



U.S. Department of Energy
Office of Inspector General
Office of Audit Services

Audit Report

Management Controls over the
Department's Excess Weapons
Inventories and Selected Sensitive
Equipment used by Protective
Forces



Department of Energy
Washington, DC 20585

January 22, 2009

MEMORANDUM FOR THE DIRECTOR, OFFICE OF MANAGEMENT
ASSOCIATE ADMINISTRATOR, OFFICE OF MANAGEMENT
AND ADMINISTRATION, NNSA

FROM:

A handwritten signature in black ink, appearing to read "Rickey R. Hass".

Rickey R. Hass
Deputy Inspector General
for Audit Services
Office of Inspector General

SUBJECT:

INFORMATION: Audit Report on "Management Controls over
the Department's Excess Weapons Inventories and Selected
Sensitive Equipment used by Protective Forces"

BACKGROUND

Since September 11, 2001, the Department of Energy has, on several occasions, revised its security posture based on identified threats and adversaries. These revisions in security posture have driven Departmental sites to upgrade their defensive and tactical equipment. Subsequent changes in the perceived threats have, in some cases, led to a reduction in the need for certain types of weapons, thus creating a pool of surplus equipment. These surplus weapons could potentially be used by other Department sites and Federal law enforcement agencies.

Recent Office of Inspector General reports have raised concerns with the adequacy of controls related to defensive and tactical equipment. For example, our report on *Management Controls Over Defense Related High Risk Property* (OAS-M-08-06, April 2008) found that administrative controls over certain defense related high risk property were not sufficient for providing accountability over these items. Because of prior reported weaknesses in controls over defensive and tactical equipment, we initiated this audit to determine whether the Department and its contractors were properly managing excess weapons inventories and selected sensitive equipment used by protective forces.

RESULTS OF AUDIT

Our review disclosed that the Department was not always properly managing its inventories of excess weapons and selected sensitive equipment. We identified issues with the retention of unneeded weapons at many locations and with the identification and tracking of sensitive items. More specifically:

- Sites maintained large inventories of weapons that were no longer needed but had not been made available for use by either other Departmental sites or other Federal law enforcement agencies. For instance, at six of the locations included



in our review we identified a total of 2,635 unneeded weapons with a total acquisition value of over \$2.8 million that had not been officially declared as excess – an action that would have made them available for others to use. In addition;

- Sites were not always identifying, tracking and properly disposing of potentially high risk and sensitive equipment. In particular, we identified control weaknesses in this area related to weapons sights and scopes.

These issues occurred because the Department did not have processes in place to properly manage excess inventories of weapons. In particular, the Department does not have requirements for ensuring timely declaration of excess weapons. Additionally, certain sites indicated that they were unwilling to give up excess weapons because of the possibility that they may be needed in the future. However, other sites had a need for some of these weapons and could have avoided purchasing them had they been made available through the excess screening process. Also, we found that the Department lacks clear guidance on the identification of high risk/sensitive equipment.

Except for immaterial differences, we were able to locate and verify accountability over the items of defensive and tactical equipment we selected for review. Specifically, we took statistical samples of weapons, ammunition, and other related equipment and were able to verify their existence. While these accountability measures were noteworthy, additional action is necessary to strengthen controls over weapon and sensitive equipment management. Untimely declaration of excess weapons may result in an inefficient use of scarce Government resources. Similarly, if selected high risk/sensitive equipment is not properly categorized and tracked, accountability issues may occur. To address these issues, we made recommendations aimed at improving the management of these categories of defensive and tactical equipment.

MANAGEMENT REACTION

National Nuclear Security Administration (NNSA) and Department management generally concurred with the recommendations. Actions taken or planned by management are responsive to our recommendations. Management comments are more fully discussed in the body of the report and are included in their entirety in Appendix 3.

