

**HEARING TO RECEIVE TESTIMONY ON THE  
PROTECTIVE FORCES AT THE DEPARTMENT  
OF ENERGY**

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**WEDNESDAY, MARCH 3, 2010**

U.S. SENATE,  
SUBCOMMITTEE ON STRATEGIC FORCES,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2:35 p.m. in room SR-232A, Russell Senate Office Building, Senator E. Benjamin Nelson (chairman of the subcommittee) presiding.

Committee members present: Senators Ben Nelson, Begich, and Vitter.

Majority staff member present: Madelyn R. Creedon, counsel.

Minority staff members present: Daniel A. Lerner, professional staff member; and Diana G. Tabler, professional staff member.

Staff assistants present: Kevin A. Cronin and Paul J. Hubbard.

Committee members' assistants present: James Tuite, assistant to Senator Byrd; Lindsay Kavanaugh, assistant to Senator Begich; Sandra Luff, assistant to Senator Sessions, and Michael T. Wong, assistant to Senator Vitter.

**OPENING STATEMENT OF SENATOR E. BENJAMIN NELSON,  
CHAIRMAN**

Senator BEN NELSON. Well, good afternoon. I think we'll go ahead and begin, because we're going to be up against full Senate Armed Services Committee beginning at 4:30, and I don't want to delay getting to that. So, I call this hearing to order.

Welcome to the hearing of the Subcommittee on Strategic Forces.

I'd like to thank our witnesses for their flexibility in accommodating the scheduling needs of the full committee. We have an important briefing for the full committee, as I said, that we need to make time for, but had some difficulties in somehow getting things scheduled, but apparently we've been able to succeed.

It's with great irony and pleasure that, after a 3-year stint as chairman of the Personnel Subcommittee, that I note the first hearing in my new role as chairman of the Strategic Forces Subcommittee is on a personnel matter once again. So, as Yogi Berra once said, it's like *deja vu* all over again; here we are.

The Department of Energy (DOE) is responsible for the security of nuclear weapons on DOE sites, tons of weapons-grade materials, mostly highly-enriched uranium and plutonium, and various weapons parts at various locations across the country. Even a small

amount of this material, in the hands of a terrorist, could lead to a horrific result.

And after the tragedy of September 11, 2001, the DOE reviewed the security of these sites, and their vulnerability to a terrorist attack, and came to the conclusion that the security needed to be increased. As a result, DOE adopted a new approach for the protective forces, shifting many of them to tactical response forces akin to a SWAT team. These new teams were trained in offensive combat tactics to move, train, communicate, and fight as a team. This was a major shift from the previous defensive posture that was taken at the sites. With this new focus came new rigorous training and other requirements which were not uniformly implemented at the various sites and, where implemented, became an issue for the protective forces. While the protective forces fully supported the need for the increased security, it quickly became apparent that the new requirement would be progressively difficult for older guard personnel to meet.

At the same time, DOE had decided to reduce post-retirement healthcare benefits and eliminate defined-benefit retirement plans for new employees. This misalignment, as the GAO describes it, between the protective force personnel systems and the increased physical and other demands of a paramilitary operation, has become a significant concern, and one of the underlying causes for a 44-day strike at the Pantex plant in 2007.

The DOE protective forces are all contractors, with the management of the force varying from site to site. DOE orders establish the security requirements that each site must meet, but not how each site will meet those requirements. And as a result of the growing concern over the protective forces, the security at the sites, and the strike at Pantex, this committee asked the Government Accountability Office (GAO) to conduct a comprehensive study of the management of the forces in the National Defense Authorization Act for Fiscal Year 2008.

GAO completed this study on January 19th, and today we'll hear from Mr. Eugene Aloise, GAO director, Natural Resources and Environment, on the findings and recommendations in the study. Also with us, are Mr. Glenn Podonsky, the director of the Department of Energy Office of Health, Safety, and Security, the DOE Security Policy and Oversight Office, who has worked on these issues for many years, and Mr. Mike Stumbo, president of the National Council of Security Police, the union representing over 2600 members of the protective force.

We welcome each of you this afternoon, and look forward to getting a clear understanding of the issues and difficulties of ensuring that the Nation's stockpile of nuclear weapons materials remains secure.

When Senator Vitter arrives, we will ask him for any opening comments that we have.

I would ask that each of you—our witnesses—give a very short opening statement, perhaps 5 minutes, or thereabouts. We've received your prepared statements, and, without objection, they will all be included in the record, in their entirety.

Mr. Aloise, we'll begin with you, followed by Mr. Podonsky, and later by Mr. Stumbo.

Mr. Aloise.

**STATEMENT OF EUGENE E. ALOISE, DIRECTOR, OFFICE OF  
NATURAL RESOURCES AND ENVIRONMENT, GOVERNMENT  
ACCOUNTABILITY OFFICE**

Mr. ALOISE. Thank you, Mr. Chairman.

Mr. Chairman and members of the subcommittee, I am pleased to be here today to discuss issues with DOE's protective forces.

Over 2,300 heavily-armed protective forces provide security for DOE and NNSA at 6 sites, with long-term missions to store and process weapons-grade nuclear materials, DOE's highest security threat.

As mentioned, since September 11 DOE has sought to transform its protective forces into an elite fighting force, a tactical response force, known as TRF, with training and capabilities similar to the U.S. military. protective force unions are concerned that TRF's more demanding requirements threatens the ability of the forces to work until retirement age.

My remarks today are based on a recently issued report which shows that contractor protective forces are not uniformly managed, organized, staffed, trained, equipped, or compensated across the six DOE sites. These differences exist because the forces operate under separate contracts and collective bargaining agreements at each site, and because of DOE's contracting approach, which allows each site to tailor security to site and mission needs.

Since 2005, TRF has raised concerns in DOE security organizations among protective force contractors and force unions about the ability of the forces, especially older force members, to continue to meet DOE's weapons, physical fitness, and medical qualifications.

Adding to these concerns are DOE's efforts to manage its long-term contractor post-retirement and pension liabilities which could negatively impact protective forces retirement eligibility and benefits. As mentioned, these concerns contributed to a 44-day strike in 2007 by protective forces at the Pantex site, where the assembly and disassembly of nuclear weapons occurs.

According to union officials, failure to resolve TRF and retirement benefit issues could lead to strikes at three sites with over 1,500 protective forces when their collective bargaining agreement ends in 2012.

