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ONE HUNDRED TENTH CONGRESS

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

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CHAIRMAN

April 13, 2007

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The Honorable Thomas P. D'Agostino
Acting Administrator
U.S. Department of Energy
National Nuclear Security Administration
1000 Independence Avenue, S.W.
Washington, D.C. 20585

Dear Dr. D'Agostino:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Tuesday, January, 30, 2007, at the hearing entitled "Continuing Security Concerns at Los Alamos National Laboratory." We appreciate the time and effort you gave as a witness before the Subcommittee.

Pursuant to 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 certain Members of the Committee. In preparing your answers to these questions, please address your response to the Member who has submitted the questions and include the text of the Member's question along with your response. In the event you have been asked questions from more than one Member of the Committee, please begin the responses to each Member on a new page.

To facilitate the printing of the hearing record, your responses to these questions should be received no later than the close of business Friday, April 27, 2007. Your written responses should be delivered to room 2125 Rayburn House Office Building and faxed to (202) 225-5288 to the attention of Kyle Chapman. 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.

The Honorable Thomas P. D'Agostino
Page 2

Thank you for your prompt attention to this request. If you need additional information or have other questions, please have your staff contact Kyle Chapman with the Committee staff 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. What is the timeline for assessing any civil penalties or reductions in award fees against Los Alamos National Security (LANS) or the University of California with respect to this most recent security incident?
2. Does the National Nuclear Security Administration (NNSA) intend to evaluate civil penalties independently from award fee reductions?
3. Does NNSA have the authority to disallow a portion of basic operational costs (as opposed to adjusting “fixed” or “at risk” fees) in the LANS contract for failure to perform or to meet rules, regulations or orders? Is LANS assured that it will, at a minimum, receive 100 percent of their operational costs?
4. How many federal professional staff does the Los Alamos Site Office (LASO) have overseeing security, safety and health, and contracting in Fiscal Year (FY) 2004, 2005, 2006, and 2007? What is the proposed staff size for these positions in FY 2008?
5. How is NNSA addressing the staff shortfalls in security?
6. NNSA’s director of LASO, Mr. Wilmott, notified LANS on December 6 that LANS had failed to retain key personnel under the terms of the contract. Is this a breach of contract? What are the consequences?

The Honorable Ed Whitfield

1. What steps are you taking to determine whether there are opportunities to reduce and consolidate the number of classified computers, classified security areas, and classified vaults at LANL?