

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY

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May 29, 2007

Secretary Samuel Bodman
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, D.C. 20585

Dear Secretary Bodman

On May 16 we wrote to you regarding the decision making surrounding the reduction in support for the work of the Savannah River Ecology Lab—a reduction so severe it amounts to a decision to close the lab. We asked at that time that you provide direction that funding for the lab continue at a level that would provide minimal support for the lab, its personnel, overhead and research efforts. We have learned that amounts to just \$300,000 a month.

Your response back dated May 23 is silent on our request that you provide an assurance that the Department would continue to support the lab. We ask again for that commitment. In just two days, the lab will have to lay off employees, shut down experiments, release, give away or euthanize animals on site and a whole chain of other steps that will make it increasingly difficult to revive the laboratory should Congress decide that the Department's decision making here does not reflect the best interests of the public.

We appreciate your staff's willingness to meet with the staff of our Subcommittees as we requested. At that meeting, the staff expressed our desire to see the Department made aware that our request for materials may well expand beyond the start date established in the prior request of August 1, 2006. Consequently, we ask that guidance be provided to Departmental staff and contract employees that they are to dispose of no materials, in any form, that might be responsive to such a request. The Subcommittee on Investigations and Oversight just held a hearing in which we explored the rationale behind a decision of NASA's General Counsel to destroy video recordings of Administrator Griffin—recordings that the General Counsel could reasonably expect would be requested by the Congress. This action may well have violated laws regarding destruction of Federal property as well as records provisions. Therefore, in an abundance of caution and with no implication meant that anyone anywhere in the Department or its complex is behaving improperly, we request that this guidance go out.

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Further, our staff has agreed that the current request for documents may be somewhat burdensome to the employees and contractors involved in this matter. However, because of the short time for action before the lab has to close, we ask that you make every effort to meet our timeline. As an accommodation, rather than moving the due date of May 30, we would offer that you could provide rolling responses to the Subcommittees so that we can get material we desire and you can have the time needed to do a thorough job of collecting materials.

By way of prioritizing the task of providing records, we ask that you make the recovery of all the records of Jill Sigal, former Assistant Secretary of Energy for Congressional and Intergovernmental Affairs, a top priority.

Finally, our staff asked that Mr. Bartlett, Associate Deputy Assistant Secretary for Congressional and Intergovernmental Affairs, check on your availability for a hearing on this matter in June. The Subcommittees are aware of the weight of responsibilities that you carry, but actions by the Department appear to have created circumstances that are leading to the loss of a significant national scientific asset and your personal attention to this matter is required. Thank you for your attention to these matters.


Sincerely,



BRAD MILLER

Chairman

Subcommittee on Investigations and Oversight



NICK LAMPSON

Chairman

Subcommittee on Energy and Environment