Attachment

cc: Administrator, National Nuclear Security Administration
Acting Under Secretary of Energy
Acting Under Secretary for Science
Chief of Staff
Acting Assistant Secretary for Environmental Management
Acting Assistant Secretary for Nuclear Energy

REPORT ON MANAGEMENT CONTROLS OVER THE DEPARTMENT'S EXCESS WEAPONS INVENTORIES AND SELECTED SENSITIVE EQUIPMENT USED BY PROTECTIVE FORCES

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MANAGEMENT OF EXCESS WEAPONS INVENTORIES AND SELECTED HIGH RISK/SENSITIVE EQUIPMENT

Unneeded Weapons and Identification of Equipment

The Department of Energy (Department) was not always properly managing its excess weapons inventories and selected high risk/sensitive equipment used by protective forces. Specifically, our testing revealed large inventories of weapons that were no longer needed at various locations. These weapons could potentially be used by either other Department sites or other Federal law enforcement agencies. In addition, we noted control weaknesses related to the identification and disposition of potentially high risk/sensitive defensive and tactical equipment.

Unneeded Weapons

During our review, we identified a number of locations that retained large inventories of unneeded weapons. Retention of weapons that are in excess of needs is contrary to Department property management directives which require that excess property be made available to other Department sites or other Federal law enforcement agencies. The majority of these weapons were reported as being in good working order and had only recently been identified by security officials as unneeded even though some of them had been in storage for up to 15 years. However, at the time of our review, these weapons had not been made available for others through the Department's excess property screening process.

Changes in security strategies led to stockpiles of unneeded weapons that had not been made available to other locations. For example, Hanford Site (Hanford) officials stated that the site was required to upgrade its security posture based on the 2005 Design Basis Threat requirements. As such, it purchased additional weapons and ammunition at a cost of almost \$1.6 million and acquired numerous weapons from other sites. However, in April 2006, a decision was made to return the site to its previous security level. This decision left the site with a stockpile of weapons and ammunition that were no longer needed. At the time of our site visit, the additional weapons and associated ammunition had been stored and unused for periods of up to two and a half years.

In a similar instance in September 2006, the Office of Secure Transportation (OST) purchased weapons and associated ammunition at a cost of over \$890,000 to meet

its security strategy. However, less than a year later, a decision was made to change the methodology of how the organization would meet its security needs – a decision that made these newly acquired weapons unnecessary. At the time of our review, neither Hanford nor OST had made these unneeded weapons available to other Department or Federal organizations through the excess process. After completion of our audit fieldwork, however, OST told us that it had formally declared its weapons as excess.

As of June 1, 2008, the following Department locations maintained large inventories of unneeded weapons:

Weapons Awaiting Screening

Locations	Number of Weapons	Acquisition Value (rounded)	Length of Time in Storage	Identified as Unneeded (approx)
National Training Center	860	\$519,000	Up to 8 years	Up to 8 years
Hanford Site	730	\$866,000	Up to 2-1/2 years	Over 2 years
Nevada Test Site	320	\$172,000	Up to 2 years	4 months
Lawrence Livermore National Laboratory	286	\$196,000	2 – 8 years	6 months
Office of Secure Transportation	255	\$779,000	Over 1 year	1 year
Sandia National Laboratory – New Mexico	184	\$337,000	Up to 15 years	3 months
Total	2,635	\$2,869,000		

We also identified an additional 539 unneeded weapons at two sites – which had been in storage from 5 to 15 years – however, acquisition values were not available. Some of these weapons have had little or no use. Even though the weapons cited above could potentially be used by others, sites had not made these unneeded weapons available by officially declaring them as excess and entering them into the Energy Asset Disposal System at the time of our review.

Identification and Disposal of High Risk/ Sensitive Equipment

Our testing also revealed control weaknesses related to the identification of high-risk/sensitive defensive and tactical equipment. Identification of such property is important to maintain accountability and ensure that it is properly

demilitarized before disposal in accordance with national security demilitarization procedures. In particular, while the Idaho National Laboratory (Idaho) considers certain night vision and thermal imaging equipment as sensitive, it did not consider sights and scopes to be sensitive equipment. Other sites we reviewed identified and controlled similar items as sensitive property. Some sights and scopes at other sites reviewed cost as much as \$10,000 but, because Idaho does not consider these items to be sensitive, they were not tracked and therefore could be more susceptible to theft and misuse. Given that they were not tracked, we could not determine the number or value of sights and scopes at Idaho.

