



Department of Energy
Washington, DC 20585

April 10, 2007

The Honorable Bart Stupak
Chairman, Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Department is in receipt of the Committee's April 3, 2007 letter requesting the following two documents related to the Department's A-76 competitive sourcing evaluation for the Radiological and Environmental Sciences Laboratory (RESL): (1) Competitive Sourcing Feasibility Review for the RESL (May 17, 2006); and (2) Market Research Analysis Related to RESL (Second Round) (March 15, 2007).

We have been advised by the Contracting Officer responsible for conducting this procurement process that the two documents you requested contain source selection information under the Procurement Integrity Act, and pertain to a currently ongoing procurement that is in its early stages. To date, the Competitive Sourcing Feasibility Review has been publicly disclosed only in redacted form pursuant to a request under the Freedom of Information Act. The Market Research Analysis has not been released in any form. The Department has not yet issued a solicitation or made an award based upon the requested information and is currently evaluating how the information in these documents will be reflected in any eventual solicitation documents which would themselves be public documents. The Department therefore is not in a position to provide the requested documents to the Committee at this time because release of the information would jeopardize the integrity of the ongoing competitive procurement process.

The Department would be pleased to provide the Committee with a briefing on the particulars of this pending procurement action should that prove helpful to the Committee in carrying out its legislative functions.

If you would like to discuss this matter further or arrange a briefing, please contact me at (202) 586-5281.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hill", written over a circular stamp.

David R. Hill
General Counsel



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

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