

U.S. Department of Energy Office of Inspector General Office of Inspections and Special Inquiries

Inspection Report

Security Clearance Terminations and Badge Retrieval at the Lawrence Livermore National Laboratory



January 2006



Department of Energy Washington, DC 20585

January 19, 2006

MEMORANDUM FOR THE SECRETARY

FROM:

Inspector General

SUBJECT:

<u>INFORMATION</u>: Inspection Report on "Security Clearance Terminations and Badge Retrieval at the Lawrence Livermore National Laboratory"

BACKGROUND

The Lawrence Livermore National Laboratory (Livermore) supports the Department of Energy's core mission of maintaining a safe, secure and reliable nuclear weapon stockpile and applying scientific expertise toward the prevention of the proliferation of weapons of mass destruction and terrorist attacks. Livermore employs over 8,000 full- and part-time employees, subcontractor employees, students, temporary workers and other affiliated personnel (hereafter collectively referred to as Laboratory employees). Because of the nature of its mission, most Livermore employees possess personnel security clearances, which are issued by the Department based on extensive background checks. According to Livermore's personnel records, 1,261 employees with security clearances terminated employment with the Laboratory during Fiscal Years (FYs) 2002, 2003 and 2004.

Office of Inspector General reviews at other sensitive Department sites have identified internal control weaknesses in the processes designed to ensure that persons who end employment with these sites have their security badges collected at the time of their departure and have their security clearances terminated in a timely manner. Consequently, the objective of this inspection was to determine the adequacy of Livermore's internal controls over these two areas.

RESULTS OF INSPECTION

We concluded that Livermore's internal control structure was not adequate to ensure that security badges were retrieved at the time of employee departure or that security clearances of departing employees were terminated in a timely manner. Specifically we found that:

- Of the 1,261 cleared employees who terminated from the Laboratory during FYs 2002, 2003 and 2004, 373 did not return their security badges on or before the last day of employment as required by Department policy. For example, 166 badges were returned from 14 to 90 days after the employees' last day. Further, 11 badges were improperly categorized as "accounted for" when, in fact, they were lost or stolen.
- Of a judgmental sample of 140 cleared terminating employees:
 - Forty-three did not have their security clearances terminated in the Department's official personnel security clearance database in a timely manner, including two



employees who remained active in the database for nearly a year after their departure from Livermore. The two clearances were not terminated until the Office of Inspector General notified personnel security staff that the individuals were no longer employed by the Laboratory;

- Thirty-six were not terminated in Livermore's security clearance database in a timely manner, with access authorizations remaining active anywhere from 10 to 60 days after the employees' separation dates;
- Eighteen did not complete the required Security Termination Statements. Thus, there was no assurance that the employees had received the required Security Termination Briefing; and,
- Forty-five did not follow Livermore's out-processing procedures. As a result, Livermore Security and Badge Office personnel frequently did not receive timely notification that employees were departing the Laboratory.
- Livermore did not have performance metrics to measure significant aspects of personnel security activities, including timely termination of security clearances and retrieval of security badges.

Personnel security clearances and security badges are critical features of the Department's system for controlling access to classified and sensitive facilities and materials. While we did not identify any instances where a former employee took advantage of the shortcomings described previously, nonetheless, any failure to properly control security badges and clearance terminations for departing Livermore employees has the potential to degrade the Department's security posture. Therefore, we made several recommendations to the Manager of the Livermore Site Office designed to address our findings and enhance security at Livermore.

MANAGEMENT REACTION

In comments on a draft of this report, management agreed with the report recommendations and identified corrective actions that have been or are being taken. We found management's comments to be responsive.

Attachment

cc: Deputy Secretary

 Administrator, National Nuclear Security Administration
 Chief of Staff
 Manager, Livermore Site Office
 Director, Office of Security and Safety Performance Assurance
 Director, Policy and Internal Controls Management (NA-66)
 Director, Office of Program Liaison and Financial Analysis