Other recent Office of Inspector General efforts have identified similar issues with the identification of high risk/sensitive property. Specifically, in our report on the *Accountability of Sensitive and High Risk Property at the Nevada Site Office* (OAS-L-08-08, March 2008) we noted that gas masks and body armor were not properly tracked and disposed of as high risk items. Similarly, another report on the *Management Controls over Defense Related High Risk Property* (OAS-M-08-06, April 2008) found that sites had not adequately tracked certain sensitive and/or high risk equipment such as firearm barrels, body armor and gas masks.

Property Management of Resources

A lack of clear Department guidance contributed to problems with the management of excess weapons and certain sensitive property. The absence of requirements for ensuring timely declaration of excess weapons, coupled with sites' unwillingness to give them up, led to excessive inventories at the sites we reviewed. We also found that the absence of specific guidance regarding the definition of high-risk sensitive property led to variations in tracking and accountability for weapon scopes and sights.

Timely Declaration

The Department and its sites did not have policies or procedures in place to address the timeliness of declaring unneeded weapons as excess. The process for disposing of excess weapons begins with the site identifying the weapon as not being needed to meet the site's security strategy. After identification, the site should formally declare the weapon as excess. Once this has been accomplished, the weapon is first made available to other Departmental sites

and then to other Federal law enforcement agencies for reutilization. During our review, we identified several instances where, although weapons were identified as unneeded by the site, they had not taken the next step to formally declare the weapons as excess.

Certain sites indicated that they were reluctant to declare their unneeded weapons as excess despite the fact that they could be used by other Departmental sites or other Federal law enforcement agencies. For example, at the Nevada Site Office, a large number of rifles that were no longer needed were retained just in case they had a future need for the weapons but could not get funding to purchase them. Some of these weapons, however, have not been used for over two years. At Hanford, officials indicated that they did not want to give up good or new weapons in the event that a change in their security strategy could warrant the use of these weapons in the future. They indicated that some weapons can be hard to get and can take up to a year to receive, and therefore, there was a concern that they would not be able to acquire these weapons again, if needed. However, had some of these weapons been made available other Department sites that had recently purchased similar types of weapons could have avoided expending their scarce budgetary resources. For example, OST could have avoided a significant portion of the \$890,000 it spent in 2006 by acquiring weapons that were in storage at Hanford instead of purchasing them. While we recognize that any strategy is subject to change, retaining valuable unneeded property in anticipation of a future event that may or may not occur is an inefficient use of resources.

Accountability over High Risk/Sensitive Equipment

The Department lacks adequate guidance regarding the identification of high risk/sensitive property. According to a site official, current Departmental policy does not clearly address what items related to defensive and tactical equipment should be considered high risk or sensitive. As a consequence, the management of scopes and sights varied from site to site. For example, Idaho does not consider rifle sights and scopes as sensitive because contractor property management officials believe that these items are comparable to a calculator based on their acquisition cost. However, we noted that the acquisition costs of these items at other Departmental sites ranged from \$200 to almost \$10,000, considerably more than a typical calculator.

Additionally, a Department official at the site who was knowledgeable of the program stated that, in his opinion, these items should be considered sensitive because they make weapons more deadly. Because there are differing opinions between sites as to what should be considered sensitive, additional guidance is needed.

**Use and Accountability
Of Government
Resources**

Untimely declaration of excess weapons may result in an inefficient use of Government resources. By not making unneeded weapons available to other Department sites or Federal law enforcement agencies in a timely manner, these weapons may become outdated and are not being re-utilized. Given the current pool of excess and unneeded weapons, it is possible that millions of taxpayer dollars could be saved by other sites or agencies acquiring this excess property rather than purchasing new weapons. In addition, while these weapons are in storage, the sites may continue to incur costs to inventory and secure these weapons. Similarly, if high risk/sensitive defensive and tactical equipment is not properly identified and tracked, accountability issues may be created.

RECOMMENDATIONS

To address the weaknesses identified in our report, we recommend that the Director, Office of Management and the Senior Procurement Executive, National Nuclear Security Administration (NNSA) take the following actions:

1. Develop policies/procedures outlining timelines for declaring equipment as excess and making them available to other Department sites or Federal law enforcement agencies; and,
2. Develop improved guidance over the identification of high risk/sensitive property related to defensive and tactical equipment.

