

1 of the day. And I accept what you are saying, that  
2 there probably could be arguments about redundancy on  
3 either side.

4 But I think what we need to point to is,  
5 and where I don't think it is arguable, is we need to  
6 eliminate redundancy that isn't adding value. If it  
7 is adding value, okay, then we can work through that.

8 But I would submit, right now, we are  
9 confusing redundancy and duplication with actually  
10 getting the job done. And that is what we need to  
11 pull back from and make sure that whatever we are  
12 doing actually adds value and is aimed at some object  
13 other than just people feeling like they've satisfied  
14 themselves.

15 It is that redundancy, that tendency to  
16 duplicate, that I think is the most concerning thing,  
17 because that is what leads to the complacency. People  
18 think all of this will do it, and it won't. So let's  
19 make sure that the procedures are right, let's never  
20 be complacent, and let's have an effective oversight  
21 organization that has the independence and the tools  
22 to do the job which, I believe, OA has.

23 CHAIRMAN CONWAY: Thank you. Ambassador  
24 Brooks?

25 AMBASSADOR BROOKS: Thank you very much,

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1 Mr. Chairman.

2 For reasons that will become obvious to  
3 you, in the course of my testimony, I have asked my  
4 Chief Operating Officer and the head of the Defense  
5 Programs Organization, to join me here.

6 CHAIRMAN CONWAY: Would you list their  
7 names for the Reporter?

8 AMBASSADOR BROOKS: Certainly. Dr. Everet  
9 Beckner, Deputy Administrator for Defense Programs,  
10 and Mr. Tyler Przybylek (I will get to the court  
11 reporter to spell it later) who is the Chief Operating  
12 Officer and, as I will say in my testimony, is  
13 carrying out the functions of the Principal Deputy,  
14 which is a position that awaits presidential  
15 selection.

16 Thank you very much for the opportunity to  
17 provide testimony on NNSA's practices for oversight.  
18 I understand that the Board correctly, particularly,  
19 would like to focus on the impact of our reengineering  
20 and what it may do to our ability to assure adequate  
21 protection of the health and safety of the public at  
22 our nuclear facilities.

23 I want to start out by making it clear  
24 that I fully understand my personal responsibility for  
25 safety in this area. I have four decades of

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1 experience in national security, much of it associated  
2 with nuclear weapons or nuclear propulsion.

3 I have carried weapons, I have studied  
4 their technology, I have examined their effects, I  
5 have commanded a nuclear submarine during the complex  
6 safety environment of a refueling overhaul. From all  
7 of this, I have learned the utter importance of  
8 safety and security.

9 The organizational changes that we are  
10 implementing are designed to improve the federal  
11 oversight and management of our contractors. I  
12 believe that to be essential to mission safety and  
13 security.

14 Our reengineering has been aimed at  
15 improving effectiveness and efficiency by clarifying  
16 roles and responsibilities, integrating and balancing  
17 program elements, streamlining operations, and then  
18 treating individuals with dignity and respect. And I  
19 submit to you that that is an integral part of safety:  
20 people who believe they are important will do  
21 important jobs.

22 We got into this because of issues  
23 identified in past reports and studies of the  
24 Department's nuclear weapons programs. And we believe  
25 that reengineering is solving critical problems

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1 involving confused accountability, stove piping, and  
2 pervasive micromanagement.

3 And I believe that far from degrading  
4 safety, these challenges, these changes, are essential  
5 to maintaining safety. But I'm committed to ensure  
6 that there is no reduction in effectiveness during the  
7 transition.

8 Let me talk more explicitly about  
9 reengineering and Integrated Safety Management. We  
10 have used the four principles of Integrated Safety  
11 Management as we think through reengineering. Let me  
12 talk about the four principles.

13 First, line management responsibility.  
14 That is the first guiding principle. And we believe  
15 that a key success of our efforts has been clearly  
16 defining line management responsibilities. We've  
17 eliminated a layer of management, we've consolidated  
18 responsibility and authority in Site Office Managers,  
19 we've codified those changes with the recently, very  
20 recently, issued Functions, Responsibilities, and  
21 Authorities Manual [FRAM].

22 Secondly, I believe that Integrated Safety  
23 Management calls for clear roles and responsibilities.  
24 And I think, through our reengineering, we have  
25 established clear and unambiguous lines of authority

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1 and responsibility.

2 In particular, we've clarified and  
3 strengthened the authority of the Site Office Manager,  
4 we've eliminated office managers, thus avoiding the  
5 diffusion of responsibility characteristic of the  
6 past.

7 Let me divert from my prepared text to  
8 tell you a story. It is not a safety story, but it's  
9 got a safety lesson. In our problems at Los Alamos  
10 which were not, fortunately, primarily in the safety  
11 area, we discovered that there were serious problems  
12 in business practices.

13 We also discovered that the fragmentation  
14 of the command structure we had, had some business  
15 practices being evaluated by the Site Office, and some  
16 of the business practices being evaluated by the  
17 Operations Office.

18 So that the integration between business  
19 and other forms of the evaluation was simply not  
20 there. We had oversight that was not effective  
21 because it was fragmented. That wasn't in the safety  
22 area, but it is a lesson for the safety area. And it  
23 is one of the reasons that I believe that establishing  
24 clear roles and responsibilities is so important.

25 [The] third important principle of

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1 Integrated Safety Management is competence  
2 commensurate with the responsibilities. We've placed  
3 primary responsibility for Site Office Managers, and  
4 I'm aware of the enormous importance of these key  
5 managers. They were chosen for their experience and  
6 ability; they've been given responsibilities for  
7 defining the organization and hiring the staff  
8 required to accomplish their responsibilities.

9 They have also been given immediate access  
10 to additional technical expertise through the newly  
11 established Service Center. I am going to talk a  
12 little bit more, later, about the question of hiring,  
13 which has correctly been identified, by your staff, as  
14 an important issue for us.