SECURITY CLEARANCE TERMINATIONS AND BADGE RETRIEVAL AT THE LAWRENCE LIVERMORE NATIONAL LABORATORY

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INTRODUCTION AND OBJECTIVES

The Lawrence Livermore National Laboratory (Livermore) is a National Nuclear Security Administration (NNSA) site supporting the Department of Energy's (DOE's) core mission of maintaining a safe, secure, and reliable nuclear weapon stockpile and applying scientific expertise toward the prevention of the proliferation of weapons of mass destruction and terrorist attacks. Livermore has approximately 8,000 personnel, the majority of whom are full-time and part-time Laboratory employees. However, the 8,000 also includes subcontractor employees and "affiliated personnel" authorized to participate in research and other work activities at Livermore. Hereafter these people are collectively referred to as "employees," although not all are technically Livermore employees. According to Livermore's personnel records, 1,261 employees with Q (Top Secret) and L (Secret) security clearances terminated employment with the Laboratory during Fiscal Years (FYs) 2002, 2003, and 2004.

Office of Inspector General reviews at other DOE sites have identified weaknesses in the internal controls designed to ensure that persons who end employment with these sites have their security badges collected at the time of their departure and have their security clearances terminated in a timely manner. A list of the associated reports is found in Appendix B.

The objective of this inspection was to determine if Livermore's internal controls were adequate to ensure that: (1) security badges assigned to departing employees were retrieved at the time of departure; and (2) security clearances of departing employees were terminated in a timely manner. To achieve this objective, we conducted samples of transactions associated with employees who terminated their employment during FYs 2002, 2003, and 2004.

OBSERVATIONS AND CONCLUSIONS We concluded that Livermore's internal controls were not adequate to ensure that security badges were retrieved at the time of employee departure or that security clearances of departing employees were terminated in a timely manner. Specifically we found that:

• Of the 1,261 cleared employees who terminated from the Laboratory during FYs 2002, 2003, and 2004, 373 did not return their security badges on or before the last day of employment as required by DOE policy. For example, 166 badges were returned from 14 to 90 days after the employees' last day.

- Livermore improperly categorized 11 of the 1,261 terminating employees' security badges as "accounted for" when, in fact, they were lost or stolen.
- Forty-three of a judgmental sample of 140 cleared terminating employees did not have their security clearances terminated in DOE's official personnel security clearance database in a timely manner, including 2 employees who remained active in the DOE database for nearly a year after their departure from Livermore. The two clearances were not terminated until the Office of Inspector General notified personnel security staff that the individuals were no longer employed by the Laboratory.
- Thirty-six of the 140 cleared employees in this same sample were not terminated in Livermore's security clearance database in a timely manner, with access authorizations remaining active anywhere from 10 to 60 days after the employees' separation dates.
- Eighteen of the same sample of 140 cleared employees did not complete the required Security Termination Statements, and, thus, there was no assurance the employees had received the required Security Termination Briefing.
- Forty-five of the 140 cleared employees in this sample did not follow Livermore's out-processing procedures. As a result, Livermore Security and Badge Office personnel frequently did not receive timely notification that employees were departing the Laboratory.

In addition, we found that Livermore:

- Did not have sufficient internal controls to adequately monitor the current employment status of over 700 cleared subcontractor employees and affiliated personnel, to ensure that security clearances were terminated and security badges were retrieved in a timely manner. Livermore security personnel could not confirm for us that all of these individuals were at the Laboratory consistently enough to retain a badge or to maintain a security clearance, nor was there a means for us to readily ascertain their current status.
- Did not have performance metrics to measure significant aspects of personnel security activities, including timely termination of security clearances and retrieval of security badges.

We noted that the oversight responsibility for personnel security at Livermore transitioned from DOE's Oakland Operations Office (OAK) to the NNSA Albuquerque Service Center in October 2004. During the period covered by our inspection, FYs 2002, 2003, and 2004, OAK managed the input of clearance data for Livermore employees in DOE's personnel security database. OAK does not currently manage the input of any clearance data.

| SECURITY | |
|----------|--|
| BADGES | |

We found that 373 of the 1,261 cleared employees who terminated from the Laboratory during FYs 2002, 2003, and 2004 did not return their security badges on or before the last day of employment as required by DOE policy. Specifically, DOE Manual 473.1-1, "Physical Protection Program Manual," stated that badges issued must be recovered at the final security checkpoint or earlier when an individual no longer has a valid requirement for access to a DOE facility. We determined that 207 badges were returned from 1 to 13 days after the employees' last day of work and 166 badges were returned from 14 to 90 days after the employees' last day. Security badges not returned to the Livermore Badge Office by the last day of employment could later be used to gain unauthorized access to DOE facilities. However, there was no practical way to readily determine if such access had, in fact, occurred.