**MANAGEMENT
REACTION AND
AUDITOR COMMENTS**

Department and NNSA management generally concurred with our recommendations. Department management identified corrective actions it planned to complete, including the immediate issuance of a Personal Property Letter (PPL) stating that unneeded assets should be put into the Energy Asset Disposal System as soon as possible but no later than 60 days from the date they are determined to be unneeded. Additionally, the PPL will require all property managers to ensure that guidance is followed when identifying and managing assets as high risk/sensitive property, to include

tactical and defensive equipment. While NNSA generally concurred with our recommendations, it asserted that internal screenings are being performed and contractors are required to declare excess weapons. NNSA also noted that they will continue to develop new, or refine existing guidance related to the identification of high risk/sensitive property and will work with non-NNSA elements to refine the definitions of high risk/sensitive property.

We consider management's comments and planned actions to be responsive to our recommendations. With respect to NNSA's assertion that internal screening and declarations of excess are already being made, the examples we cited in our report include instances where NNSA weapons had been in storage for extended periods without being identified as unneeded by the site. Declaration of weapons as excess can only take place after they have been identified as unneeded.

We included the full text of management's and NNSA's comments in Appendix 3.

Appendix 1

OBJECTIVE

To determine whether the Department of Energy (Department) and its contractors were properly managing excess weapons inventories and selected sensitive equipment used by protective forces.

SCOPE

We conducted the audit from December 2007 to September 2008 at Department Headquarters in Washington, D.C.; the Hanford Site (Hanford) in Richland, WA; the Idaho National Laboratory (Idaho) and the Naval Reactors Facility (NRF) in Idaho Falls, ID; the Nevada Test Site (Nevada) in Nye County, NV; and the Tonopah Test Range (TTR) in Tonopah, NV.

In addition, we collected information for the following sites:

- National Training Center in Albuquerque, NM;
- Pantex Plant in Carson County, TX;
- Sandia National Laboratories in Albuquerque, NM and Livermore, CA;
- Los Alamos National Laboratory in Los Alamos, NM;
- Y-12 National Security Complex in Oak Ridge, TN;
- Oak Ridge National Laboratory in Oak Ridge, TN;
- Savannah River Site in Aiken, SC;
- Lawrence Livermore National Laboratory in Livermore, CA;
- Kansas City Plant in Kansas City, MO;
- Strategic Petroleum Reserve Project Office in New Orleans, LA;
- Office of Secure Transportation in Albuquerque, NM;
- Brookhaven National Laboratory in Upton, NY;

Appendix 1 (continued)

- Paducah Gaseous Diffusion Plant in Paducah, KY; and,
- Portsmouth Gaseous Diffusion Plant in Piketon, OH.

METHODOLOGY

To accomplish our objective, we:

- Reviewed applicable Federal regulations, Department Orders and Manuals, and other guidance related to the controls over all protective force equipment (current and excess);
- Reviewed documents such as protective force equipment inventories and general, special, and post orders to determine the types of equipment available and where they are normally located;
- Selected a statistical sample of defensive and tactical equipment at Hanford, Idaho, and Nevada;
- Selected a non statistical sample of defensive and tactical equipment at the NRF and the TTR;
- Observed the types, numbers, and locations of individually assigned and post/auxiliary equipment during all inspection activities, such as post visits and tours;
- Held discussions with officials from Hanford, Idaho, NRF, Nevada, and TTR regarding management of protective force equipment; and,
- Held discussions with Headquarters officials regarding property management of defensive and tactical equipment and programmatic responsibilities.

We conducted this performance audit in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Accordingly, the audit included reviews of Department and regulatory

policies, procedures, and performance measures related to the Department's management of defensive and tactical equipment. We assessed performance measures in accordance with the *Government Performance and Results Act of 1993* and concluded that the Department had not established performance measures related to management of defensive and tactical equipment. Because our review was limited, it would not necessarily have disclosed all internal control deficiencies that may have existed at the time of our audit. We used computer-processed data and performed reliability tests of such data as necessary to achieve our audit objective.

Department management and NNSA waived an exit conference.