15 We've established Site Office Managers as  
16 the risk acceptance official and, therefore, we ensure  
17 that priorities are integrated and balanced, and that  
18 programmatic objectives are not given precedence over  
19 safety or security.

20 Site Office Managers' direct reporting  
21 relationship to my office helps us ensure an  
22 appropriate balance between safety, security, and  
23 programmatic operations.

24 I want to stress that I'm responsible for  
25 all aspects of NNSA, and the Site Office Managers

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1 report to me, they don't report to the people who are  
2 primarily responsible for the programmatic aspects.  
3 And we believe that to be important.

4 As I understand the Board's concerns about  
5 reengineering, they can be grouped into three broad  
6 areas. First, are the NNSA Site Offices adequately  
7 staffed and organized? Second, does Headquarters have  
8 adequate provision for internal oversight support for  
9 those Site Offices? And third, is concern that our  
10 contractors do not yet have the self-assessment  
11 process necessary to achieve the goals for contractor  
12 assurance systems.

13 And we share those concerns; they are very  
14 real. I think that our actions are addressing each of  
15 them. In particular I want to stress that as we  
16 implement what I'm calling the "NNSA of the Future,"  
17 we've taken no action that reduces our focus on  
18 nuclear safety.

19 For example, we have just signed, three  
20 weeks ago, a new contract with Sandia National  
21 Laboratories, that has a new governance model. But we  
22 explicitly excluded nuclear safety requirements for  
23 many new approaches in there.

24 CHAIRMAN CONWAY: Except, if I may  
25 interrupt you, I've read that contract, and you point

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1 out that in the future you may include the safety also  
2 at the performance level. And that has me worried.

3 AMBASSADOR BROOKS: And you should be, and  
4 all I can tell you is we give ourselves flexibility  
5 that we may or may not choose to use. Right now, I  
6 think it is extremely unlikely that you are going to  
7 see any changes in that area.

8 CHAIRMAN CONWAY: But if you intend to, or  
9 consider that you will be making those changes, will  
10 you let the Board know in advance?

11 AMBASSADOR BROOKS: Of course.

12 CHAIRMAN CONWAY: Thank you.

13 AMBASSADOR BROOKS: Now, we've chosen to  
14 implement streamlining and the change to our approach  
15 to contractor management simultaneously. And we've  
16 chosen to do it over a relatively short time. We are  
17 implementing this new organization over a two year  
18 period.

19 I believe that the benefits in improved  
20 efficiency and effectiveness justify this position.  
21 But we are monitoring our progress to make sure we are  
22 not taking on more than we can implement.

23 For example, I recently approved a one  
24 year delay in making our federal work force ISO 9001  
25 compliant [International Organization for



1 Standardization], because I came to believe that I was  
2 trying to do too many things at once.

3 And if we find other areas where we are  
4 trying to do too many things at once, we will delay as  
5 well.

6 Let me turn, now, to Site Offices. Our  
7 decision to make Site Managers, contracting officers  
8 and the risk acceptance officials for NNSA has  
9 clarified authority and responsibility for operational  
10 issues.

11 It has motivated our managers to staff and  
12 organize those offices appropriately. With the  
13 elimination of an intermediate layer of management,  
14 Site Managers report directly to me through the  
15 Principal Deputy Administrator, when selected by the  
16 President and confirmed, or through Mr. Przybylek, who  
17 is, in essence, serving that function, under the title  
18 of Chief Operating Officer.

19 Site Manager cannot be overruled by  
20 Headquarters program manager on a decision regarding  
21 safety. If a program manager and a Site Office  
22 Manager can't agree, then it has to be brought to my  
23 attention for resolution.

24 This clarity in responsibility and  
25 authority, I believe, will improve performance in all

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1 areas, including safety. We require, at each NNSA  
2 office, to develop a managed staffing plan based on  
3 assigned functions. And now, we are providing  
4 resources to assist in redeploying the necessary  
5 talent to these offices based on staffing plans.

6 We are addressing the need for improved  
7 operating procedures by developing business systems.  
8 And I think our approach is the most effective way to  
9 systematically regulate our contractors. We are  
10 continuing to fine tune the division of  
11 responsibilities and the adequacy of staffing.

12 And we will not allow arbitrary staff  
13 numbers -- I will talk about this in a moment -- to  
14 compromise safety. I issued a memorandum, in January,  
15 based on a matrix of functions and activities, called  
16 "Clarification of Roles and Responsibilities," in  
17 order to make it clear what the responsibilities of  
18 Site Offices were, what the responsibilities of  
19 Headquarters were, what the responsibilities of the  
20 Service Center.

21 From November of last year through the  
22 approval of managed staffing plans in July of this  
23 year, we have been involved in an active dialogue  
24 regarding Site Office technical requirements.

25 As a result of that dialogue, I authorized

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1 an increase of 40 positions at various Site Offices  
2 over the initial levels established in 2002. I don't  
3 want to mislead the Board. Not all of those were  
4 technical positions; some were, some weren't.

5 The point that I want the Board to  
6 understand is that as we implement this and we review  
7 Site Office manning, if we believe that our initial  
8 estimates of what the Site Offices need were  
9 inadequate, we are not hesitating to change that, and  
10 we will not hesitate to change that in the future.

11 Each of the Site Office Managers has  
12 personally assured me that their managed staffing plan  
13 contains sufficient technical staff to perform their  
14 assigned responsibilities.

15 Now, as the Board correctly noted, staff  
16 can only do that if they are there and they are  
17 trained, so let me turn to those things. But first,  
18 I know that the Board and its staff have been  
19 particularly concerned about our restructuring of the  
20 Facility Representative program.

21 We are trying to focus our technical  
22 resources on high risk facilities. We believe the  
23 [Facility Representative] program is an essential  
24 element of nuclear safety, and we aren't going to  
25 reduce our focus on nuclear safety. What we are going

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1 to do is in the reengineered Facility Representative  
2 program, we are going to focus our oversight on high  
3 risk things.