We were told by NNSA that, to mitigate unauthorized access to its secure facilities, the badges become electronically disabled within the Livermore security system and Personnel Security sends formal notices to the individuals advising them to return the badges. Further, when warranted, the Personnel Security Division notifies the Protective Force Division to post badge retrieval notices at all manned entry points into Livermore. We note, however, that these actions do not preclude the badge from being used to gain access at other DOE facilities.

We also found that Livermore improperly categorized 11 of the 1,261 terminating employees' security badges as accounted for when, in fact, they should have been categorized as lost or stolen. Specifically, DOE Manual 473.1-1 stated that, "If a terminated employee's DOE security badge is not recovered, the badge must be treated as a lost or stolen badge" However, Livermore Badge Office officials informed us that they had established a process where in some instances unrecovered badges were categorized as accounted for rather than lost or stolen.

During our inspection, we identified that some security badges were classified in Livermore's Integrated Security Information System (ISIS) as "accounted for" in spite of information provided to us that showed the badges were not recovered and their disposition was not definitively known. For example, in one case, an employee explained to the Badge Office that she had lost her badge, but that she knew its approximate location. The badge was never recovered, but it was classified in ISIS by Badge Office personnel as "accounted for."

CATEGORIZATION OF UNRECOVERED BADGES

DOE SECURITY CLEARANCE DATABASE

LIVERMORE DATABASE

We found that 43 of a judgmental sample of 140 cleared terminating employees did not have their security clearances terminated in DOE's official personnel security clearance database, the Central Personnel Clearance Index (CPCI), in a timely manner. DOE Manual 472.1-1B, "Personnel Security Program Manual," stated that, "Within 2 working days of receipt of a DOE F 5631.29 [Security Termination Statement] or written notice [of termination], the cognizant DOE security office must note in the individual's PSF [Personnel Security File] the date the access authorization was actually terminated and must enter the appropriate information to the CPCI." We determined that Livermore Personnel Security provides written notice to the cognizant DOE security office through a longestablished practice of sending the DOE personnel security office a daily list of names of personnel with security clearances who had been terminated in the Livermore personnel security database.

For our judgmental sample of 140 cleared employees, 41 retained their clearances in the CPCI anywhere from 10 to 177 days after their clearances were terminated in Livermore's database. Of particular significance, we determined that the clearances of an additional two employees remained active in the CPCI for nearly a year after their departure despite specific termination notification to NNSA personnel security staff by Livermore as part of a database reconciliation effort in October 2004. The clearances were not terminated until the Office of Inspector General notified Livermore officials of the problem in March 2005.

We found that 36 of the 140 cleared employees in the same sample as above were not terminated in Livermore's security clearance database in a timely manner. Livermore Personnel Security's guidelines require the termination of an employee's security clearance in the Livermore database within two business days of employment termination. We determined that the access authorizations for 36 of the sampled employees remained active anywhere from 10 to 60 days after the employees' separation dates.

We determined that Livermore Personnel Security officials were often not made aware in a timely manner that employees were no longer working for the Laboratory. A lack of communication from Livermore Human Resources, Staff Relations, and individual program offices prevented Livermore Personnel Security officials from otherwise receiving timely information about separating employees. In fact, several of the Laboratory program representatives we interviewed were unaware of Personnel Security's guidelines that require the termination of security

| clearances within two business days. A representative from one | | |
|---|--|--|
| Laboratory program indicated that if she had known about the two- | | |
| day requirement, she would have notified Personnel Security of | | |
| employee separations sooner. | | |

SECURITY TERMINATION STATEMENTS

OUT-PROCESSING PROCEDURES

We found that 18 of the same sample of 140 cleared employees did not complete the required Security Termination Statement (STS), and, thus, there was no assurance the employees had received the required Security Termination Briefing. DOE Order 472.1C, "Personnel Security Activities," stated that:

> "The purpose of the DOE F 5631.29 [STS] is to ensure that the individual is aware of his/her continuing responsibilities to protect classified matter after termination of an access authorization."

