



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

Special Inquiry

Review of Allegations Involving
Potential Misconduct by a Senior
Office of Environmental
Management Official

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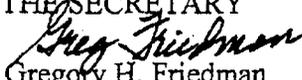


Department of Energy
Washington, DC 20585

December 29, 2009

MEMORANDUM FOR THE SECRETARY

FROM:


Gregory H. Friedman
Inspector General

SUBJECT:

INFORMATION: Review of Allegations Involving Potential
Misconduct by a Senior Office of Environmental Management
Official

INTRODUCTION

In September 2009, the Office of Inspector General (OIG) received multiple allegations concerning improprieties by a senior official with the Office of Environmental Management. The allegations involved potential violations of political activity restrictions, lack of impartiality in performing official duties, misuse of position, and other related misconduct. Specific allegations concerned:

1. Orchestrating a \$9 million American Recovery and Reinvestment Act of 2009 (Recovery Act) payment to certain Historically Black Colleges and Universities (HBCUs) in return for something of value on behalf of a Member of Congress;
2. Asking Federal officials at the U.S. Department of Energy's (Department) Savannah River Site (Savannah River) in South Carolina to arrange meetings with contractor employee union representatives in violation of the National Labor Relations Act;
3. Ordering Savannah River Federal and contractor officials to access subcontractor personnel files for data mining of demographic information in violation of the procedures for protecting personally identifiable information;
4. Directing Savannah River contractor officials to conduct Recovery Act-related job fairs in those counties represented by a Member of Congress in violation of the Hatch Act and Standards of Ethical Conduct; and,
5. Directing Savannah River contractor personnel to hire three specific individuals contrary to contract law principles.

The OIG initiated a fact-finding inquiry into these matters. Toward this end, we interviewed over 80 current and former Department Federal and contractor employees in South Carolina and Washington, D.C. We analyzed large volumes of documents, including over 150,000 emails, and we identified and reviewed applicable Federal and Department regulations. During the review, a number of additional complaints came to our attention. Several were incorporated into this inquiry, while others will undergo additional review and action will be taken, as appropriate.



RESULTS OF SPECIAL INQUIRY

The facts developed during our review did not substantiate the allegation regarding HBCUs.

With respect to the second and third allegations, witnesses expressed differing views about the appropriateness of Federal officials communicating with contractor employee union representatives and accessing subcontractor personnel files. Because of the legal implications stemming from the differing views, we believe these matters should be coordinated with the Department's Office of General Counsel.

Regarding the two remaining issues, alleged direction to conduct job fairs and to hire specific individuals, we received testimony which supported aspects of the allegations; however, other witnesses provided contradictory testimony. We could not identify evidence that provided greater credibility for any one version of these events. For example, senior Federal Savannah River personnel and certain contractor officials asserted that the Environmental Management official exceeded authority by directing additional job fairs in selected counties and that there was a political overtone to this direction. However, other Federal and contractor officials stated that no such direction had been given. Senior Federal Savannah River personnel and certain contractor officials also claimed to have been directed to hire specific individuals for Recovery Act positions. Other individuals disputed that such direction occurred.

In short, regarding many of the events and activities which were key to the allegations, witnesses' testimony was conflicting and irreconcilable. Perceptions, interpretations and recollections of these events as well as views on the intent of the individuals involved varied dramatically.

WORK ATMOSPHERE

Our inquiry focused on identifying the facts surrounding the primary allegations concerning operations at Savannah River. In doing so, we were mindful of the fact that Savannah River, a multi-billion dollar Federal enterprise employing 11,000 personnel, is responsible for a number of complex, technically-challenging and critically important missions. Further, Savannah River has been provided well in excess of \$1 billion in additional funding and enhanced responsibilities as part of the Department of Energy's role in the Recovery Act.

It is vital that the Site be managed by both Headquarters and local officials in a manner which ensures public confidence and credibility. Yet, we encountered witnesses who testified that there was confusion as to lines of authority, responsibility and accountability; poor internal communications; a lack of coordination; failure to share essential information among key officials; and, insufficient follow-up on critically important issues and decisions. These factors appeared to have contributed to an unusual level of distrust and acrimony. Some witnesses described their colleagues and the actions of their colleagues in highly personal and often derogatory terms. Of perhaps the greatest concern, were the issues raised about racism and reverse discrimination.