Now, DOE has considered two principal options to more effectively manage its protective forces: improving the existing contractor system or creating a Federal protective force.

In 2009, NNSA and DOE officials rejected Federalization of protective forces, because it would be too costly and would provide little increase in security effectiveness. Instead, they supported the continued use of contractor forces, but with improvements.

Our analysis shows that if the forces are well managed, either a contractor or a Federal force could result in effective and uniform security. Both options have offsetting advantages and disadvantages, with neither option emerging as clearly superior. A key disadvantage of the contractor system is the potential for strikes by contractor forces. However, according to NNSA's Administrator, strikes can be effectively managed by the use of replacement forces.

Reliably estimating the cost to compare the two options proved difficult and precluded our detailed reporting on it. Because contractor and Federal forces could each have numerous permutations, choosing any particular option to assess would be arbitrary.

In March 2009, DOE commissioned a group to recommend ways to improve the protective force contractor personnel system. In June of last year, the group made 29 recommendations designed to enable protective force members to reach a normal retirement age within the forces, take another job within DOE, or transition to a non-DOE career. To date, action by DOE on these recommendations has been limited.

In our view, DOE and its protective force contractors have not successfully aligned protective force systems with the increased physical and other demands of a more paramilitary operation. Without better alignment, there is a greater potential for strikes and potential risk to site security when collective bargaining agreements expire.

DOE's study group recommendations are a step forward, however DOE faces the possibility of more strikes by its protective forces at some of its highest security-risk facilities if these issues are not resolved. Therefore, it is imperative that DOE resolve these issues soon, as recommended by our report and directed by the full committee in the 2010 National Defense Authorization Act.

Mr. Chairman, that concludes my remarks, and I would be happy to address any questions you or other members may have.

[The prepared statement of Mr. Aloise follows:]

Senator BEN NELSON. Okay.

Mr. Vitter, the—we've started, with the first 5 minutes—

Senator VITTER. Sure.

Senator BEN NELSON.—two votes starting at 2:45, so if we could, maybe we could finish the other opening statements, go vote, and then come back and you can give us—

Senator VITTER. Sure.

Senator BEN NELSON.—some opening statements.

Senator VITTER. All right.

Senator BEN NELSON. Okay.

Mr. Podonsky.

**STATEMENT OF GLENN S. PODONSKY, DIRECTOR, OFFICE OF HEALTH, SAFETY, AND SECURITY, DEPARTMENT OF ENERGY**

Mr. PODONSKY. Mr. Chairman and Ranking Member Vitter, thank you for inviting me to testify about the Department of Energy's efforts to address the career-related concerns of our protective force.

This hearing comes at a critical junction in the Department's longstanding efforts to evaluate the tactical capabilities of the protective forces supported by career and retirement opportunities commensurate with the professionalism we've come to expect.

When the Department was created, protective forces were essentially industrial security gate guards. In the early 1980s, the Department acknowledged the potential for more serious terrorist threats, and began a dramatic effort to ramp up the tactical capabilities of its protective forces. This was accompanied by increasing performance expectations for the protective force members. Com-

pensation and benefits improved, but did not always keep pace with the increasing demands of the job.

In the 1990s, cuts in the protective force numbers became part of the post-cold-war peace dividend. The events of September 11 ushered in a new focus on security across the DOE and the Nation, and a new emphasis on protective forces. The Department needed a security posture able to meet much greater challenges, including the need for more tactical capability security forces.

In 2004, I recommended to Secretary Abraham that he create an initiative called the Elite Force, which included Federalization of the protective force. The Elite Force concept is currently known as the DOE's Tactical Response Force Initiative. The results, in terms of capabilities of this initiative, have been impressive, but a practical and affordable path towards improving protective force service as a career has not occurred.

Studies conducted in 2004 identified Federalization of the Department's protective force as the preferred option, but acknowledged that no realistic path forward toward this goal existed. The National Council of Security Police, NCSP, came to support Federalization as a means of advancing its program for improved career progression and retirement benefits, but there still seemed to be no viable and affordable means for the DOE to actually implement this concept.

Among the difficulties was the need for complex changes to legislation and regulations to enable a Federalization process that would protect incumbents and/or classify personnel as law enforcement. At the time, congressional interest in making the complex legislative changes necessary was not apparent, so the Department felt that most of the major issues should be addressed in some manner under the current contract protective force model.

In 2009, I chartered a broad-base protective force career options study group to address protective force concerns, composed of experts and DOE security professionals and leaders from the NCSP. That group made 29 recommendations. The GAO's January 2010 study of protective force personnel issues seemed to support the recommendations by recommending that the Department respond to each of them.

We have since created the Protective Force Career Options Committee to assist policy and line organizations in implementing the study group recommendations. The Department has drawn together its best expertise to develop an appropriate implementation plan for these recommendations.

I would like to take a moment here just to offer a special thank you to the NCSP and the protective force union leaders for their dedicated and cooperative efforts over the last year to not only help us identify the problems, but also the potential solutions.

Consistent with Secretary Chu's management principle to treat our people as our greatest asset, the Department's actions reflect a commitment to identify and promote efforts to ensure members of the protective forces are treated in a manner consistent with their vital role and in recognition of professional demands of that role entailing.

While the Department can cite gains in implementing security initiatives that provide more robust asset protection, we have not

yet made similar progress in efforts to address all concerns of the protective force members regarding career prospects and related issues.

Much of the lack of progress actually speaks to the complexity and difficulty in resolving these issues. The DOE and NSA are, in fact, addressing the recommendations associated with response planning, deployment strategy, force restructuring, training needs, and standardization of protective force weapons, equipment, and uniforms. Our national training center in Albuquerque is developing the curricula for protective force career progression and career transition training.

My office is also in the process of reviewing recommendations dealing with protective force physical fitness standards, medical requirements, and human reliability program.

Most of the remaining recommendations involve the very difficult issue of retirement, mobility among contractors, disability retirement, and retraining and placement of outside the protective force. These areas are further complicated because they are mostly defined in collective bargaining agreements between the contractors and the unions.

The Department should explore ways to craft a comprehensive, standardized approach to protective force career progression and retirement issues that will ensure that protective force members, regardless of location, are treated equitably and with the assurance that neither age nor injury will unfairly disadvantage them, in comparison with the larger departmental workforce.