As part of the Security Termination Briefing process, an employee must sign an STS. However, 18 of the 140 cleared employees included in our sample did not meet this requirement. If an STS has not been signed, there is no assurance the employee received a Security Termination Briefing.

We found that 45 of the 140 cleared employees sampled did not follow Livermore's out-processing procedures. At Livermore, managers were responsible for ensuring that subordinate employees completed the required out-processing checklist. Prior to the last day of work, departing employees were required to take the checklist to multiple departments, including the Livermore Security and Badge Offices. As part of the out-processing procedure, cleared employees were required to return all classified material, attend a security briefing, and return their security badges. Signatures from Security and Badge Office officials on the outprocessing checklist ensured that an employee had completed these requirements.

However, 45 cleared employees in our sample did not execute an out-processing checklist. Since the checklist was used to notify various Laboratory departments of employee departures, failure to complete the checklist could delay timely notification to these offices and result in problems with badge collection, clearance termination, and return of classified materials. Specific to this concern, NNSA advised us that in FYs 2002 through 2004 Livermore successfully completed classified removable electronic media (CREM) inventories that resulted in all accountable CREM and other accountable material being located.

OTHER PERSONNEL We found that Livermore did not have sufficient internal controls to adequately monitor the current employment status of over 700 subcontractor employees and affiliated personnel to ensure that security clearances were terminated and security badges were retrieved in a timely manner. Subcontractor employees and affiliated personnel, which include contracted special laborers, consultants, participating guests, University of California affiliates, or multi-location affiliates, are not considered to be regular Laboratory employees. These individuals are given badges and are granted security clearances because of their association with the Laboratory and its various classified operations.

DOE Order 472.1C stated that the contractor must request the cognizant DOE personnel security office to terminate an employee's access authorization and must provide a Security Termination Statement completed by the employee whenever any of the following occur:

- (1) Employment by the contractor is terminated;
- (2) An access authorization is no longer required;

(3) Access to classified matter or Special Nuclear Material is no longer required due to transfer to a position not requiring such access;

(4) The individual is on a leave of absence or on extended leave and will not require access for 90 consecutive calendar days. Upon request, this interval may be adjusted at the discretion of the cognizant DOE office; or

(5) The individual leaves for foreign travel, employment, assignment, education, or residence of more than three months duration, not involving official United States Government business.

We determined that Livermore's internal controls were not sufficient to ensure timely identification that any of the above events had occurred for subcontractor employees and affiliated personnel, which could impact its ability to comply with the requirements in the Manual pertaining to terminating personnel security clearances and processing Security Termination Statements. Existing Livermore internal controls included (1) badges for affiliated personnel having expiration dates not to

exceed one year and (2) Livermore Personnel Security auditing subcontractor Facility Security Officers bi-annually against termination requirements, guest statuses being reviewed annually, and the Supplement Labor Project Manager providing daily, if necessary, termination notices to Livermore Personnel Security. We noted that these controls did not provide routine oversight of the employment status of subcontractor employees and affiliated personnel. Further, through interviews with Livermore officials we learned that many affiliated personnel were not closely supervised, they had variable schedules, and some did not return to the Laboratory for extended periods of time. We were told by Personnel Security officials that they must rely on the integrity of the Program Hosts to notify them of changes in the status of cleared affiliated personnel and when these individuals have terminated their assignments. Livermore security personnel could not confirm for us that all of these individuals were at the Laboratory consistently enough to retain a badge or to maintain a security clearance, nor was there a means for us to readily ascertain their current status. PERFORMANCE We found that Livermore did not have performance metrics to measure significant aspects of personnel security activities, MEASURES including timely termination of security clearances and retrieval of security badges. We believe such metrics are important to measure whether an appropriate level of security is being maintained. RECOMMENDATIONS We recommend the Manager, Livermore Site Office ensures that: 1. Livermore establishes internal controls for the timely: (a) recovery of badges of terminating employees; (b) completion of Security Termination Briefings; (c) completion of Security Termination Statements; and, (d) notification to DOE when security clearances should be terminated. 2. Livermore officials improve internal controls such that all security clearances are terminated in the official Livermore database in a timely manner. 3. Livermore establishes controls to improve compliance with out-processing procedures for terminating employees. 4. Livermore implements a process to monitor the employment status of subcontractor employees and affiliated personnel and provides timely notification to Personnel Security officials about employment status changes.