In summary, testimony provided by many of the officials we interviewed portrayed an operating atmosphere inconsistent with the objective of maintaining the credibility of, and public confidence in, Environmental Management activities and the Savannah River Site.

RECOMMENDATIONS

Because of the major operational responsibilities facing Environmental Management and Savannah River, Department management should take prompt action to address the reported issues. We recommend that the Under Secretary:

1. Conduct an independent evaluation of the human relations climate at both Environmental Management's Headquarters and Savannah River offices and develop an action plan to address identified issues.
2. Initiate an aggressive program to facilitate conflict resolution and promote collaboration and communication between Environmental Management Headquarters officials and Savannah River Site representatives.
3. Implement procedures to ensure a common understanding among all Environmental Management Headquarters and Savannah River employees as to the mission, goals and objectives of the Recovery Act at the Department's Savannah River Site.
4. Ensure Federal personnel understand the roles, responsibilities and lines of authority for interacting with contractor, subcontractor and contractor employee union officials.
5. In coordination with the Department's Office of General Counsel:
 - Enhance protocols for resolving conflicting legal guidance between General Counsel officials at Headquarters and Savannah River (e.g., communications between Federal officials and contractor employee union representatives).
 - Determine the propriety of Federal officials accessing subcontractor personnel files pertaining to recruitment efforts under the Recovery Act.

This transmittal memorandum also will serve as a public Executive Summary of this report. The detailed results of this Special Inquiry, which follow, are not public. Any request for release of the details should be handled by the Office of Inspector General in accordance with the Freedom of Information Act (Title 5, U.S.C., Section 552) and the Privacy Act (Title 5, U.S.C., Section 552a).

cc: Deputy Secretary
Under Secretary of Energy
Chief of Staff
Assistant Secretary for Environmental Management
General Counsel
Senior Advisor to the Secretary of Energy
for Recovery Act Implementation

RESULTS OF SPECIAL INQUIRY

1. Orchestrating a \$9 Million Award to HBCUs

It was alleged (b)(6),(b)(7)(C) Recovery Act Program, orchestrated a \$9 million payment on September 3, 2009, to South Carolina HBCUs. The \$9 million payment was allegedly based (b)(6),(b)(7)(C) and witnesses provided no evidence to the contrary.

Further, (b)(6),(b)(7)(C) in order (b)(6),(b)(7)(C) We found no evidence to suggest that the September 3, 2009, Memorandum of Understanding (Agreement) between Environmental Management and the HBCUs of South Carolina and Northeast Georgia was conceived or developed in exchange for anything of value (b)(6),(b)(7)(C)

We determined that (b)(6),(b)(7)(C) the Agreement (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) us that the Agreement is a vehicle for incorporating minorities into the fields of math and science, and preparing them for potential future job opportunities at Savannah River and throughout the Environmental Management complex. According to a copy of the September 3rd Agreement we obtained, "The collaboration with the Universities has been a cost effective means of providing valuable remediation data for EM by utilizing the skills of mathematics, science, technology, engineering and other related majors, while providing hands-on and field oriented experiences for students." The Agreement further states, "Through its collaboration with EM, the Participants will continue ... providing educational opportunities to its predominantly minority student population and training students who will join the next generation of DOE environmental scientists and engineers."

Witnesses also questioned whether the \$9 million allocation was a proper use of Recovery Act monies. However, in an (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) dated September 4, 2009, (b)(6),(b)(7)(C) to a news article entitled, "9 HBCUs to share \$9 million in stimulus money." According to (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) We were also (b)(6),(b)(7)(C) that (b)(6),(b)(7)(C) Recovery Act monies would not be utilized for this purpose. Further, we were (b)(6),(b)(7)(C) that any monies would be awarded based on the merits of the HBCUs' technical proposals. (b)(6),(b)(7)(C) us it was (b)(6),(b)(7)(C) \$9 million, or approximately \$1 million per HBCU, to potentially finance some or all of these institutions' proposals.

In summary, our inquiry did not substantiate the allegations.