For example, Mr. Chairman, the Department could consider pursuing a program similar to the benefits allowed for beryllium workers under 10 CFR 850. That would provide retraining and transfer or 2 years' saved pay benefits to protective force personnel who are injured or are otherwise unable to meet physical standards.

While my office will continue to assist in resolving these complex issues, by their very nature and inherent cost and contractual implications, alternate resolution is clearly within the purview of the line management. In this regard, I should also emphasize that line management is also deeply engaged alongside HSS, my organization, in this task.

In conclusion, the protective force is critical to DOE's overall protection, and it is the Department's and the Nation's best interest to ensure that protective force personnel are treated equitably, and that their legitimate concerns are addressed to the greatest possible extent.

We conducted studies on this topic in 1992, 1997, 2004, and 2008. DOE is moving to address those issues that can be resolved within existing operation on resource constraints. Fair resolutions to the more complex and difficult issues will require cooperation and compromise by all the principals involved—line management, the unions, and the Congress.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Podonsky follows:]

Senator BEN NELSON. Mr. Stumbo.

**STATEMENT OF MIKE STUMBO, PRESIDENT, NATIONAL  
COUNCIL OF SECURITY POLICE**

Mr. STUMBO. Mr. Chairman and members of the subcommittee, my name is Mike Stumbo. I'm pleased to be here to testify, at your request, on issues relating to the Department of Energy Protective Force.

I proudly serve as a security police officer at the Pantex site. Those of you that are not familiar with the Pantex site, that is the final assembly and disassembly of nuclear weapons here in the United States.

I consider my job, like many of my fellow DOE security police officers, as continuing service to my country, defending against adversaries who are organized to destroy this country.

I am also the president of the National Council of Security Police, commonly known as the NCSP. Our organization was formed by constituent unions as an active collective voice common to all DOE security police officers throughout the DOE enterprise. We provide unfiltered insight from the field. We call it the "boots-on-the-ground perspective."

For the past several years, we have focused on the question of Federalizing the protective force, which has been an area of extensive discussion and review within DOE for many years.

As highlighted in the recent GAO report, there are significant personnel issues affecting the ability of the protective forces to perform their mission that cannot be compromised.

On July 16, 1945, in the early morning hours, near Alamogordo, NM, a test code-named "Trinity" refashioned our world forever. The new weapon became the very fabric of our National defense and the primary deterrent of attack from our greatest enemies. Our government produces these weapons, and it is an inherent government function to protect them.

Currently, the security of our Nation's nuclear weapons and weapons-grade material is contracted out to private security contractors. It is the private structure that has not allowed these exceptional men and women who protect these weapons of mass destruction the ability to enjoy terms and conditions of employment that support a shortened career, a career that demands the highest physical, medical, and training standards in any law-enforcement arena.

Quite frankly, new hires coming out of the military see these jobs as a continuation of military service in the private sector. But, quickly they find out that there is no incentive to make this a career. After investing time, money, and clearances, many transition to the law-enforcement opportunities that are career-based. This is not a novel or new issue; the conflicts that exist when profit versus security, when private companies protect nuclear assets, are inherent.

It was identified in 1990, by the GAO, to adopt Federalization as a potential structure; again in 2004, by the Department of Energy, again to adopt Federalization as potential structure. Shortly after that, the DOE chief health, safety, and security officer commissioned a team composed of DOE line management and NCSP leadership to address career opportunities and retirement prospects for security police officers. The recommended 29 options are captured

in the 2010 GAO report. The NCSP commends HSS for having the courage to initiate this action among a great deal of controversy.

Our jobs require a vigorous physical security force that must maintain stringent training and medical standards. It will require the best 20 years of our lives. We must maintain the highest level of security to protect the most powerful weapons known to mankind. In that 20 years, our bodies begin to break down—knees, ankles; our reactionary skills, target-recognition skills start to decrease—it's a natural order—not to mention the risk of exposure from radiation, chemicals, and beryllium. These hazards are not encountered by our other law-enforcement counterparts.

What I ask of you today is to recognize the uniqueness and nature of our work, and the paramount importance of our mission to this country. There are three entities that perform the mission of protecting nuclear weapons and nuclear weapon-grade material: the military, DOE nuclear couriers, and DOE security police officers. Only one of those entities is outside of the Federal structure, and that is your DOE security police officers.

Whether we choose to Federalize or maintain the private security contractor structure, we must adopt the Federal retirement components that support this vital mission. DOE security police officers deserve nothing less. Too much time has passed. There has been plenty of studies.

In closing, I wish to thank the committee for giving me the opportunity to present our case on behalf of the NCSP. I'm prepared to answer any questions you may have.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Stumbo follows:]

Senator BEN NELSON. Thank you.

I think if we take a break to go and vote, and as soon it's over, we'll be right back. We apologize. That's one thing we have no control over.

[Recess.]

Senator BEN NELSON. Hearing will come back to order.

First, before the questions, Senator Vitter, any opening comments you might like to make?

Senator VITTER. Mr. Chairman, in the interest of getting to some questions before we're all pulled away, I will submit my opening statement for the record.

Senator BEN NELSON. Thank you.

[The prepared statement of Senator Vitter follows:]

[SUBCOMMITTEE INSERT]

Senator BEN NELSON. Please, go—start off with some questions.

Senator VITTER. Right. Thank you very much.

Mr. Aloise—is that the correct pronunciation?

Mr. ALOISE. Yes, sir.

Senator VITTER. Yes. In the GAO report, you state that a Federalized force offers no overall advantage to the current model, and that, basically, either option could result in effective and more uniform security, if it's well managed. To that extent, do you assess that the cost of implementing a Federalized force, overall, would be higher than the cost of fixing the current model?

Mr. ALOISE. Well, cost was difficult to analyze, and so, we didn't come up with a cost estimate, because there are so many variables

to consider, and we just don't have that data. For example, would DOE hire more guards if they Federalized, so they wouldn't have to spend so much on overtime, or would they keep the size they have and utilize overtime? And what would those overtime rates be? So, we didn't have that data, so we could not come up with a cost estimate.

Senator VITTER. Okay.

Mr. Podonsky, do you have any response to the same question?

Mr. PODONSKY. We also do not have hard data, in terms of the cost. But, what we looked at multiple times, as I said in my opening remarks, is, where there would be cost savings and/or effectiveness and security, and each time we've looked at it, as a department, we've come back in saying Federalizing was going to be more difficult than it would be if we cleaned up the current contracting situation that we currently have. So, one of the solutions that we believe is to go to model contracts, with specific clauses in those contracts to take care of the concerns that the security forces are expressing and we agree with.