4 We think that by placing federal staff at  
5 low risk, or standard industrial facilities, we dilute  
6 the program's effectiveness, and we reduce our  
7 contractor's sense of responsibility. I have made it  
8 a high priority to fully staff our Facility  
9 Representative program, based on our revised  
10 assessment of requirements, and we believe that this  
11 approach places the right level of on-site oversight.

12 CHAIRMAN CONWAY: Ambassador Brooks, we  
13 considered Pantex as one of those critical --

14 AMBASSADOR BROOKS: Yes, sir.

15 CHAIRMAN CONWAY: -- hazardous, and yet we  
16 see the number of Facility Reps being lowered.

17 AMBASSADOR BROOKS: The number at Pantex  
18 has been reduced from, I believe, nine to six, based  
19 on -- yes, and we do have all six on board. And that  
20 is based on a fairly careful analysis done by the  
21 Pantex Site Manager, in connection with Headquarters.

22 CHAIRMAN CONWAY: I think they are under  
23 instructions, they know what the cutbacks --

24 AMBASSADOR BROOKS: That is not true, sir,  
25 that is simply not true.

1                   CHAIRMAN CONWAY: So you are oversupplied  
2 on Facility Reps at Pantex?

3                   AMBASSADOR BROOKS: We believe that -- no,  
4 let me -- with the shift in the approach that we are  
5 using, we believe the Site Manager believes, Site  
6 Manager believes, in conjunction with all the other  
7 Site Managers, and with Headquarters experts, that the  
8 revised numbers are adequate.

9                   If further analysis shows they aren't, we  
10 will change them. There is a separate problem at  
11 Pantex, and it is a very real problem, and I don't  
12 have it fully solved yet. It turns out that the  
13 number of highly technically qualified people who want  
14 to live in Amarillo, Texas, is not as great as you  
15 might wish.

16                   So there are recruiting problems at  
17 Pantex; there are recruiting problems at at least one  
18 other site. And we are looking at how we solve that;  
19 I'm very worried about the recruiting problem; I'm not  
20 worried about the analysis that went into -- yes, sir?

21                   VICE CHAIRMAN EGGENBERGER: Yes, we are  
22 highly supportive of the Facility Representative  
23 program, as John articulated. Now, that is only part  
24 of the story. Facility Representatives are  
25 generalists and are not experts in all fields. And

1 they require support from experts on particular items.

2 So, in fact, that is how we run our  
3 operation, with our Site Reps. They are generalists,  
4 and they are supported by a highly technical cadre  
5 from Headquarters.

6 I believe, and Pantex is a good example,  
7 that there are several open slots in various technical  
8 areas that are required to support the technical area.

9 AMBASSADOR BROOKS: There are four open  
10 slots in subject matter experts, and three for  
11 authorization basis experts, and that refers back to  
12 my problem about recruiting.

13 VICE CHAIRMAN EGGENBERGER: And the other  
14 thing, I don't understand, is a bifurcation aspect,  
15 where your Site Managers report directly to you, and  
16 the program people are on a different line.

17 And why I say I don't understand this is  
18 when I talk to the program people about details of  
19 operations, that is who I talk with; the program  
20 people. I do not talk with you, I talk with the  
21 program people.

22 And somewhere there isn't a specific one-  
23 line train of thought down to the operation. Or that  
24 is how we view it. Do you see what I --

25 AMBASSADOR BROOKS: I understand the

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1 concern. We looked at having the sites report to  
2 programs. You would still have the same problem, you  
3 would just have it at a lower level.

4 I mean, sooner or later, there are people  
5 who worry about budgets and future things, and there  
6 are people who worry about operating sites, and there  
7 is somebody who makes sure that those two people are  
8 working together.

9 Our concept is that that function is  
10 important enough that it should be done by me. And  
11 that is, in part, because although most of what we do,  
12 at our sites, is under the responsibility of Dr.  
13 Beckner, at some of the sites, particularly the labs,  
14 large segments of what we do is not.

15 And so we believed that we should  
16 centralize this effort, or centralize this integration  
17 function at the top.

18 VICE CHAIRMAN EGGENBERGER: That doesn't  
19 help me very much because when I want to talk about,  
20 for example, SS-21 [Seamless Safety for the 21<sup>st</sup>  
21 Century], I don't come and talk to you, I come and  
22 talk to Dr. Beckner. And the site is also involved  
23 with this.

24 That is one example. Another example is  
25 the Pu-238 [Plutonium-238 Isotope] line at Los Alamos.

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1 That is run by the site. That has nuclear operations  
2 in it, of which Dr. Beckner has his hand in it, as do  
3 the NE [Nuclear Energy] people.

4 AMBASSADOR BROOKS: My problem is, I think  
5 you are making my case, that --

6 VICE CHAIRMAN EGGENBERGER: You are not,  
7 I can't come and run to you every minute, and you  
8 don't want to see me that often.

9 AMBASSADOR BROOKS: I'm going to be very  
10 careful about the --

11 (Laughter.)

12 AMBASSADOR BROOKS: No, sir, you've got it  
13 exactly right, except that we draw slightly different  
14 conclusions. I've got to have somebody who is  
15 responsible for everything at these multi-program  
16 sites.

17 And, in fact, that is where this becomes  
18 a serious problem. The truth of the matter is  
19 everything at Pantex that gets done, to a very close  
20 approximation, gets done with programs under Dr.  
21 Beckner's supervision. But not everything at the  
22 National Labs gets done. Some of it gets done under  
23 programs and Dr. Beckner, some of it gets done under  
24 programs outside NNSA, some of it gets done in  
25 programs there.

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1           So I need one person who has cognizance  
2 over everything that happens at the lab. And that  
3 person needs to be where he or she can pay minute by  
4 minute attention, and that is the Site Office Manager.

5           So the question is, who should that Site  
6 Office Manager report to? What we've chosen to do is  
7 have the Site Office Manager report to me, through the  
8 Principal Deputy. Why through the Principal Deputy?  
9 Because that gives somebody who focuses almost all of  
10 his attention on the sites, while the programs have  
11 their own responsibility.