2. Arranging Meetings with Union Representatives

It was alleged (b)(6),(b)(7)(C) Federal officials at the Department's Savannah River Site to arrange a meeting on (b)(6),(b)(7)(C) with contractor employee union representatives. Some witnesses expressed concern that such a meeting violated the National Labor Relations Act, which they asserted precludes Federal agencies from meeting with union representatives of contractor employees. Further, they asserted that contractors have sole privity of agreement with the union. They claimed that any communication between Federal agencies and union representatives needed to be agreed upon in advance by the contractor.

We received conflicting testimony on the specific details (b)(6),(b)(7)(C) and Savannah River regarding a meeting with contractor employee union representatives. The critical area of disagreement was about the appropriateness of communications between Department officials and union representatives. For example, Federal Savannah River officials maintained that only contractor personnel should communicate with contractor employee union representatives. However, we were told by the Department's Office of General Counsel (General Counsel) that it had (b)(6),(b)(7)(C) prior to and after the initiation of our inquiry, that such communications are permissible under certain conditions. (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) guidance and contended that communications with union representatives are necessary for Environmental Management's Recovery Act Program to be open and transparent. When interviewed, (b)(6),(b)(7)(C) that discussions with union officials are appropriate and that (b)(6),(b)(7)(C) routinely communicates with union officials (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) Recovery Act Program. When we attempted (b)(6),(b)(7)(C) on this matter, we learned that (b)(6),(b)(7)(C) our request for a follow-up interview. Thus, we were unable to obtain additional clarity (b)(6),(b)(7)(C) in this matter.

Based on the differing views, we recommend that the General Counsel clarify for Environmental Management Headquarters and Savannah River personnel the roles, responsibilities, and authorities regarding Federal official communications with contractor employee union representatives.

3. Accessing Subcontractor Personnel Files

It was alleged (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) subcontractor personnel files for the purpose of data mining demographic information. Some witnesses questioned the appropriateness of a Federal official accessing the files, which they said may violate Executive Order 11246, and Federal Acquisition Regulation, Subpart 22.8, both relating to Equal Employment Opportunities (EEO). Others questioned whether such reviews violated procedures for protecting personally identifiable information.

We were told that Savannah River Nuclear Solutions, LLC (Nuclear Solutions), the managing and operating contractor for Savannah River, used staff augmentation companies to recruit individuals for the contractor's Recovery Act positions.

(b)(6),(b)(7)(C) along with Savannah River contractor EEO staff, in reviewing the intake process for Recovery Act employment applications used by a Nuclear

Solutions' staff augmentation company. However, [redacted]

[redacted] and other participants, the review emanated from discussions about concerns over Nuclear Solutions' hiring process. The concerns included, but were not limited to, a lack of diversity in hiring for Recovery Act positions and ensuring compliance with the Executive Order and the Federal Acquisition Regulations.

Contrary to [redacted] to us, several Federal Savannah River officials [redacted] to them that [redacted] the review. As previously mentioned, [redacted] participated in an interview with our office. [redacted] an [redacted] our request for a follow-up interview. Thus, we were unable to clarify [redacted] or involvement in, the review.

With respect to the nature of the review, witnesses expressed concern about [redacted] stating that the Department pays Nuclear Solutions to perform oversight of its subcontractors. They said the proper way to proceed would have been for Savannah River's contracting officer to task Nuclear Solutions to review the hiring practices of its subcontractors. They further stated that as a [redacted] not have been performing the job of the contractor or contracting officer.

[redacted] EEO contractor counterparts [redacted] that the reviews included an examination of a sampling of applications submitted for Recovery Act positions and an assessment of the qualifications of subcontractor personnel reviewing the applications.

When interviewed by our office [redacted] Nuclear Solutions [redacted] the review because [redacted] the staff augmentation companies' processes for handling Recovery Act applications. [redacted] in these reviews, and that [redacted] as an "observation and learning role." [redacted] results of the review determined that the staff augmentation companies were only capturing demographic information for those persons hired under the Recovery Act. [redacted] reporting purposes, the companies should have been collecting demographic information from all applicants for Recovery Act positions. [redacted] staff augmentation company representatives and [redacted] them [redacted] all applicants' demographic information. [redacted] company representatives to the U.S. Department of Labor's website for guidance on capturing applicants' demographic data.