APPENDIX 2

PRIOR REPORTS

- *Management Controls over Defense Related High Risk Property*, (OAS-M-08-06, April 2008.) This report noted that Los Alamos National Laboratory (Los Alamos) and Sandia National Laboratories (Sandia) had effective administrative controls in place over the accountability of firearms, including formal inventories, adequate documentation, and proper segregation of duties. However, administrative controls over other defense related high risk property such as firearm barrels, body armor, and gas masks were not sufficient for providing accountability. The report noted that Los Alamos and Sandia did not follow or require their subcontractors to follow Federal high risk property regulations for their defense related high risk property.
- *Accountability of Sensitive and High Risk Property at the Nevada Site Office*, (OAS-L-08-08, March 2008). This report found that although the Nevada Site Office (Nevada) and its contractors generally adhered to property management regulations, some instances of noncompliance existed. Specific to our audit, this report found that Wackenhut Services, Inc. had not maintained life cycle accountability or required reviews of usability for body armor and gas masks assigned to protective force personnel. The report suggested that the Nevada Manager ensure that contractors account for high risk property throughout its life cycle.
- *Controls Over Ammunition Within the Office of Secure Transportation*, (INS-O-07-02, July 2007). This inspection report concluded that the Office of Secure Transportation (OST) did not have adequate internal controls over its ammunition. Specifically OST did not (1) Categorize and control ammunition as sensitive property; (2) Follow requirements for requesting ammunition for activities other than organized, approved training and execute required documentation for the issuance and receipt of ammunition; (3) Ensure that ammunition transported on board the National Nuclear Security Administration aircraft by OST personnel was declared; (4) Ensure that ammunition in the possession of Federal agents was properly controlled; and, (5) Ensure the accountability of armor piercing ammunition. The report noted that OST's inquiries lead to the conclusion that there were systemic ammunition accountability problems throughout OST.



Department of Energy
National Nuclear Security Administration
Washington, DC 20585

January 5, 2009

OFFICE OF THE ADMINISTRATOR

MEMORANDUM FOR Rickey R. Hass
Deputy Inspector General
for Audit Services

FROM: William C. Ostendorff *WCO*
Principal Deputy Administrator

SUBJECT: Comments to Draft Report on Controls over Excess
Weapons and Sensitive Equipment;
A08PT022/2007-04718

The National Nuclear Security Administration (NNSA) appreciates the opportunity to review the Inspector General's (IG) draft report, "Management Controls over the Department's Excess Weapons Inventories and Selected Sensitive Equipment." We understand that this audit was conducted because of prior reported weaknesses in controls over defensive and tactical equipment and to determine whether the Department is properly managing excess weapons inventories and selected sensitive equipment.

NNSA understands the IG's premises for this audit report. It is important to manage our weapons and sensitive equipment inventories and to eliminate those items that are no longer applicable to mission needs. In the case of NNSA, we do perform an internal screening for all firearms and we communicate with the Denver office of the General Services Administration to determine if there are other Federal agencies with an interest in our excess firearms. It is NNSA's policy to transfer our excess firearms to other Federal agencies or redistribute them internally.

NNSA requires its contractors to declare their excess firearms internally to NNSA. Our concern is one of management controls over excess/high risk property and its subsequent disposition. We do require our contractors to perform cradle to grave accountability of all high risk property. It is NNSA's methodology of operations for contractors to manage risk rather than be risk averse. Therefore, when that thought process is applied to excess property, you are ensuring accountability regardless of whether an item is characterized as high risk or sensitive.

While NNSA generally agrees with the recommendations, it is important to note that NNSA continues to work with non-NNSA elements to refine the definitions of 'high risk' and of 'sensitive' as related to defensive and tactical equipment. Equally, we continue to develop new, or refine existing, guidance related to the identification of high risk/sensitive property.