12           The idea is not to cut out the programs,  
13 but to avoid the pressure suggested in earlier remarks  
14 of program considerations potentially driving out the  
15 safety considerations. That is why the Site Office  
16 Manager, in our view, should report to someone who is  
17 responsible both for programs, and for safety, and for  
18 security. That is the theory.

19           Now, you raise an important point about  
20 who you talk to and how we provide information to the  
21 Board. I'm not entirely comfortable that I have a  
22 good answer to that, and I would like to get back.

23           One of the things that has been, in  
24 preparing for this hearing, I found a few things that  
25 I want to look at about the way that we are doing

1 business internally, and I may be back to the Board to  
2 talk about those, when I've got my thoughts better in  
3 order.

4 VICE CHAIRMAN EGGENBERGER: The reason  
5 that I brought this bifurcation thing up, it is a very  
6 easy way of checking to see how the line organization  
7 works. And that is where I'm not used to [self]  
8 bifurcations. I like to see it run straight down,  
9 with a strong Headquarters organization.

10 AMBASSADOR BROOKS: Sir, I think we don't  
11 disagree on the goal, we disagree on whether or not  
12 I'm moving toward it, because I want to see in fact,  
13 when we come to the Columbia, I'm going to make a  
14 point that I need to solve the problems they have, in  
15 a different way, than Admiral Gehman recommended,  
16 precisely because of that, and I will make that point  
17 later.

18 VICE CHAIRMAN EGGENBERGER: That I agree  
19 with, also.

20 AMBASSADOR BROOKS: My view is what I do  
21 have, that I didn't have a year ago, and I do have  
22 now, or I'm working toward, the Deputy [Secretary] is  
23 quite correct to use the word "work in progress," that  
24 I'm working toward having exactly that with a straight  
25 down organization for operations, which goes from me,

1 to the Site Manager, to the contractor, while programs  
2 provide guides.

3 I use Dr. Beckner because anybody who had  
4 somebody with his experience, and didn't use him,  
5 would be sort of nuts. But I don't see Dr. Beckner as  
6 relieving me of my responsibility for dealing with the  
7 Site Managers. And I certainly don't see him as  
8 relieving the Site Managers of their responsibility  
9 for safe oversight.

10 If we, as -- if we decide to stop an  
11 operation at a site, Site Office Manager who is going  
12 to make that decision. And if Dr. Beckner, or his  
13 subordinates, believe that is going to be a problem  
14 for programs or schedules, they are not going to be  
15 able to overrule the Site Office Manager on that.

16 And if they believe it is important, then  
17 I will adjudicate it, because somebody has to. But I  
18 guess I agree with you that bifurcation is bad; I just  
19 don't see that I have it. Let me look at that a  
20 little more.

21 VICE CHAIRMAN EGGENBERGER: Certainly,  
22 certainly.

23 DR. MATTHEWS: Since you opened up that  
24 line of questioning, I had a question that is  
25 relevant, so I'm sorry to beat this point to death.

1           You quite clearly said the Site Managers  
2           are the risk acceptance officials.

3           AMBASSADOR BROOKS: That is right.

4           DR. MATTHEWS: They also are responsible  
5           for doing self assessment along with the contractors,  
6           so they have to understand where the issues are in  
7           terms of safety.

8           Often a safety issue turns [is  
9           identified], you know, but it is useless unless you've  
10          got an action plan to fix it. And often that turns  
11          into dollars, which then gets into the responsibility  
12          of the program's side, and we have a good example in  
13          case, right now, where there seems to be a difference  
14          between -- Dr. Beckner knows about this very well, at  
15          Y-12 [National Security Complex] -- a difference  
16          between what the site sees, and what the program is  
17          willing to spend.

18          So, now who accepts the risk in that  
19          particular incident? And I have struggled with this  
20          in my career at Los Alamos, too, because the programs  
21          may not see the need. And that is not as clear as  
22          what you just said of shutting down operations.

23          AMBASSADOR BROOKS: No, sir, I think that  
24          is right. I think that in budgets it does get  
25          difficult. And the answer, right now, is that our

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1 process is intended to provide the Site Managers a  
2 voice in the overall formulation of budgets.

3 And so if they believe, as they sometimes  
4 do, that the programs are not providing adequate  
5 support, they raise it to me and, once again, I  
6 adjudicate it. And that is true in safety, it is true  
7 in security, it is true in infrastructure.

8 So I think it works the same way. I  
9 think, ultimately, you have to have two things. You  
10 have to have a clear voice for safety, and that is the  
11 Site Office Manager, and you have to have some way to  
12 make sure that if the Site Office Manager believes  
13 that he or she is given insufficient resources to  
14 operate safely, I have no hesitation in believing with  
15 my current oversight office managers, that I will hear  
16 from them. And I have data.

17 DR. MATTHEWS: Thank you.

18 MR. PRZYBYLEK: See, they understand that  
19 we have, we aim for a weekly management council  
20 meeting. Site Managers understand, through the chief  
21 of staff, they can agenda an item immediately for that  
22 meeting. The Administrator chairs the management  
23 council.

24 AMBASSADOR BROOKS: And I also have  
25 instituted, following a practice I learned in my Naval

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1 Reactors days, the Site Office Managers each provide  
2 me a monthly report. It is an idea I grew from all  
3 the letters I had to write to Admiral Rickover, except  
4 this is a monthly email.

5 It goes to me and to Mr. Przybylek and  
6 generally to nobody else. And that is where they have  
7 the opportunity to tell me, candidly, what they are  
8 worried about, and then we follow up.

9 I mean, obviously, I talk to them whenever  
10 they want to talk to me, but by forcing them, once a  
11 month, to think about what is on their mind, I have  
12 another mechanism to make sure that I don't get  
13 disconnected from their concerns. And we have had  
14 instances where they will express concerns about  
15 something that Headquarters staff is doing, hasn't  
16 been in safety, and then that will be a clue to me  
17 that I need to dig into it.