During our interview [redacted] Recovery Act, [redacted] and had no [redacted] subcontractor files. [redacted] that the Savannah River contracting officers knew about the deficiencies [redacted] in [redacted] but were addressing the issues through Nuclear Solutions. [redacted] these issues included, but were not limited to, lack of diversity hiring.

Throughout our review, witnesses provided differing views as to the appropriateness of Federal officials reviewing subcontractor personnel information. We recommend that the General Counsel

determine the propriety of Federal officials accessing subcontractor personnel files pertaining to recruitment efforts under the Recovery Act.

4. Directing Contractor Officials to Conduct Job Fairs

(b)(6),(b)(7)(C)

It was alleged that during an August 28, 2009, meeting, (b)(6),(b)(7)(C) exceeded (b)(6),(b)(7)(C) authority by directing Savannah River contractor officials to conduct job fairs in specific counties represented by (b)(6),(b)(7)(C). Allegedly, (b)(6),(b)(7)(C) during the meeting that no additional job fairs were to be held in Aiken, South Carolina, as this county was not represented by (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) is further alleged to have made comments during the meeting to the effect that, "... we had to (b)(6),(b)(7)(C) was the one who got the money for SRO and the (b)(6),(b)(7)(C) made it quite clear (b)(6),(b)(7)(C) to reap the rewards." Some witnesses interviewed by our office expressed concerns that such direction exceeded (b)(6),(b)(7)(C) authority and may be in violation of the Hatch Act. They also expressed concern as to whether the requested job fairs were necessary or prudent.

We confirmed through witness testimony and record reviews that as of August 2009, Nuclear Solutions had conducted a total of five job fairs and received approximately 14,000 applications for up to 3,000 vacant Recovery Act positions. We further determined (b)(6),(b)(7)(C) separate occasions during the last week of August 2009 with senior Federal, Nuclear Solutions and Savannah Remediation LLC (one of the Site's other prime contractors) officials to discuss job fairs and other topics.

When asked, (b)(6),(b)(7)(C) did not direct but rather requested August 2009 meeting participants to conduct additional job fairs. However, meeting participants provided conflicting testimony on whether (b)(6),(b)(7)(C) "directed" additional job fairs and whether the job fairs should be (b)(6),(b)(7)(C) districts. We could not reconcile the differences as there were no recordings or written transcripts of these meetings. We also could not reconcile the varying interpretations of (b)(6),(b)(7)(C) subsequent written guidance concerning this topic through the testimony of other witnesses or available documentation.

A summary of the testimony provided by the August 2009 meeting participants we spoke with follows:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) that Federal Savannah River management and Nuclear Solutions personnel conduct more job fairs and that the job fairs be conducted in the most economically depressed areas of South Carolina, including those South Carolina counties with the highest unemployment rates. (b)(6),(b)(7)(C) request for additional job fairs included, but was not exclusive to, certain counties represented by (b)(6),(b)(7)(C) also requested during the August 2009 meetings that any additional job fairs not focus solely on Aiken, South Carolina. (b)(6),(b)(7)(C) the unemployment rate in Aiken, South Carolina, was not as high as the unemployment rates in other counties surrounding Savannah River. (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) that at that time, Nuclear Solutions had already hired a significant number of Aiken, South Carolina, residents for Recovery Act positions.

(b)(6),(b)(7)(C)

When interviewed by our office, (b)(6),(b)(7)(C) never made statements that (b)(6),(b)(7)(C) requests for additional job fairs stemmed from political pressure or were made because (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) in securing Recovery Act monies for Savannah River.

Savannah River Federal Officials

When interviewed by our office, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) during the August 2009 meetings that Nuclear Solutions and Savannah Remediation personnel were to conduct additional job fairs and hold those job fairs in South Carolina counties represented by (b)(6),(b)(7)(C) and members (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) an August 30, 2009, email (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) as evidence of (b)(6),(b)(7)(C) instructions. According to the August 30th email, (b)(6),(b)(7)(C) specific South Carolina counties where "[j]ob fairs must be held..." (b)(6),(b)(7)(C) August 30th email, (b)(6),(b)(7)(C) the (b)(6),(b)(7)(C) Recovery Act Program, "... plan to attend some of these job fairs."