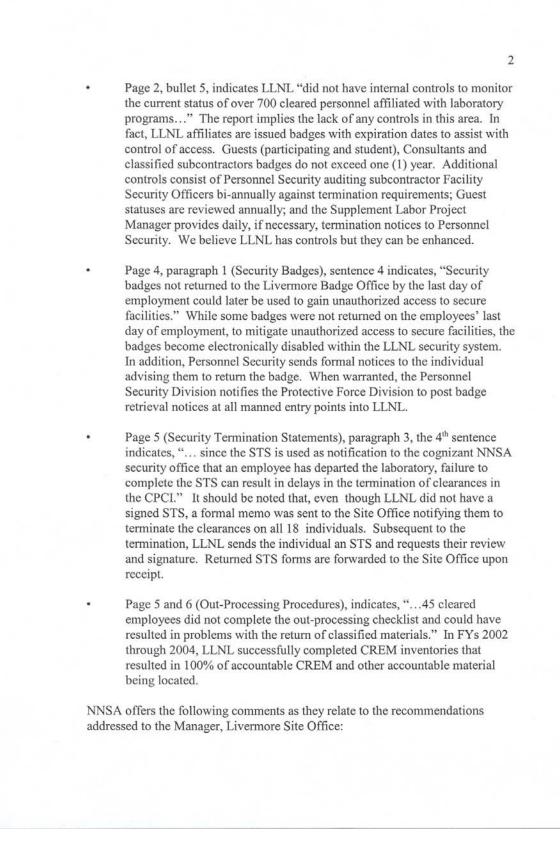
| | The Livermore Badge Office discontinues the practice of classifying lost or stolen badges as "accounted for." | |
|------------------------|--|--|
| | 6. Livermore implements performance measures for significant aspects of personnel security activities, including termination of security clearances and retrieval of badges pursuant to DOE requirements. | |
| MANAGEMENT COMMENTS | In comments on our draft report, management concurred with our recommendations and identified corresponding corrective actions. Management also provided comments regarding specific phrasing in the report. Management's comments are included in their entirety in Appendix C. | |
| INSPECTOR COMMENTS | Management's comments were responsive to our findings and recommendations. Regarding management's comments concerning specific phrasing in the report, we evaluated the comments and made changes, as appropriate. | |

| SCOPE AND METHODOLOGY | We performed the majority of our inspection fieldwork between February and March 2005. We interviewed Livermore security and personnel officials regarding employee and affiliated personnel termination procedures. We reviewed DOE and Livermore policies, procedures, and records involving security clearance terminations and security badges. Documents used in this report included: | |
|--------------------------|---|--|
| | • DOE Manual 470.4-2, "Physical Protection." | |
| | • DOE Manual 470.4-5, "Personnel Security." | |
| | • DOE Order 472.1C, "Personnel Security Activities." | |
| | DOE Manual 472.1-1B, "Personnel Security Program Manual." | |
| | • DOE Manual 473.1-1, "Physical Protection Program Manual." | |
| | Also, pursuant to the "Government Performance and Results Act of 1993," we reviewed Livermore's performance measurement processes as they relate to personnel security. | |

This inspection was conducted in accordance with the "Quality Standards for Inspections" issued by the President's Council on Integrity and Efficiency.

| RELATED REPORTS | The following reports involve Office of Inspector General work similar to this inspection: | |
|-----------------|---|--|
| | • "Personnel Security Clearances and Badge Access Controls at Department Headquarters" (DOE/IG-0548, March 2002); | |
| | • "Personnel Security Clearances and Badge Access Controls at Selected Field Locations" (DOE/IG-0582, January 2003); | |
| | "Security and Other Issues Related to Out-Processing of Employees at Los Alamos National Laboratory" (DOE/IG-0677, February 2005); and, | |
| | • "Badge Retrieval and Security Clearance Terminations at Sandia National Laboratory-New Mexico" (draft report). | |