18 DR. MATTHEWS: So, specifically has B-1  
19 Wing fire suppression at Y-12 risen to your level of  
20 attention?

21 AMBASSADOR BROOKS: The Site Manager has  
22 not chosen to bring it to my attention. I am -- it  
23 has come to my attention.

24 MR. PRZYBYLEK: He did bring it to my  
25 attention as a work in progress, that he was working

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1 with Dr. Beckner.

2 CHAIRMAN CONWAY: We are trying to get it  
3 into the '06 budget, and that is pretty far out. Are  
4 we back on page --

5 AMBASSADOR BROOKS: Well, my problem is my  
6 page numbers are different because my eyes are such  
7 that -- but what I wanted to talk about next, is I  
8 want to talk about staffing.

9 I want to make it clear that the hiring  
10 freeze that was referred to earlier is only in effect  
11 where there are people within NNSA who are qualified.  
12 I am requiring that, because I believe I have an  
13 obligation to the people who have done good work, that  
14 we look inside the organization first.

15 I don't want to be in the position where  
16 I'm nudging people out the door, and there are jobs.  
17 But we will not hesitate, we have already opened some  
18 jobs in to broader recruiting, when we have discovered  
19 there aren't sufficient people.

20 In preparing for this, I discovered an  
21 area in which I now realize that if everybody I hope  
22 to relocate to Albuquerque goes, I still won't have  
23 the right number of people there, and so we will begin  
24 immediately recruiting outside.

25 It is not our intention to not recruit

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1 from outside where we don't have sufficient resources  
2 inside. It is our intention, however, as we  
3 consolidate things in Albuquerque, to make sure that  
4 everybody -- that there is room for everybody who  
5 wants to go.

6 CHAIRMAN CONWAY: When you mentioned the  
7 difficulty of getting some people to some less than  
8 ideal locations, and unfortunately some of the most  
9 dangerous work we do is out in the boondocks.

10 AMBASSADOR BROOKS: That is right, that is  
11 why we put it there.

12 CHAIRMAN CONWAY: Exactly, and that is why  
13 we put it there. But we have a tremendous number of  
14 people, it seems, at Albuquerque, with special  
15 technical qualifications. And as you knew in the  
16 Navy, you can move your people.

17 AMBASSADOR BROOKS: We can, sir, and we  
18 have looked at that. And I do not rule out so-called  
19 directed reassignments. The problem with directed  
20 reassignments, to be candid, is that in uniform, guys  
21 directed reassignments are called part of the career.  
22 That is not always true in the civilian world.

23 So I have been trying to avoid directed  
24 reassignments --

25 CHAIRMAN CONWAY: SESS [Senior Executive

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1 Service], that is clearly understood, SESS can be  
2 removed, and that is why they take those positions --

3 AMBASSADOR BROOKS: Yes, sir, I understand  
4 that.

5 CHAIRMAN CONWAY: -- and there are a large  
6 number of people that are still in Albuquerque, that  
7 are no longer doing the tremendous amount of work that  
8 they previously had to do controlling the whole  
9 system.

10 AMBASSADOR BROOKS: Yes, sir.

11 CHAIRMAN CONWAY: And if they need them at  
12 some of these other facilities, particularly Pantex --

13 AMBASSADOR BROOKS: We may look at that.  
14 We've also been looking at additional incentives. At  
15 Los Alamos, for example, Los Alamos is an extremely  
16 nice place to live, but it is also quite expensive.  
17 So we have provided incentives in order to help the  
18 Site Office Manager fully staff there, and I'm looking  
19 at similar things for Pantex.

20 Let me, I mean, even if we get these  
21 people there, it doesn't matter unless they are  
22 qualified. And so let me talk about qualification of  
23 technical staff.

24 Right now, of our eight Site Offices, the  
25 staff and the technical qualification program, 70

1 percent are fully qualified, five of our sites have  
2 met the threshold of being above 75 percent, in most  
3 cases well above it. And one of those sites that  
4 isn't is only slightly below. It is Kansas City,  
5 where it is sort of a one person thing.

6 Two sites, however, are well below the 75  
7 percent, and I [have] directed that they implement an  
8 aggressive program to improve qualifications and have  
9 assigned the Chief Operating Officer to oversee that  
10 process.

11 Finally our long term problem, like Naval  
12 Reactors, like any world class technical organization,  
13 we have to hire and develop an excellent technical  
14 staff. We are evaluating ways of expanding our intern  
15 program. We will, again, be asking Congress to grant  
16 us excepted service authority, similar to that which  
17 you used in building your own technical staff.

18 We have concentrated our existing excepted  
19 service personnel authority in the Site Offices, which  
20 is consistent with our vision of making them the most  
21 important part of the organization in terms of  
22 oversight.

23 The Deputy Secretary mentioned the draft  
24 DOE oversight policy. Our oversight model builds on  
25 that policy. In the first instance we rely on Site

1 Offices to oversee and regulate the contractors. We  
2 see Headquarters as setting clear expectations  
3 requiring self-assessment and monitoring  
4 effectiveness.

5 And we see the Office of Independent  
6 Oversight and Performance Assurance as a crucial  
7 component. As you know, my predecessor signed an  
8 agreement with Mr. Podonsky's organization whereby  
9 they are my oversight and performance assurance  
10 organization as well.

11 We set clear expectations by, or we are in  
12 the process of doing it is a more accurate way to say  
13 it, through establishing our line oversight and  
14 contractor assurance systems process.

15 Dr. Beckner is setting operational  
16 expectations, and he is monitoring performance in  
17 accordance with the provision of the FRAM Manual that  
18 I referred to earlier.

19 We are defining, as opposed to have fully  
20 defined, the attributes of a rigorous self-assessment  
21 program. My senior ES&H [Environmental, Safety, and  
22 Health] advisor has been tasked with identifying the  
23 key attributes of such a self-assessment process in  
24 consultation with the Site Office Managers.