Senator VITTER. Okay. Let me ask all of you, in whatever order you choose. There are these 29 recommendations that have been identified jointly by the Department and the unions. We're working on those, to some extent. If all of those could be accomplished, in your opinions, what would be the remaining issues, if any, that were far less than ideal, in terms of correcting the current model?

Mr. PODONSKY. Well, I'll go ahead and start, if my colleagues agree.

The 29 recommendations was actually a product of the joint standing study group that was, as I said, both security professionals and the Department, contractors, and the union. And so, those 29 recommendations was the complete smorgasbord of what they felt—the complete group that the Department needed to do. My staff has—have told me, if, in fact, all 29 were completed, then there'd be very few, if any, issues remaining.

Senator VITTER. Okay.

Mr. Stumbo, what would your answer to the same question be?

Mr. STUMBO. I sit on that standing committee, and in our opinion, based on those 29 recommendations, we identified those areas that truly had fractured the structure, that had made it dysfunctional. So, those recommendations, if we would implement all those recommendations, it would certainly allow us to have a structure that would permit the DOE security police officers to have a livable retirement, respectful of the mission that they perform.

Senator VITTER. So, again, if we can check off those 29 items—and I'm not suggesting that's easy to do or we'd do it overnight—would there be any remaining significant categories, in your opinion, of real work to be done?

Mr. STUMBO. Not in my opinion, no, sir.

Senator VITTER. Okay.

Mr. Aloise.

Mr. ALOISE. Yes, we would agree with that. The only point I'd like to make is, some of those recommendations, as you're aware, have high costs to them.

Senator VITTER. Right.

Mr. ALOISE. So.

Senator VITTER. Okay.

Mr. Stumbo, as I appreciate it, a big part of your workforce's concerns are about retirement.

Mr. STUMBO. Yes, sir.

Senator VITTER. I've also heard, anecdotally—and I want to see if it's accurate—that a big portion of the workforce do not take advantage of—or full advantage of—401(k) investment opportunities. Do you have a sense of what the facts are, with regard to the whole workforce? And if nonparticipation is any significant factor, what can we do about it?

Mr. STUMBO. Well, the 401(k) system is certainly—was to be introduced and utilized in our collective bargaining agreements as a supplement, and simply only a supplement. So, the baseline, based on the shortened careers that each one of our men and women have to endure, is really what needs to be focused on. 401(k) is great, as long as the markets achieve the success that they can achieve, but we all recognize, based on the history of our recent markets, that if all of our eggs were in that basket, regardless of the participation rate, there's no way that our men and women could have retired.

Senator VITTER. Well, what's the answer to my specific factual question about just what's the participation rate? What is it or isn't it?

Mr. STUMBO. I don't have exactly the numbers in front of me for you for those rates. But, I would say, based on the young men and women that come out of the military, the 401(k) is probably a 50–50-type percentage for those personnel.

Senator VITTER. What could we do, usefully, to push that a lot higher, do you think?

Mr. STUMBO. Well, I think that we are dealing with young men and women obviously not focused on the future. So, I believe that we continue to educate them, and try to place a system in place so that the decisions that they do not make as young men and women, we have a structure in place that will provide for them when they are mature enough and recognize the true need of the mission.

Senator VITTER. Okay.

Do either of you have a response to those two questions? Number one, what are the facts about participation rates? Number two, what can we be doing to significantly increase participation rates?

Mr. ALOISE. The only thing I would add is that it does vary from site to site, you know, who participates in the defined versus the contribution plan. And we don't have good numbers on your question there. But.

Mr. PODONSKY. I have nothing to add to that.

Senator VITTER. Okay.

That's all I have right now, Mr. Chairman.

Senator BEN NELSON. Thank you.

Mr. Podonsky, you've been involved with the oversight of security forces and development of security policy for several years, and, as such, I know you're aware of the contractual evolution from all the protective forces. Nothing is static; there are constant changes. As such, in that—is there any advantage of any particular—or any particular reason for having different contractual structures today,

as opposed to the evolution into a common contract, so that there aren't, in fact, differences? Is there something advantageous about having them all separate and different?

Mr. PODONSKY. Mr. Chairman, as you know, my office is responsible for independent assessing of the Department's performance, and we also promulgate the policy. Clearly, the line functions are the ones who set up the contracts with the various structures that they have out there.

From my professional opinion, the only way there's an advantage to the contractors that are out there is if, in fact, we have a model contract. Right now we have a smorgasbord of contracts out there that grew up over many, many decades of the way the Department is structured. And we believe, from an oversight perspective, as well as a policy, that the line function should, in fact, take a look at a standardized approach; as I said in one of my previous answers, to have a model contract that has the contract language in there that has clauses to take care of these longstanding issues that the Department has been wrestling with since the 1990s.

Senator BEN NELSON. Mr. Aloise, what are your thoughts?

Mr. ALOISE. Well, our perspective is they should—DOE should go as far as it can toward standardization. We called for that several years ago, and we still believe that's the way to go.

Senator BEN NELSON. Mr. Stumbo?

Mr. STUMBO. I believe the approach to have a contract that will provide those provisions that are necessary for a solid retirement structure would obviously be the path that we could take, and I do believe that is possible.

Senator BEN NELSON. And that should be a model—everybody treated the same? Or would—could it be different in each of the contracts?

Mr. STUMBO. I think it should be the same, based on the retirement structure itself, if we were mirroring something that the Federal law enforcement currently have.

Senator BEN NELSON. Okay.

Senator VITTER. Mr. Chairman, can I just pick up on that—

Senator BEN NELSON. Yes. Sure.

Senator VITTER.—quickly?

Senator BEN NELSON. Please.

Senator VITTER. Maybe I'm missing something, Mr. Podonsky. Is that not within the power of the Department, to clearly, forcefully move in that direction?

Mr. PODONSKY. In all due respect, I'm going to have to defer to the Department to—in a second hearing that I understand is—going to have. Because what we have, in my function, is—we are not the implementers of policy. We're—we create the policy for the Secretary, but the contractual piece is governed, clearly, by the Federal acquisition rules, as well as the standards of the contracting world, which is not ours. So, in my opinion, yes, I do believe it exists, but that would be better answered by the next panel in the next hearing.