| National Ruchese Security Adm | National | Department of Energy Nuclear Security Administration Washington, DC 20585 | |
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| | MEMORANDUM FOR | Alfred K. Walter Assistant Inspector General for Inspections and Special Inquiries | |
| | FROM: | Michael C. Kane M. H. Kommon Associate Administrator for Management and Administration | |
| | SUBJECT: | Comments to IG's Draft Report on Termination of Access at Livermore | |
| | opportunity to review the In "Security Clearance Termin National Laboratory." We determine if internal contro to departing employees are clearances are terminated in | rity Administration (NNSA) appreciates the aspector General's (IG) draft Inspection Report, nations and Badge Retrieval at the Lawrence Livermore understand that the objective of this inspection was to ils are adequate to ensure that security badges assigned retrieved at the time of departure and if security a timely manner. We are also aware that this event results, are similar to issues identified previously ational Laboratory. | |
| | actions to enhance internal | will work with the Laboratory to take appropriate controls. It is important to emphasize that the report of inappropriate access to the Laboratory or of any naterials. | (é |
| | We offer the following con | nments for the sake of clarity of the report: | |
| | are cited. The refer and 470.4-5, Persor contract Appendix the period covered | ort inappropriate references to contractual requirements ences to DOE Manuals 470.4-2, Physical Protection anel Security, were not incorporated into the LLNL G until November 2005. The applicable references for by the review are DOE Orders 472.1C, Personnel and 473.1, Physical Protection Program. | |
| | proper context, of t | uld replace the word "some" with "11 of 1261." For he 1261 terminations in Fiscal Year (FY) 2002 through es had been listed as "accounted for." | |
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Recommendation 1:

Ensure that Livermore establishes internal controls for the timely: (a) recovery of badges of termination employees; (b) completion of Security Termination Briefings; (c) completion of Security Termination Statements; and (d) notification to DOE when security clearances should be terminated.

Concur.

Laboratory management is reviewing the institutional termination policy to determine how it is applied to all employees and non-employees (affiliates) and will implement necessary changes to improve internal controls and enhance compliance with requirements.

Recommendation 2:

Ensure that Livermore officials improve internal controls such that all security clearances are terminated in the official Livermore data base in a timely manner.

Concur.

Laboratory management is reviewing institutional processes to evaluate current controls and will identify improvements. Personnel Security is reviewing internal processes to determine what controls need to be implemented to terminate clearances in the LLNL clearance database within the required timeframes, or maintain a record of approved exceptions for cases that exceed the timeframes.

Recommendation 3:

Ensure that Livermore establishes internal controls to improve compliance with out-processing procedures for terminating employees.

Concur.

Laboratory management is reviewing institutional policies to determine the best process for holding employees, affiliates, and programmatic personnel responsible for ensuring terminating individuals adhere to the LLNL out-processing procedures.

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Recommendation 4:

Ensure that Livermore implements a process to monitor the employment status of affiliated personnel and provides timely notification to Personnel Security officials about employment status changes.

Concur.

Laboratory hosts or programmatic managers in various organizations monitor the ongoing need for Laboratory access for affiliate personnel. The Personnel Security division depends on the host/managers to inform them of the need to extend or terminate access to the Laboratory for their affiliate personnel. LLNL management is reviewing institutional contractual modifications and policies to determine how they can better hold affiliates and programmatic personnel responsible for ensuring employment status changes are monitored and reported to Personnel Security in a timely manner.

Recommendation 5:

Ensure that the Livermore Badge Office discontinues the practice of classifying lost or stolen badges as "accounted for.

Concur.

The Livermore Badge Office has discontinued the practice of classifying lost or stolen badges as "accounted for," by creating a "lost" category in the database. This action was completed in July 2005.

LSO considers LLNL actions taken responsive to the report's recommendation and will validate the actions taken by February 2006.

Recommendation 6:

Ensure that Livermore implements performance measures for significant aspects of personnel security activities, including termination of security clearances and retrieval of badges pursuant to DOE requirements.

Concur.

LSO and LLNL management will develop and implement appropriate performance measures regarding personnel security activities, including termination of security clearances and retrieval of badges. The

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Appendix C (continued)

performance measures will be incorporated in the Safeguards and Security Annual Operating Plan.

The target date for completion is March 2006.

Should you have any questions related to this response, please contact Richard Speidel, Director, Policy and Internal Controls Management.

cc: Camille Yuan-Soo Hoo, Manager, Livermore Site Office William Desmond, Associate Administrator for Defense Nuclear Security Robert Braden, Senior Procurement Executive Karen Boardman, Director, Service Center

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