Appendix 3 (continued)

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Should you have any questions about this response, please contact Richard Speidel, Director, Policy and Internal Controls Management. He is at 202-586-5009.

cc: David Boyd, Senior Procurement Executive
Karen Boardman, Director, Service Center
Bradley Peterson, Chief, Defense Nuclear Security

Appendix 3 (continued)



Department of Energy
Washington, DC 20585

December 12, 2008

MEMORANDUM FOR RICKEY R. HASS
DEPUTY INSPECTOR GENERAL
FOR AUDIT SERVICES
OFFICE OF INSPECTOR GENERAL

THROUGH: STEPHANIE F. WEAKLEY
DIRECTOR
OFFICE OF RESOURCE MANAGEMENT

FROM: EDWARD R. SIMPSON
DIRECTOR
OFFICE OF PROCUREMENT
AND ASSISTANCE MANAGEMENT

SUBJECT: Submission of the Department of Energy (DOE) Management Decision to the Office of Inspector General (OIG) Draft Audit Report Entitled "Management Controls over the Department's Excess Weapons Inventories and Selected Sensitive Equipment" (A08PT022)

From December 2007 to September 2008, the Office of Inspector General (OIG) conducted an audit at DOE Headquarters in Washington, D.C.; the Hanford Site, Richland, WA; the Nevada Test Site in Nye County, NV; the Tonopah Test Range in Tonopah, NV, and the Idaho National Laboratory and the Naval Reactor Facility in Idaho Falls, ID. In addition, they collected information from a number of other Department facilities. The purpose of the audit was to determine whether DOE and its contractors were properly managing excess weapons inventories and selected sensitive equipment.

Attached you will find our comments to the draft audit report. The National Nuclear Security Administration (NNSA) concurs with our comments, but adds the following statement: "NNSA will excess weapons to only federal entities".

If you have any questions concerning this memorandum, please contact Mr. Frankie Woods of my staff at (202) 287-1596, or via email at Frankie.Woods@hq.doe.gov.

Attachment



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**MANAGEMENT DECISION
ON INSPECTOR GENERAL DRAFT AUDIT REPORT
“Management Controls over the Department’s Excess Weapons Inventories
and Selected Sensitive Equipment” (A08PT022)**

BACKGROUND:

In November 2008, the Office of Inspector General (OIG) issued draft audit report entitled "Management Controls over DOE Excess Weapons Inventories and Selected Sensitive Equipment." The draft audit report recommended that the Department of Energy (DOE) strengthen its management of excess weapons inventories and selective equipment. Specifically, high risk/sensitive property related to defensive and tactical equipment.

RECOMMENDATION 1:

Develop policies/procedures outlining timelines for declaring equipment as excess and making them available to other Department sites or Federal law enforcement agencies.

MANAGEMENT DECISION

Concur.

In response to this recommendation, the Office of Procurement and Assistance Management will issue a Personal Property Letter (PPL) stating “Once an asset is identified as excess, it should be put into Energy Asset Deposal System (EADS) as soon as possible but not later than 60 days from the date the item(s) is (are) determined to be excess. This action will be implemented immediately and will be included in the DOE Order 580.1 rewrite.” Our Procurement Management Review (PMR) team will revisit this issue as they visit sites in fiscal year (FY) 2009.

RECOMMENDATION 2:

Develop improved guidance over the identification of high risk/sensitive property related to defensive and tactical equipment.

MANAGEMENT DECISION:

Concur.

This action will be revisited by our PMR team as they visit sites in FY 2009. The PPL will require all property managers ensure that guidance identified in 41 CFR 109-1, DOE G 580.1-1, and 48 CFR 52-245-1 is followed when identifying and managing assets as high risk/sensitive property, to include tactical and defensive equipment. We concur with the Idaho National Laboratory and the Office of Science (SC) comments that items may be controlled administratively, however, DOE Order 580 (4)(g) states that items, regardless of value, that require special control and accountability because of susceptibility to unusual rates of loss, theft, misuse or due to national security and export control consideration be listed as sensitive. Our position is that scopes, sights, body armor and gas masks meet those characteristics and must be controlled as sensitive property. We also concur with SC comments that gas masks are difficult to manage due to no serial number stamped on the mask. However, a control method using hand receipts by mask size should be used. To ensure consistency Department-wide, all questions as to what is considered high risk/sensitive property, can be referred to the Office of Procurement and Assistance Management, specifically the Personal Property Management Division (MA-632).

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3. What format, stylistic, or organizational changes might have made this report's overall message more clear to the reader?
4. What additional actions could the Office of Inspector General have taken on the issues discussed in this report which would have been helpful?
5. Please include your name and telephone number so that we may contact you should we have any questions about your comments.

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