Senator BEN NELSON. Now, my understanding was that the latitude of the contractors was limited by the Department of Energy to the amount, type, and nature of the pay and benefits available to the protective forces. Mr. Podonsky, is—are you saying that if

DOE established a policy with respect—or let's say of—to use Mr. Aloise's comments, a standardization, or, in your case, your words, a model policy—would it be possible to include those in the collective bargaining agreements if that was a requirement from the agency to the contractors? Does that exceed your—

Mr. PODONSKY. That—I can give you my personal—

Senator BEN NELSON. Your personal opinion.

Mr. PODONSKY.—view. But—

Senator BEN NELSON. Yes, that's all I'm after right now.

Mr. PODONSKY. Okay. I believe people make requirements, and people can make the requirements adapt to what the situation is. Clearly, this, again—as I just told Senator Vitter, this is really something for the line to determine, together with the contracting officials in the Department. But, when you look at the problem, as Mr. Stumbo and Mr. Aloise has articulated and we've also seen from our organization, is that—this is a serious problem that has to be addressed now. And it continues to be studied, and the actions that I—I'm sure we will be taking with the recommendations will help move the ball forward. But, we've wasted a lot of time on the same subject, and we haven't gotten to where we need to be.

So, specifically, to your question, I think anything's possible if we set our minds to it. And as I said in my opening testimony, it's going to not only take the union and the line working together, but the Congress, to make that happen.

Senator BEN NELSON. Mr. Aloise, are you aware of any particular stumbling block, other than just the challenges of getting something accomplished, but any legal impairment or inability of DOE to set the requirements to standardization or in model form for the contractors to meet with respect to the negotiations on the collective bargaining with the unions?

Mr. ALOISE. We'd have to look at that more closely. But, from our—the work we've done, we don't see anything that would preclude that. But, you're talking about a lot of collective bargaining agreements right now, and many different sites, so it would be a challenge to get that.

Senator BEN NELSON. Is that something that, in your opinion, you could accomplish over some period of time, recognizing the different contract dates and times for collective bargaining for new contracts?

Mr. ALOISE. Appears it could be done over a period of time, yeah.

Senator BEN NELSON. Would it be advisable to end up with a common time for the expiration of such contracts?

Mr. ALOISE. It would be nice, but I'm not sure if it's achievable.

Senator BEN NELSON. Mr. Stumbo, do you think it's possible that some contracts could be for longer periods of time to shorter periods of time to achieve a standard timeframe, so that you would have standardization and a model approach for all of the contracts with the contractors for their employees?

Mr. STUMBO. Mr. Chairman, we have discussed that exact situation and that we have assured the Department of Energy that we will do whatever is necessary; if we need to open up portions of our bargaining agreement now to ensure that we can implement that structure, that we would do so.

Senator BEN NELSON. And that could include the expiration date, so as long as your employees were not—your members were not in some way being disadvantaged in the process. Is that fair, too?

Mr. STUMBO. Yes, sir.

Senator BEN NELSON. Can you—Mr. Stumbo, how would your workforce react if, in this Federalization effort, there was a decision where each position would be subject to open competition?

Mr. STUMBO. Obviously, that would be very negative to the men and women that have spent their careers and put their lives on the line for so long. Obviously, that would be, basically, a kick in the face to us, based on what we have done for this country.

Senator BEN NELSON. Mr. Podonsky, do you have any thoughts about that, from the standpoint of the—of DOE?

Mr. PODONSKY. We looked at—Mr. Chairman, we looked at both the improving of the contract—existing contracts, as well as the Federalization. And, as I've said in my testimony, we felt that the negative side of the Federalization, and all that comes with being compliant with OPM rules and what the current situation is, whether the Guards would be grandfathered in or not, what pay grade they would be coming in—it appears to us that the existing legislation governing Federalization would be a deterrent for encouraging the existing guard force to come into the Federal force.

Senator BEN NELSON. Senator Begich, would you like to have some questions, please?

Senator BEGICH. Thank you, Mr. Chairman.

Just remind me again, How many bargaining units are there within—or, first, how many sites are there, again? Remind me.

Mr. PODONSKY. There's approximately 26 sites, and then those are broken up into facilities.

Senator BEGICH. And are—is there a certain amount of sites that have the highest, you know, volume of employees? Like, is there a top six, a top—

Mr. PODONSKY. What happens, Senator, is, each site has a different mission, and there's different categories of attractiveness and materials. You may have a site that's just manufacturing of parts, or you have a site, such as Pantex, that actually has full-up weapons. So, it runs the kaleidoscope.

Senator BEGICH. Gamut. About 26.

Mr. PODONSKY. Roughly, there—

Senator BEGICH. Roughly.

Mr. PODONSKY. Roughly, from what—in terms of the sites that we're talking about, with security officers.

Senator BEGICH. And again, remind me, does each site have their own, then, contract for each site?

Mr. PODONSKY. No, sir. There are—

Senator BEGICH. Some are wrapped together?

Mr. PODONSKY. There are three different approaches to—some security officers report directly to the Federal entity—

Senator BEGICH. Okay.

Mr. PODONSKY.—some report to the management and operational contractor as a part of their company, and then a third one is where there's a—there's private security—

Senator BEGICH. Private security.

Mr. PODONSKY.—that is contracted with the M&O. So, there's three different elements in the model. And then there's the OST model that we've talked about, which is a Federalized force.

Senator BEGICH. Right. And then, how many different bargaining groups are there, within all these organizations?

Mr. STUMBO. I'd say, totally, between independents and inter-nationals, you're probably looking at approximately five groups.

Senator BEGICH. Five groups.

Mr. STUMBO. Yes, sir.

Senator BEGICH. That's actually very good, if there's only five.

Mr. STUMBO. Yes, sir.

Senator BEGICH. As a former mayor, I had to deal with nine, plus another one had eight underneath its one. So, five is a piece of cake. So, when—can I—why I say that is because your comment, “it may be difficult.” To me, five is a dream. You know, from what—you were a former Governor, you know what I'm talking about. This is actually a very—

I guess I want to go on the—because we did this, in the city where I was mayor, we unified the contracts and timetable of expiration, mostly around healthcare issues; we weren't all under the same plan. We had multiple jurisdiction issues, and we just staggered out, on the back end; once they all got to a certain point, then we had a 3- year—in some cases, 5-year deals. So, it created consistency, and so forth.

