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The Secretary of Energy
Washington, DC 20585

June 22, 2007

The Honorable John D. Dingell
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your letter of June 14, 2007, concerning a recent unintentional security incident involving an individual working for the Los Alamos National Security, LLC Board.

As indicated in my letter to you of June 15, 2007, that individual did unintentionally transmit sensitive information through an unsecured e-mail system. The incident was immediately recognized and reported, fully investigated, and the responsible officials reported that appropriate measures have been taken to address the situation, including a review for possible enforcement action.

When the Department learned of the incident, it was correctly characterized as an issue of human error, rather than a failure of security systems. The incident involved two unclassified pieces of information, which, when combined into one email, provided classified information by virtue of their having been combined. Although it was immediately categorized as an Impact Measurement Index 1 incident, once the full context of the situation was understood and the damage assessment was completed, we determined that it did not cause significant harm or damage to the national security of the United States and that, under the circumstances, it did not necessarily warrant Congressional notification. We have a robust internal system in place to report and investigate potential violations – a system which in my opinion worked well in this instance.

Nonetheless, although the system worked well internally, I am concerned that we did not provide the notification that this Committee expected. To remedy that concern, we are finalizing a new notification protocol intended to more clearly establish the criteria and processes for reporting incidents to the Congress.



In further response to your letter and per the request of your staff, I have directed that appropriate officials at the Department, including the National Nuclear Security Administration, meet with you and your staff to make available and provide briefings on the classified documents you requested in your letter. If you have any questions, please contact me or Mr. Eric G. Nicoll, Acting Assistant Secretary for Congressional and Intergovernmental Affairs, at (202) 586-5450.

Sincerely,

A handwritten signature in black ink that reads "Sam". The signature is written in a cursive, flowing style.

Samuel W. Bodman

cc: The Honorable Joe Barton
Ranking Member