These individuals further stated that during the August 2009 meetings, (b)(6),(b)(7)(C) request for additional job fairs by (b)(6),(b)(7)(C) in securing Recovery Act monies for Savannah River. The witnesses further advised that during the August 2009 meetings, (b)(6),(b)(7)(C) pressure to conduct additional job fairs and to hold additional job fairs in specific South Carolina counties. We were also told (b)(6),(b)(7)(C) August 2009 meeting participants not to conduct additional job fairs in Aiken, South Carolina, because residents there do not (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)

Savannah River Contractor Officials

During our interviews with Savannah River contractor officials who attended the August 2009 meetings, some advised that (b)(6),(b)(7)(C) asked, directed, or encouraged them to conduct additional job fairs. These individuals also said they remembered (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) during the August 2009 meetings and (b)(6),(b)(7)(C) of Savannah River. Some advised that (b)(6),(b)(7)(C) asked meeting participants to conduct a future job fair in Charleston, South Carolina, which (b)(6),(b)(7)(C) at that time as being (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) According to some of the senior contractor officials we interviewed, (b)(6),(b)(7)(C) pressure to conduct additional job fairs and to do so in specific South Carolina counties. Other meeting participants did not recall (b)(6),(b)(7)(C) these references.

When interviewed (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) Nuclear Solutions would only have initiated additional job fairs had the company been directed to do so by the Department's contracting officer; direction which was never provided. In a letter dated September 15, 2009, (b)(6),(b)(7)(C) Savannah River's Contracting Officer that (b)(6),(b)(7)(C) "... has received a significant number of applications from individuals

desiring employment at Savannah River Site in support of ARRA. We are actively screening these applications to determine if a sufficient population of qualified candidates exists ... Once we complete final screening, we will determine whether there is a need for future job fairs.”

In an email the following day, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) “... told me that the information gained from clearing the backlog of applications is indicating that we will be able to fill the open positions with the current applications. While our analysis is not yet complete, this early information would suggest that no additional job fairs would be needed.” Nuclear Solutions is a limited liability corporation consisting of Fluor Federal Services, Inc., and other entities.

5. Directing Contractor Personnel to Hire Specific Individuals (b)(6),(b)(7)(C)

It was alleged that (b)(6),(b)(7)(C) exceeded (b)(6),(b)(7)(C) authority by improperly directing Savannah River contractor personnel to hire three specific individuals. When interviewed by our office, (b)(6),(b)(7)(C) did not direct August 2009 meeting participants to hire specific individuals. Other witnesses provided conflicting testimony on certain key matters relating (b)(6),(b)(7)(C) oral and written guidance concerning this topic. We could not reconcile these differences as there were no recordings or written transcripts of the August 2009 meetings (b)(6),(b)(7)(C) and senior Savannah River Federal and contractor officials. We also could not reconcile witnesses’ varying interpretations of (b)(6),(b)(7)(C) written guidance. As of the date of this report, the individuals had not been hired.

A summary of the testimony provided by certain key witnesses follows:

Savannah River Federal Officials

(b)(6),(b)(7)(C) contractor personnel during the August 2009 meetings to hire specific individuals. (b)(6),(b)(7)(C) August 30th email (b)(6),(b)(7)(C) and others reference that portion (b)(6),(b)(7)(C) August 30th e-mail which reads, (b)(6),(b)(7)(C)

Savannah River Contractor Officials

The senior Savannah River contractor personnel we spoke with said they were not directed by (b)(6),(b)(7)(C) to hire specific individuals. Instead, they advised (b)(6),(b)(7)(C) during the August 2009 meetings that individual applicants receive feedback as to the status of their applications. However, Savannah River contractor officials stated that they were asked, directed, or encouraged (b)(6),(b)(7)(C) to hire two or three specific individuals. They said they (b)(6),(b)(7)(C) guidance was given in coordination (b)(6),(b)(7)(C)

