliberative meeting at the Pantex Plant on April 13, 2020. An individual within the Department of Energy/National Nuclear Security Administration (DOE/NNSA) denied the DNFSB request to attend the meeting. In a letter to the Secretary on April 16, 2020, the DNFSB communicated the access denial. The NNSA Administrator responded to the Board on April 23, 2020, stating that NNSA supports the Board's involvement in the NES review process and attendance during NES deliberative meetings. In addition, NNSA invited, and DNFSB staff attended, the April 17, 2020, NES deliberative meetings as well as all subsequent meetings.