25 And we will then be asking each site to

1 submit self-assessment program and annual operation  
2 pointers. Headquarters monitoring, as the Deputy  
3 Secretary said, we do not believe that -- we believe  
4 there is such a thing as too many people going out and  
5 stumbling over each other.

6 So what I have done is I have assigned Dr.  
7 Beckner's organization to look at plans, and results,  
8 and monitor metrics. I've made it clear that we can  
9 initiate audit or inspection of any office, at any  
10 time.

11 I've made performance on safety and health  
12 part of the periodic program reviews that I'm  
13 conducting. I did, however, last year eliminate  
14 routine Headquarters on-site reviews. I think that  
15 was a correct decision, and I think it is consistent  
16 with putting responsibility on the Site Offices.

17 But we have this policy under continuous  
18 review. And if I conclude that I made a mistake, then  
19 I won't hesitate to reinstitute those on a regular  
20 basis.

21 VICE CHAIRMAN EGGENBERGER: What does that  
22 mean, specifically?

23 AMBASSADOR BROOKS: It means that Jim  
24 Mangeno no longer gets a bunch of people together and  
25 goes out once a year to conduct a review separate from

1 the reviews that Dr. Podonsky needs. That is what I  
2 have done, what it means is that if I begin to see  
3 evidence that I wasn't eliminating duplication, but I  
4 was eliminating an extra sector of safety, then I will  
5 reconsider that decision.

6 It was a difficult decision; we went back  
7 and forth. We made the decision primarily because we  
8 were trying to emphasize, very much, the authority and  
9 responsibility of the Site Offices for operations.

10 I think it was right, but it may not have  
11 been. And if it turns out to be wrong, we will go  
12 back to doing it the way we did two years ago.

13 VICE CHAIRMAN EGGENBERGER: Well, how does  
14 that apply to Dr. Beckner? Is he not permitted to --

15 AMBASSADOR BROOKS: Yes, he is permitted.

16 VICE CHAIRMAN EGGENBERGER: So if he has  
17 a problem he can send out his team?

18 AMBASSADOR BROOKS: Yes.

19 MR. McCONNELL: If I may ask a question?  
20 I [want to] understand very clearly, you said before  
21 that the Site Office Managers report directly to you,  
22 because that is the appropriate line of  
23 accountability.

24 AMBASSADOR BROOKS: Yes, sir.

25 MR. McCONNELL: And I have to ask you to

1 distinguish between independent oversight -- a safety  
2 perspective that isn't also responsible for program --  
3 which allows a certain approach to safety, which might  
4 avoid, otherwise, the problems you faced.

5 Then there is also the separate issue of  
6 your ability to hold your subordinate decision makers  
7 accountable. You said if you had information that  
8 their decision making was not in line with yours, that  
9 then you might reconsider your decision.

10 What would be the source of that  
11 information right now? Other than the same line of  
12 information that would -- I mean, if your manager made  
13 a bad decision based on bad information, you would  
14 have the same information.

15 AMBASSADOR BROOKS: Not necessarily. Here  
16 is the source so far. First, we do have the reports  
17 from the Site Offices. Second, because we have the  
18 reports from the Office of Independent Oversight and  
19 Performance Assurance. Third, the three of us at this  
20 table visit Site Offices frequently.

21 And while those aren't, in any sense,  
22 safety audits, they let you discover what people's  
23 concerns are. Fourth, we have independent discussions  
24 with the contractors, particularly at the weapons lab.

25 Fifth, while Dr. Beckner has no formal

1 responsibility for safety, he has very experienced  
2 people who are in constant communication, in the case  
3 of programs. And so that is another mechanism.

4 So I don't want to portray us sitting in  
5 a room in Washington with no information other than  
6 what Site Office Managers tell us. But I also have  
7 concluded that a once a year separate audit conducted  
8 by a group of Headquarters people doesn't add enough  
9 value to compensate for the importance of eliminating  
10 duplication.

11 And while I understand audits aren't  
12 management, the appearance of micromanagement. So  
13 that is how I see the balance, and that is where we  
14 came down.

15 DR. BECKNER: If I could, I would add to  
16 that. I think you know from the monthly meetings that  
17 we have, that generally I know something about most of  
18 the concerns that the Board may have about safety at  
19 the sites, at least at the sites where I'm concerned.

20 And that I have some members of my staff  
21 whose main job it is to be aware of operational  
22 matters, and particularly operational safety concerns.  
23 So even though we don't view it as our primary  
24 responsibility to assure the safety of operations,  
25 because I think we have made it clear that we see that

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1 as the Site Office responsibility, we do view it as  
2 part of our job to be sure that we are comfortable  
3 with the way operations are proceeding.

4 Now, that does give us independent  
5 information, I think.

6 AMBASSADOR BROOKS: But it is not  
7 formalized in the way that we had when we had a sort  
8 of a periodic schedule of formalized inspections.

9 MR. McCONNELL: My question wasn't bound  
10 up in formality, as validity of information to you --

11 AMBASSADOR BROOKS: Yes, sir.

12 MR. McCONNELL: -- that you explicitly  
13 created the lines of accountability to go from --

14 AMBASSADOR BROOKS: Yes, sir.

15 MR. McCONNELL: -- the area office to you,  
16 and not to Dr. Beckner, for the reason --

17 AMBASSADOR BROOKS: That is correct.

18 MR. McCONNELL: -- you --

19 AMBASSADOR BROOKS: And I guess the point  
20 that I was making, imperfectly, is if I discover that  
21 there are problems that I am not being made aware of,  
22 either because of these routine contacts with Dr.  
23 Beckner, because of my own contacts with the Site  
24 Offices or the contractors, I wanted to assure the  
25 Board that there is a general principle that we have

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1 in reengineering, which is just because we wrote it  
2 down once, if it proves out to be a mistake, we are  
3 prepared to change.

4 So I believe we made the correct decision.  
5 But I believed I made the correct decision about when  
6 I was going to implement ISO 9001, too, and in  
7 hindsight I was wrong, clearly wrong. And if it turns  
8 out that I'm wrong here, we will change. But at the  
9 moment we've -- that is the decision we made.