Is that, when you say, “opening it up”—and I've wondered—I caught your words very carefully here, as a—I've been on both sides of the equation here, union and management, so certain parts of the contract that you could open up—would you mean how to get the timetables adjusted, so everyone can expire at the same time, and then get a unified system of when these contracts go in, or all the contract terms, meaning that you can start unifying systems, pay grades, other things? I want to make sure I heard what you said there, because there was—very carefully picked words, and I want to make sure we're on the same page.

Mr. STUMBO. Yes, sir. What I was trying to get across was that each of the collective bargaining agreements have certain provisions, particularly those that affect the retirement structure. Those particular articles could be opened up, and we could implement the correct structures, in our opinion, that would fix our problems.

Senator BEGICH. Okay.

Mr. STUMBO. And so, by doing that, we could expedite the process without waiting for each contract to actually expire before we could make that happen.

Senator BEGICH. Would—do you believe the groups would allow that to occur without triggering any other aspects of the contract and awards? I know, sometimes when you go there, it starts a formal process. You know, when you open up a contract for a condition, there is conditions within the contract that then start triggering timetables. Do you think you would be able to do it in such an informal, but yet still formal, way that you would not create other issues in the contract that would have to be dealt with?

Mr. STUMBO. Absolutely. Yes, sir, I believe—

Senator BEGICH. And so—

Mr. STUMBO.—we can.

Senator BEGICH.—you feel very confident that all bargaining groups would do that.

Mr. STUMBO. Yes sir, I do.

Senator BEGICH. Okay. The last, if I can—

Senator BEN NELSON. Yes, sure.

Senator BEGICH.—Mr. Chairman, and that is—and I—and your comment that it seems like now's the time—you know, I'm new to this; I've been here a year-and-a-half. But, as you were, and others were, talking about the multiple years of this discussion, the question I have is, Who will trigger the action to make this move forward? In other words, we can have—I know we'll probably we have another hearing. But, who within the DOE, I'll use as first trigger point—who says, "We're going. We're going to do this," and set the timetable to get going and sit down with the bargaining groups and say, "We're going to try to figure out how to unify this system, create a career path, not a, you know, in-and-out or—or, in some cases, some people who been there a long time, but are kind of stalled out and not able to move forward—who makes that decision?"

Mr. PODONSKY. Well, that's clearly, Senator, the prerogatives of the Secretary of Energy. But, let me say, we've already, with our partnership with the unions and the line functions that I mentioned, we're already—those 29 recommendations—

Senator BEGICH. Right.

Mr. PODONSKY.—started solidifying some actions that the Department should start taking, and we're guardedly optimistic that the line functions will continue down that path. But, the ultimate decision is going to be the Secretary of Energy, as to how far that goes, in partnership with the Congress.

Senator BEGICH. Okay. And I—just made me think of two other things, Mr. Chairman, if I can.

One, on the report, is there a timetable you have set that—not to just review and look at the actions, but actually implement these actions, and then the ones that you can't, clearly identify when and at what point you can make that decision? Have you set out a time schedule? Do you have a working time schedule that you are all using within the Department?

Mr. PODONSKY. Well, two things. We owe to the Congress a report on April 30th for a comprehensive implementation plan for those recommendations.

Senator BEGICH. Yes.

Mr. PODONSKY. But, we're not waiting for that plan. We had a—

Senator BEGICH. Okay.

Mr. PODONSKY.—we have a committee that was set up to address that, with the line functions. And there's—out of the 29 recommendations, about 17 of them are already underway. The 12 that are remaining out of the 29 are those that are very difficult, having to do with the bigger issues of retirement and disability and pension and things of that nature.

Senator BEGICH. Well, I'd be—you know, I'm a believer—when I was mayor and when I was on the city council, we dealt with police and fire retirement issues, and there's nothing more complicated—medical liability, long-term retirement, multiple plans, you know survivor—the whole nine yards. We did it. It was no fun, but—

The last comment I'd say is, I do believe, and I want to echo the—through the questions that the Chairman asked, that I do believe if you set the criteria for the contractors, they can do that. We did that with security within our community. And when we had private security, we said, "Here's what we want. Here's the standards of living we want you to make sure are in those contracts." You know, they were paying them 8 bucks an hour. You couldn't—you know, the rollover rate was unbelievable. They had no benefits. And we said, "Here's the standards we want you to adhere to." Of course, that cost, but that was then competitively bid to the contractors, and they figured it all out. But, at the end of the day, we knew the employee, who was working on behalf of the city, securing buildings in our issues, had a standard that we felt very confident was equal or close to if you were a municipal employee, but being in a private-sector environment.

So, I know there is some question if it can be done. If local governments can do it, sure to heck the Federal Government can do it, because you've got a lot more power. So, I would just encourage you to look at that question and clearly define that. Because the contractors respond to what you put in the scope of services, and the scope of services said, "Here's the 10 things we want you to do for these employees," and they have to adhere to it or they don't bid. It's not a—so, I—I'm a believer in this.

I know you asked it as a question, but I believe that you can—  
Senator BEN NELSON. Yes.

Senator BEGICH.—do it. We did it. And it—and obviously it turned from about a 60-percent turnover rate down to 3 percent, and people saw opportunity rather than just a part-time job at night and then who knows what else they were doing. We wanted to focus on security. So, there's my two bits through your question. I apologize.

Senator BEN NELSON. Oh, no, that's quite okay. Thank you.

Mr. Stumbo, DOE has arranged the protective forces into various different categories. Three grades of security police officers are SPOs I through III and security officers. Do you have any data that shows, generally, when you begin to see an inability to meet the - - let's say, the highest and most demanding grades—SPO II and SPO III?

Mr. STUMBO. Yes, sir, I can provide—

Senator BEN NELSON. The breakdown of the ability of the individuals in those positions to carry out their duties is what I'm—

Mr. STUMBO. I think the best data will represent it's the collective years, as I identified in my oral statement. It's the collective years that actually break down the personnel. So, between—their best years are 20 years. And so, probably half way into their career, they begin to realize and recognize that they cannot maintain that pace. So, from their 10th year to their 20th year, obviously they begin to think whether or not they should stay in the career, or not.

Senator BEN NELSON. And as a result of that, isn't it—one of the major concerns that both the DOE and the collective bargaining unit have would be early retirement and having retirement benefits commensurate with early retirement. Is that fair to say?