In an update email, (b)(6),(b)(7)(C) dated September 9, 2009 (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) wrote of the first applicant, that a staff

augmentation company is now working with the individual "... or (b)(6),(b)(7)(C) and it should be submitted this week (b)(6),(b)(7)(C) some site experience in painting and floor maintenance." Regarding the second applicant, (b)(6),(b)(7)(C) that the same staff augmentation company received the individual's resume "... but have not submitted it. They will work (b)(6),(b)(7)(C) and will submit it, though their initial assessment was that (b)(6),(b)(7)(C). Additionally, (b)(6),(b)(7)(C) email, a different staff augmentation company also received the second individual's "... resume and reviewed it. (b)(6),(b)(7)(C) no site experience, but has some industrial experience (b)(6),(b)(7)(C) and will be submitted (b)(6),(b)(7)(C). They consider (b)(6),(b)(7)(C). As for the third applicant, (b)(6),(b)(7)(C) with the individual and "... (b)(6),(b)(7)(C) was able to find the appropriate ARRA job link and (b)(6),(b)(7)(C) application for consideration. (b)(6),(b)(7)(C) satisfied that (b)(6),(b)(7)(C) has been addressed."

(b)(6),(b)(7)(C) September 9th email, and (b)(6),(b)(7)(C)

Based on subsequent emails and witness testimony, (b)(6),(b)(7)(C) on/or about September 10, 2009. In an email that same day, (b)(6),(b)(7)(C) that "Consistent with the verbal direction provided this afternoon by the ARRA (b)(6),(b)(7)(C) please arrange for the two candidates with active resume's [sic] in the system to be offered employment through our staff augmentation process. Provide them contingent offers consistent with our current needs and their skills."

On September 11, 2009, (b)(6),(b)(7)(C) corrective action plan to address identified deficiencies with Nuclear Solutions' hiring processes for Recovery Act positions. According to a copy of this plan, Fluor dispatched a staffing support team to Savannah River the week of August 31, 2009, to expedite "job candidate feedback." That same week, follow-up letters were sent to all Recovery Act applicants explaining the hiring process and advising individuals as to the status of their applications. Also, a call center was established to address future questions and concerns regarding Savannah River's Recovery Act efforts.

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) that during the August 2009 meetings, (b)(6),(b)(7)(C) as examples two individuals who had not received updates as to the status of their applications for Recovery Act positions. (b)(6),(b)(7)(C) directing anyone to hire these two individuals; instead, (b)(6),(b)(7)(C) that contractor personnel follow-up with all applicants, to include these two individuals, as to the status of their applications for Recovery Act positions.

As (b)(6),(b)(7)(C) September 10th email response (b)(6),(b)(7)(C) with a September 1st email also (b)(6),(b)(7)(C) Nuclear Solutions' Recovery Act website. (b)(6),(b)(7)(C) experienced difficulties when attempting to access the website. (b)(6),(b)(7)(C) with Nuclear Solutions' website that (b)(6),(b)(7)(C) address this problem and (b)(6),(b)(7)(C) with

(b)(6),(b)(7)(C) the difficulties associated with accessing or navigating the website for submitting electronic applications.

In an email also dated September 10, 2009, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) September 10th email (b)(6),(b)(7)(C) to have done what (b)(6),(b)(7)(C) was not privy to the conversation (b)(6),(b)(7)(C) and does not know what they specifically discussed. (b)(6),(b)(7)(C) as to why (b)(6),(b)(7)(C) to provide the two individuals with contingent offers of employment.

When interviewed by our office, (b)(6),(b)(7)(C) of events relating to the August 2009 meetings and the September 10th email exchange. (b)(6),(b)(7)(C); Nuclear Solutions officials, or anyone else, to hire specific individuals.

PATH FORWARD

The Memorandum to the Secretary, which is an integral part of this report, summarizes the results of our fact-finding inquiry. It also includes a summary of witness testimony relating to the work atmosphere and the effectiveness of interactions between and among Environmental Management Headquarters and Savannah River officials. The number, scope and continuing nature of concerns we heard during our inquiry suggest an atmosphere inconsistent with the objective of maintaining the credibility of, and public confidence in, activities of their programs. If the Recovery Act objectives are to be met, aggressive management action will be necessary. We have included several recommendations to assist in this effort.