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ONE HUNDRED TENTH CONGRESS

**U.S. House of Representatives**  
**Committee on Energy and Commerce**  
**Washington, DC 20515-6115**

JOHN D. DINGELL, MICHIGAN  
CHAIRMAN

October 18, 2007

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Mr. Dave Huizenga  
Assistant Deputy Administrator  
Office of International Material Protection and Cooperation  
National Nuclear Security Administration  
U.S. Department of Energy  
1000 Independence Ave., S.W.  
Washington, D.C. 20585

Dear Mr. Huizenga:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, September 18, 2007, at the hearing entitled "Nuclear Terrorism Prevention: Status Report on the Federal Government's Assessment of New Radiation Detection Monitors." We appreciate the time and effort you gave as a witness before the Subcommittee.

Under the Rules of the Committee on Energy and Commerce, the hearing record remains open to permit Members to submit additional questions to the witnesses. Attached are questions directed to you from Subcommittee Chairman Stupak. In preparing your answers to these questions, please address your response to Chairman Stupak and include the text of his questions along with your response.

In order to facilitate the printing of the hearing record, your responses to these questions should be received no later than the close of business **Wednesday, October 31, 2007**. Your written responses should be delivered to **316 Ford House Office Building** and faxed to **202-225-5288** to the attention of Kyle Chapman, Legislative Clerk. An electronic version of your response should also be sent by e-mail to Mr. Kyle Chapman at **kyle.chapman@mail.house.gov** in a single Word formatted document.

Mr. Dave Huizenga  
Page 2

Thank you for your prompt attention to this request. If you need additional information or have other questions, please contact Kyle Chapman at (202) 226-2424.

Sincerely,



JOHN D. DINGELL  
CHAIRMAN

Attachment

cc: The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable Bart Stupak, Chairman  
Subcommittee on Oversight and Investigations

The Honorable Ed Whitfield, Ranking Member  
Subcommittee on Oversight and Investigations

## **The Honorable Bart Stupak**

1. How many radiation portal monitors does the Department of Energy (DOE) or its partners have deployed as part of Megaports or the Second Line of Defense (SLD) program?
2. Does DOE have confidence that a combination of Poly Vinyl Toluene (PVT) monitors, radioactive isotope identification devices (RIIDs), and continuous operations (CONOPS) standard operating procedures are effective for detecting nuclear materials hidden in cargo as part of the Megaports Program?
3. Do you agree with the three Government Accountability Office (GAO) recommendations outlined below? If not, please identify specific disagreements and explain why.
  - a. "DHS [Department of Homeland Security] delay Secretarial certification and full-scale production decisions of the [Advanced Spectroscopic Portal monitors] ASPs until all relevant tests and studies have been completed and limitations to these tests and studies have been identified and addressed. Furthermore, results of these tests and studies should be validated and made fully transparent to DOE [Department of Energy], CBP [Customs and Border Protection], and other relevant parties."
  - b. "Once the tests and studies have been completed, evaluated, and validated, DHS should determine in cooperation with CBP, DOE, and other stakeholders including independent reviewers, if additional testing is needed."
  - c. "If additional testing is needed, the Secretary should appoint an independent group within DHS, not aligned with the ASP acquisition process, to conduct objective, comprehensive, and transparent testing that realistically demonstrates the capabilities and limitations of the ASP system. This independent group would be separate from the recently appointed independent review panel."
4. During fiscal year (FY) 2008, does DOE plan full-scale deployment of ASP monitors in secondary screening in lieu of RIIDs? Is it planning to conduct operational testing in secondary screening and continue to use RIIDs?
5. Did DOE advise DNDO in November 2006 that the Phase 1 tests plans should characterize the detection limits of ASPs with types of naturally-occurring radioactive materials that the Megaports program has observed in international commerce?
6. Please describe the kinds of masking materials that you wanted DNDO to use. (If necessary, please provide an answer separately and mark accordingly, if sensitive law enforcement or national security information would be disclosed.)

**The Honorable Bart Stupak (continued)**

7. Has this masking material been found in cargo bound for the U.S.?
8. What was DNDO's response to your request? Did they undertake these particular studies in Nevada?
9. Did DOE laboratory staff find quantities of recommended masking materials and could these have been made available in time for the Nevada tests conducted in 2007? If this is the case, why do you think that DNDO did not accept your recommendations?
10. When will the tests DOE is conducting with DNDO at Los Alamos National Labs be carried out?
11. In addition to the joint work with DNDO, DOE is also conducting its own supplemental testing at Los Alamos. Are these tests using masking materials more representative of what is found in international commerce?
12. Is this supplemental testing necessary before DOE can begin deploying ASPs in primary screening?
13. Are these tests at Los Alamos National Labs also necessary prior to deploying ASPs in secondary screening?
14. How many ASPs has DOE purchased for use in the Megaports Program? How many are operational?
15. How does DOE detect threat materials that may be shielded inside of lead or other shielding materials? Where has equipment been deployed in the Megaports Program that can detect shielded threat materials? What are DOE's plans in FY2008 to install such equipment?
16. Your testimony discusses the interception of enriched uranium at the Georgia-Armenian border? How did the Second Line of Defense Program catch the smuggling activity? For what purpose was this being smuggled and by whom?