Mr. STUMBO. Yes, Sir. Based on the inability for us to maintain longer careers, that's absolutely true. Yes, sir.

Senator BEN NELSON. If you looked at, let's say, retraining or moving into new career opportunities, career fields, Mr. Podonsky and Mr. Aloise, what are the pros and cons of a career field that includes, let's say, a retraining option, so that we—as individuals who are no longer able to carry out the demanding work requirement for the highest grades, what are the—and either—well, are there any contractual barriers to putting something like this together that would satisfy the concerns of being able to continue in employment until retirement at some standard age, consistent with the Federal Government employees? Anything contractual that would get in the way of that? Or is that really not a wise path to take for bringing the Federalization of these employees into being?

Mr. PODONSKY. Specifically—and I don't want to sound like a broken record, but obviously some of your questions are very much geared towards the line, who are implementing and are letting out the contracts. I don't know if there's a contractual issue there.

Senator BEN NELSON. You're not aware, are you—

Mr. PODONSKY. I'm not aware of any. However, I would tell you, it's just good, sound management that if we have—in my opinion, from the policy and oversight, if we have protective force individuals, that we ought to be able to transition them into—they've got clearances, they know the sites; we should be able to transition them to other positions. In fact, sir, that's part of the reason that we have the three categories of SPOs originally. It wasn't just for safeguards posturing, it was also to give a career path, so as people were no longer, say, a SPOs III, which is a very offensive tactical group, they could perhaps go to a fixed post, so—

Senator BEN NELSON. It might be easier to show the career path going up than it is to get people to accept a career path going back.

Is that a factor, Mr. Stumbo—

Mr. STUMBO. Yes, sir.

Senator BEN NELSON.—with your group?

Mr. STUMBO. Yes, sir, it certainly is.

Senator BEN NELSON. I understand—Mr. Podonsky, I understand that, as circumstances change—health changes and what have you—but, that apparently is a big stumbling block.

Mr. STUMBO. Yes, sir.

Senator BEN NELSON. Is it because of salary, or is it just because of the nature of people not wanting to, let's say, move backwards, if they don't have to?

Mr. STUMBO. A lot of it has to do with a great deal of pride.

Senator BEN NELSON. That's what I mean.

Mr. STUMBO. A great deal of pride for what they feel like the commitment that they have made to the United States, risking, potentially, their lives, based on a terrorist attack. It is a great deal of pride.

Senator BEN NELSON. I understand. Okay.

Mr. Aloise, what did your findings reflect?

Mr. ALOISE. Well, we thought that a career path makes sense. And right now, if they do fall back to the SPO, from a SPO I or II, they do—probably will take a pay cut in that lower position. But, a career path and training and retraining is something that

we think can be done. We've invested a lot of money in these people. They're well trained. They have the clearances. They're valuable resources, and we should keep them as long we—as long as it makes sense to keep them.

Senator BEN NELSON. So, we have to deal with pride, as well as economic reality and a number of other things. That's typical of what we deal with, isn't it?

The—one of the—well, I think one of the delicate questions is about the actual security of the sites, because that's what this is all about; the underlying security of the sites. Is there a concern about individuals, who have clearance and have knowledge, leaving the employment of the contractor, with that knowledge? Have—is that a major concern within DOE, Mr. Podonsky?

Mr. PODONSKY. There's always a concern of what we call the "insider threat."

Senator BEN NELSON. Yes.

Mr. PODONSKY. And that's something that clearances are supposed to help us protect against, but you can never predict what the individual is going to do. We don't currently have a high concern about people leaving that have clearances to go on to other positions. But, occasionally we do have issues, through the clearance process, that we find, where people have shared classified when they shouldn't have after they left, or they kept classified. So, there are—like with any organization, you're going to have people problems, and I have seen, in my short 26 years in the Department, not a great deal of that, for the numbers of people that we have employed.

Senator BEN NELSON. If we had this career path, which would obviously improve retention, would that also reduce the concerns about—what did you call it? The inside—

Mr. PODONSKY. The insider threat.

Senator BEN NELSON. Right.

Mr. PODONSKY. I believe that a career path for the protective force, as I said in my testimony, is something that we absolutely need to find. Relative to a insider threat, that's a whole different subject, as to what motivates people to do that. I don't believe that that—that having a career path, or not, is going to add to that or take away from that.

Senator BEN NELSON. Mr. Stumbo, do you have any thoughts about the career path and retention?

Mr. STUMBO. Yes, sir, Mr. Chairman. I believe that, obviously, a career path is good business for the American taxpayer. But, what we've got to be realistic, as well, is to understand and recognize that there's a limited amount of positions that can be made available at any given time. So, in my opinion, it is good business. We certainly will help facilitate, entertain any method of a career path. At the same time, based on the sensitivity and the significance of what takes place at these sites, obviously a large output of personnel with the knowledge base that they would have would, even in a limited scope, certainly be very damaging to the United States. So, yes, we'd be very sensitive of that, as well.

Senator BEN NELSON. The—Mr. Aloise, did the GAO have any opportunity to look at how DOD secures its nuclear weapons stor-

age areas, see if there are any lessons learned from DOD that would have some application here in the case of DOE?

Mr. ALOISE. Yeah, actually, we focused on the DOE protective forces for this review.

Senator BEN NELSON. So, any inconsistencies in—from your particular standpoint?

Mr. ALOISE. You know, the DOE forces, they play a pretty unique role, and it's hard to compare them to what other protective forces do, because they are guarding nuclear materials and weapons and warheads. So, we focused on that function, alone.

Senator BEN NELSON. I think there was a question raised, as well, about the training—consistent training. Do you—Mr. Aloise, can you give us a—your thoughts on how well trained individuals are, and whether there needs to be any improvement in the training of the security forces?

Mr. ALOISE. You know, in general, the protective forces are a robust force, well trained. But, the training—they do get core training, but sometimes the training varies from site to site. Some have more training than others. And that's one thing these guards—I was out at a couple of these sites, and one thing they were all asking for is more training—more firearms training. So, it does vary from site to site, and it—it, in our view, should be standardized, to the extent that it can be.

Senator BEN NELSON. Mr. Podonsky, do you think that, as a result of that recommendation, that DOE can work toward standardization of the training?