10 Mr. Chairman, if I might, I want to skip  
11 over the section of my testimony on contractor  
12 assurance systems, and simply point out one sentence  
13 in there, which is I would urge the Board to await the  
14 results of our efforts to improve our line oversight  
15 and contractor assurance systems policy.

16 We are working very hard on that, and I  
17 prepared, in my written testimony, some of the  
18 principles that we believe those systems must --

19 CHAIRMAN CONWAY: We will include that in  
20 the record as if it had been read.

21 DR. MATTHEWS: I do have a question on  
22 that topic, though.

23 AMBASSADOR BROOKS: Yes, sir.

24 DR. MATTHEWS: And the question is site-  
25 to-site consistency. I know, in the past, that

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1 different Site Offices treated their contractors  
2 differently. And I'm curious if you think that is  
3 important in the new system, to have a more consistent  
4 way of doing it, and a consistent standard for  
5 authorization basis, for example, or is it going to be  
6 free floating, and whatever develops --

7           AMBASSADOR BROOKS: I'm kind of firmly on  
8 both sides of that question. I think, on the one  
9 hand, for example, we have decided we weren't going to  
10 specify internal organization of Site Offices. We  
11 have allowed the Site Offices to tailor their internal  
12 organization to their perception of the needs and  
13 problems of their site. We approved it, but we didn't  
14 attempt to impose a standard organization.

15           I think there is some value in tailoring  
16 approaches to specific sites. I think the way I  
17 ensure consistency is through the promulgation of  
18 clear policies from Headquarters about what has to be  
19 included.

20           We are, as the Board staff at least is  
21 aware, we are still working out the mechanics of  
22 formal NNSA specific policies. And that is going to  
23 be the vehicle for ensuring the consistency you need  
24 between sites, while allowing the Site Office Manager  
25 the flexibility to operate.

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1 I didn't think to cover that in my  
2 testimony. But let me, if I may, peg off that to talk  
3 about where we are on the formal NNSA-specific  
4 policies.

5 As you know the law allows me to exempt  
6 myself from DOE regulations unless the Secretary  
7 disapproves that. No sensible person would go out and  
8 do something, and then find out the Secretary  
9 disapproved it.

10 So we are establishing a policy which will  
11 give the Secretary the opportunity to tell me in  
12 advance, "Don't do that," and give him the opportunity  
13 to have the advice of appropriate non-NNSA senior  
14 people. Once we've got that policy in place, then we  
15 will re-issue everything that we've issued in  
16 accordance with that.

17 That policy also has provided the formal  
18 mechanism to make sure that in areas under the Board's  
19 cognizance, we have the advice of the Board. That is  
20 going to go a long way; that is going to be the  
21 vehicle to allow me to determine whether or not I need  
22 standardization, and to impose it, while still keeping  
23 the flexibility in the Site Office to recognize the  
24 uniqueness of each site.

25 CHAIRMAN CONWAY: Could I ask one other

1 question?

2 AMBASSADOR BROOKS: Certainly.

3 CHAIRMAN CONWAY: The Board here, daily,  
4 reads the Daily Occurrence reports. Now, is someone  
5 in your organization, at Headquarters, responsible for  
6 reading those?

7 AMBASSADOR BROOKS: Yes.

8 CHAIRMAN CONWAY: But that is safety  
9 matters -- you don't feel you have responsibility --

10 AMBASSADOR BROOKS: Yes, sir.

11 CHAIRMAN CONWAY: -- for safety, if I  
12 understood it? That is not part of your  
13 responsibility?

14 DR. BECKNER: Surely it is, it is just  
15 that I -- it is a question of what is the relationship  
16 between my view of these reports and, perhaps, the  
17 Site Office manager who is, obviously, closer to it.

18 But I have people on my staff who read  
19 those reports, too.

20 CHAIRMAN CONWAY: I understand. But, see,  
21 the line responsibility, I heard on safety, goes  
22 directly to you, and you don't have that. And yet you  
23 are the guys --

24 AMBASSADOR BROOKS: I actually think, Mr.  
25 Chairman, you've pointed out a weakness that I was

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1 pretty sure you would point out. I'm not comfortable,  
2 right now, that I have the right mechanism for making  
3 sure that I see those reports, or that I react to  
4 those reports.

5 When you hear, from Under Secretary Card,  
6 you are going to see here that he is much more  
7 involved in providing the personal guidance on those  
8 reports. I'm looking at the way he does it; I've  
9 asked a couple of people to suggest other ways.

10 I'm not convinced, one of the strengths of  
11 an oversight board is not just what you tell us, but  
12 what we learn when we get ready to come over. Such an  
13 obvious question that I realize I don't have a very  
14 good answer, and next time I'm here I'll have a better  
15 answer.

16 CHAIRMAN CONWAY: Thank you.

17 AMBASSADOR BROOKS: I would like to  
18 conclude, and talk a little bit about NASA. And the  
19 Deputy Secretary made it clear that we think that we  
20 should learn from the mistakes of others. And so we  
21 are reviewing the lessons learned from the Columbia  
22 Accident Investigation Board.

23 I have personally read the entire report,  
24 and one of the fundamental issues was the failure of  
25 senior management to listen and act on concerns raised

1 by technical experts. And I'm committed to avoiding  
2 that failure.

3 And that is one of the reasons that I  
4 value the dialogue with the Board. There are a lot of  
5 organizational causes. And because of the  
6 similarities that the Deputy has already mentioned,  
7 between our work and NASA's, I've chartered a formal  
8 review -- well, I have done two things.

9 I've chartered a formal review of this,  
10 that is being headed by General Ron Haeckel, Dr.  
11 Beckner's Principal Deputy, and I've asked them to  
12 look, in particular; is our management safety culture  
13 appropriate; are there issues raised by the report  
14 that we should consider as we continue to implement  
15 this new organization model; do we see that we will  
16 have the necessary technical capability; and then I've  
17 asked them for recommendations.

