



COMMITTEE ON
SCIENCE, SPACE, & TECHNOLOGY
Lamar Smith, Chairman

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Statement of Oversight Subcommittee Chairman Barry Loudermilk (R-Ga.)

Committee Markup of the *National Institute of Standards and Technology Campus Security Act*

Chairman Loudermilk: Thank you, Chairman Smith, for your support and your help with this important bill.

As you noted in your opening statement, some highly unfortunate events have occurred at the National Institute of Standards and Technology (NIST) in the past year. In addition to the meth lab incident at the NIST Gaithersburg campus as well as the instances of time and attendance fraud, there was a recent alarming occurrence that took place at the NIST Boulder campus.

In April, an individual with no identification who was not an employee of NIST, was found in a building on the campus. The incident required a summons to county firefighters because of concerns that the individual may have been exposed to chlorine gas stored in the building's "clean" room. He was eventually transported to the local hospital, and the incident is currently part of an ongoing criminal investigation.

There are a few reasons why this situation is so seemingly distressing to me. First of all, how does a non-NIST employee get on campus, into a secure building, and then into a room where potentially dangerous, hazardous, or poisonous chemicals may be present? Most importantly, how did this all take place without NIST police or security knowledge? And, what is the extent of damage that individual could have caused by having access to that building and room?

For a federal agency that received a notice of violation by the Nuclear Regulatory Commission (NRC) just one year ago for failing to "keep records showing the receipt, inventory (including location and unique identity), acquisition, transfer, and disposal of all special nuclear material in its possession,"¹ this is extremely concerning.

In the NRC's investigation, they discovered "radioactive material [and] sources that were not included"² in NIST's inventory. While this raises additional accountability issues

¹ NRC Inspection Report No. 07000398/2014001, (June 3, 2015), available at: <http://pbadupws.nrc.gov/docs/ML1515/ML15154A692.pdf>

² Ibid.

and concerns, it also emphasizes the need for adequate and effective security at NIST campuses.

As a small business owner and former director of a non-profit, I know how important accountability is to the success and future of an organization. It is inexcusable that an important government agency like NIST is lagging behind in accountability – especially when it comes to the security and protection of its campuses and its employees.

This legislation is an important example of how Congressional oversight works. Being able to “check on and check the Executive”³ allows Congress to step in when an agency is lacking in efficiency and effectiveness to ensure adequate measures are taken and taxpayer dollars are protected.

This bill directs the Department of Commerce Office of Security to get involved in the law enforcement and security programs at NIST. In addition, it enlists the GAO to produce an analysis on the performance and efficiency of NIST security in its current state and make recommendations on how to improve security on its campuses.

I look forward to working with my colleagues to mark up this bill. It is important for us to take action to ensure accountability and effective security at one of our nation's oldest physical science laboratories.

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³ Congressional Research Service, Congressional Oversight Report, December 19, 2014, available at: <http://www.fas.org/sgp/crs/misc/RL30240.pdf>