Mr. PODONSKY. We're already doing that, Mr. Chairman. We have a Basic Security Police Officer Training course, we call "BSPOT," and it's run out of the National Training Center, out of Albuquerque, which is in my organization. When the officers then go back to their site of assignment, then they get additional site-specific training. But, there's definitely—we never do enough training. And one of the things that's not part of this hearing, but I will tell you, we try to introduce technology into the Department for becoming what we call a "force multiplier," to strengthen the security forces, not to take away security forces. And part of the advantages of the technology, it not only improves our effectiveness, but also gives us the opportunity to increase the training of the security officers that would have more time when we have the technology equipment, as well. So, there's a lot of advantages and there's a lot of complexities to this problem, but nothing that is insurmountable.

Senator BEN NELSON. And, Mr. Podonsky, DOE has also changed from a design basis threat, or DBT, to a new term, graded security policy, or GSP. How do these two different—these two types of policy—policies differ?

Mr. PODONSKY. Without getting into classified nature of the two policies, the policy that—the graded security protection policy was created because the design basis threat was predicated on threat statements from the intelligence community, and, as a result of every year that we review this, we found that the intelligence community was no longer standing behind any particular threat statement, in terms of numbers. So, I instructed my policy people that we needed to come up with an approach that would allow the sites

to be effectively protecting against scenarios, as opposed to a set number of adversaries.

So, the basic difference is, it gives the sites much more flexibility for site-specific protection, as opposed to just the postulated threat that we had lived through previously.

I'd be happy to give you a classified briefing on that.

Senator BEN NELSON. Sure.

Mr. PODONSKY. We feel that it's a much more effective way to improve the security posture of the Department right now.

Senator BEN NELSON. Mr. Stumbo, do you agree with that?

Mr. STUMBO. Yes, I do agree with it, but what—you've got to recognize and understand that our threats are in evolution; they evolve. As the terrorists become more desperate—and we've seen a lot of those events of recent times—we have to evolve and we have to increase our abilities to be able to defend those threats. So, as far as the protective force is concerned, we need to improve daily. It's not an achievement where we ever really ever get there. It's something that we work on every single hour of every day that we are at our sites, because the consequences are too great to our Nation to allow one slip-up at a site like Pantex.

Senator BEN NELSON. Mr. Aloise, what were your findings in conjunction with the changing of the threat approach and how it's being maintained and trained for at the present time?

Mr. ALOISE. Well, you know, DOE, over the years, has changed the DBT a number of times. A lot of this has to do—tied to money. It's very—you know, it's very expensive to guard these sites. And I guess they're now at a level where they feel they should be, and they're not going to go to a level they thought they might, for a number of reasons, but including cost.

But, our—we've done numerous reviews on DOE security, and made recommendations, but, in the end, always came back to feeling it was a very robust force, and still is.

Senator BEN NELSON. Well, let me ask you the question, What question haven't I asked that I should be asking?

Each of you.

Mr. Podonsky?

Mr. PODONSKY. Actually, no other questions for us, but I'm looking forward to the questions that will be asked of the line, who actually implement the policies and the contracts of the Guard force and the security posture of the Department.

Senator BEN NELSON. Mr. Stumbo, have we not asked something that we should have?

Mr. STUMBO. No, Mr. Chairman. I believe that you have asked some very good questions. I think, in response from the protective force, that we have just waited a very, very long time. Many of the men and women are no longer with us, that waited for some resolution, based on the commitment they had to their country. So, those that are in the system right now, we continue to wait and feel like we are at the mercy of Congress to do whatever is necessary to ensure that we receive the appropriate restructure.

Senator BEN NELSON. That "being at the mercy of Congress" is not necessarily a very secure feeling, is it?

Mr. STUMBO. No, sir. [Laughter.]

No, sir, it is not.

Senator BEN NELSON. I understand.

Mr. Aloise, anything?

Mr. ALOISE. I would just add, Mr. Chairman, that the recommendations DOE has come up with is a step in the right direction, but it is going to take leadership from the Secretary to get this done, and continued leadership.

Senator BEN NELSON. And any thoughts from any of you about a timeframe. If we said, "Today we're going to do it," are we looking at, certainly not days, but months, and many months, to get it in place and implemented?

Mr. Aloise, do you have some thoughts on that?

Mr. ALOISE. I—we would hope that they would start acting soon—almost immediately, because what you don't want is another strike at another place; you want to avoid that. So, they need to take action now to make sure that doesn't happen.

Senator BEN NELSON. And how long do you think it would take—once you make the decision to do it, how long would it take to implement it?

Mr. ALOISE. I would take a guess that you're talking years, not months.

Senator BEN NELSON. Mr. Podonsky?

Mr. PODONSKY. I agree with Mr. Aloise, in terms of—the actions that we're taking now need to be clear to the unions and the Guard forces out there, that the Department is taking action and that we're not just talking any longer. But, it would also—because of contractual circumstances, it will take quite a long time. We didn't create this problem overnight; it's taken years for us to create this problem. That doesn't mean that it would—should take that long to unravel. But, clearly, again, as I said, and my colleagues at the witness table have said, in partnership, all together, with the Congress, we can make this right.

Mr. Stumbo?

Mr. STUMBO. Mr. Chairman, the only portion that I would disagree from my colleagues is that the necessary resources that could be implemented within our collective bargaining agreements could be done much quicker if we're provided the resources to make that happen. You would have the full commitment from labor to ensure that we could make that happen long before they have to worry about the next contract expiration.

Senator BEN NELSON. Well, as I was getting briefed for the hearing today, I have to admit that this is one of the most byzantine arrangements—set of arrangements I have ever imagined could exist anywhere, let alone within the Federal Government. Usually we can find a pretty good way of doing things in a byzantine fashion with an awful lot of bureaucracy, but I must confess, I've never seen anything quite like this.

I understand that differences in sites and requirements—and so, obviously, there are some things that absolutely need to be patterned after the needs and be specifically tailored to what is done, but not everything. And so, I'm hopeful that, with the next hearing, we'll get more information, and perhaps, together, we'll find a way to make this happen for everyone.

Uncertainly benefits nobody, and I'm just certain that you've lived with that constant uncertainty for eons. And so, if it is pos-

sible to bring this to some sort of a conclusion or resolution for everybody's benefit, including the people of the United of America, we ought to be seeking to do that, and do so in a timely fashion.

So, I thank you for your participation today, for your candid answers. And I thank you all for being here.

We stand adjourned.

Thank you.

[Whereupon, at 4:15 p.m., the subcommittee adjourned.]