18 I expect to have their report by January,  
19 and to act on it as soon as I've got it. I will, of  
20 course, share their conclusions with the Board. Their  
21 initial thoughts, they are focusing on five areas.

22 They noticed that in NASA there was an  
23 erosion of technical staffing, and we are looking.  
24 We've already discussed a little about the Board's  
25 concerns in this area. And I want to make sure that

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1 we have adequate support for the Site Offices.

2 We are looking at the recommendations that  
3 were made in the report for an independent safety  
4 organization with direct authority. That appears, to  
5 me, to be inconsistent with the core principle of line  
6 management responsibility.

7 So what I'm looking for is how else you  
8 provide the checks and balances. Now, my personal  
9 view, and I do not wish to attribute this, I'm trying  
10 very hard to keep my personal view out of what General  
11 Haeckel does, because my experience is that sometimes  
12 if you are the senior person, and you express a view,  
13 you cutoff, prematurely, discussion.

14 But my personal view is the problem here  
15 is primarily cultural. That was a problem in NASA,  
16 and it may well be the problem here. The problem is  
17 to get dissenting views paid attention to, and to  
18 avoid any implication that we shoot the messenger.

19 I am not entirely satisfied that I've got  
20 that culture yet. I have no evidence in the safety  
21 area. I do have evidence in other areas that people  
22 didn't feel that their concerns would be taken  
23 seriously.

24 I don't quite understand why that is true  
25 yet, but I think it is something that we are going to

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1 have to work on. I think there are other cultural  
2 things that General Haeckel has identified, past  
3 successes as an indicator of future performance,  
4 acceptance of recurring problems as normal, resistance  
5 to outside opinions.

6 I think those are also things that we are  
7 going to need to look at. And, finally, I share the  
8 view that budget constraints, and schedule pressures  
9 always have to be watched, to make sure that they  
10 don't compromise safety.

11 I have no evidence that that is a problem  
12 for us. But, to be candid, the current situation  
13 doesn't provide a strong test. I mean, I don't have  
14 things rammed under huge budget, huge schedule  
15 pressure. What I have to make sure is that I'm  
16 putting the culture in place so that when I do get  
17 under huge schedule pressure it doesn't compromise  
18 safety.

19 CHAIRMAN CONWAY: Yes. You mentioned one  
20 of the recommendations which makes you uncomfortable.  
21 I presume that is where they were setting up an  
22 outside group of experts, outside oversight, and also  
23 would have the right to veto, which --

24 AMBASSADOR BROOKS: Yes, sir. And, first,  
25 I'm sorry --

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1 CHAIRMAN CONWAY: No, I was going to say,  
2 they had two oversight groups, as I read the  
3 recommendations. But we faced this in the original  
4 days of the organization, was the question of whether  
5 we would have oversight veto power.

6 AMBASSADOR BROOKS: Yes, sir.

7 CHAIRMAN CONWAY: But line management  
8 would indicate that you have this final responsibility  
9 for safety.

10 AMBASSADOR BROOKS: I agree with that. I  
11 think, in fairness, the situation where you are doing  
12 one terribly complex and dangerous event, every three  
13 or four months, you are either launching, or you are  
14 not launching, is different than where you are doing  
15 dozens, hundreds, thousands of processes, many of  
16 which are repetitive, but any one of which, if done  
17 wrong, can be a safety problem.

18 The model of an outside, you know, a  
19 separate hand on the key, is probably not workable in  
20 that situation, in any case. But I believe that the  
21 line, principle of line management authority shouldn't  
22 be compromised.

23 What I don't yet have, what I'm looking  
24 for General Haeckel to help tell me, is do we have,  
25 within that, enough of a voice for, especially

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1 dissenting voices on safety.

2           The key, in my view, is how we treat  
3 people who raise concerns that later prove to be  
4 unwarranted. I mean, it is easy, if somebody says we  
5 have to stop this action, and it turns out that if we  
6 had gone ahead we would have killed five people,  
7 everybody knows that person is a hero.

8           But what I have told the Site Office  
9 Managers, is that if somebody raises a safety concern,  
10 and it turns out they were absolutely wrong, they are  
11 a hero, too. Because if you -- if you force the  
12 system to look again at a safety issue and it turns  
13 out that second look confirms you are okay, that is  
14 not a bad thing.

15           And that is the part that I'm not  
16 completely convinced I have -- I mean, most  
17 organizations don't have that culture where the guy  
18 who calls wolf is a hero, and I'm pretty sure I don't  
19 either. And we are going to have to work on that.

20           Let me conclude by making a point I made  
21 before. The creation of the "NNSA of the Future" is  
22 hugely important. I think it is going to make the  
23 organization better, I think it is going to make the  
24 organization more streamlined, I think it is going to  
25 make the organization more efficient. And, therefore,

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1 I think it is going to make the organization safer.

2 But even the best plan doesn't always get  
3 implemented correctly. So I want to assure the Board  
4 that we are going to monitor the progress. And we are  
5 prepared to, if we discover problems, to adjust our  
6 approach.

7 Because we are after effectiveness, we are  
8 after efficiency, we are after mission, but we are  
9 also after safety.

10 Thank you for your attention, I would be  
11 glad to deal with any further questions.

12 CHAIRMAN CONWAY: We may have some  
13 additional questions that I may send to you in writing  
14 to make the record complete.

15 AMBASSADOR BROOKS: Thank you.

16 CHAIRMAN CONWAY: Well, thank you for your  
17 time here this morning. And if we have some other  
18 questions we will extend them to you, and we will  
19 include them in the record, then. Thank you very  
20 much, and good luck, too.

21 AMBASSADOR BROOKS: I'm actually, if it is  
22 okay, going to stay and listen to --

23 CHAIRMAN CONWAY: Oh, good, thank you.  
24 Do you want anybody else with you?

25 MR. CARD: No, it is just me, me and the

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