

# Congress of the United States

## House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

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[www.science.house.gov](http://www.science.house.gov)

February 26, 2016

The Honorable Ernest Moniz  
Secretary  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

Dear Secretary Moniz,

As part of the Committee on Science, Space, and Technology's ongoing oversight of allegations that Department of Energy (DOE or the Department) officials retaliated against an agency scientist for providing information to Congress regarding the Low Dose Radiation Research Program (LDRRP), we are writing to reiterate our prior request dated February 3, 2016.<sup>1</sup> In the prior letter, we asked that the Department provide the requested documents no later than February 15, 2016.<sup>2</sup> Despite enjoying an additional week to respond to the Committee's request, the Department has not provided any documents or communications responsive to the request, nor has the Department provided any information on when the Committee can expect to receive a response.

Committee staff reached out to the Department on multiple occasions to obtain information on steps the Department has taken to respond to the Committee's letter. Department staff failed to provide even as much as a time frame for a response to Committee staff. In order to gain a basic understanding of what steps the Department is taking to respond to the Committee's request, my staff requested a telephone call with Department staff on February 18, 2016. The Department was unable to even schedule a telephone call until February 23, 2016. When asked directly for a time frame on when the Committee can expect to receive a response, the Department was unable to provide even specific information on what measures the Department was taking to provide the Committee with a full and complete response. Further, the Department failed to provide any assurances to Committee staff that it will provide a timely response to the Committee's request. The Department's continued silence regarding the Committee's request raises concerns that the Department is not taking allegations of retaliation and intimidation of an agency scientist seriously.

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<sup>1</sup> Letter from Hon. Lamar Smith, Hon. Barry Loudermilk, & Hon. Randy Weber, H. Comm. on Science, Space, & Tech., to Hon. Ernest Moniz, Sec'y, U.S. Dept. of Energy (Feb. 3, 2016).

<sup>2</sup> *Id.*

In our February 3, 2016, letter to you, we explained that during an October 16, 2014, briefing to Committee staff on the LDRRP, the Program Manager was asked by congressional staff to answer a variety of questions on issues in medical and health physics. Following the briefing, the Program Manager was accused by superiors of failing to follow the Department's instructions about the briefing. Further, just six days following the briefing, the Program Manager was issued a Notice of Proposed Removal, which included one charge of "Inappropriate Workplace Communication." As we explained in our initial letter to you, it is against the law to deny or interfere with employees' rights to provide information to Congress.

These allegations raise serious concerns for the Committee about the Department's commitment to openness and transparency, especially with respect to misrepresenting or withholding information from Congress. These claims also raise significant concerns about the Department's approach toward employees who provide information to Congress that may not be thoroughly vetted or approved beforehand by Department superiors. As you know, Congress requires full and uninhibited access to information to ensure that it can effectively carry out its duty to identify shortcomings and areas for improvement within the federal government.

Given the gravity of these concerns, the Committee's inquiry into this matter should not be met with dilatory tactics by the Department. The Committee expects a full and complete response from the Department, including production of the requested documents and communications so that the Committee can fulfill its oversight responsibilities. We reiterate all of the requests contained in our February 3, 2016, letter. Please provide all of the requested materials to the Committee as soon as possible, but no later than March 4, 2016, at 12:00 p.m. If the Department does not provide all of the requested materials, the Committee will consider use of the compulsory process and all the tools at its disposal under the House Rules to obtain the information.

The Committee on Science, Space, and Technology has jurisdiction over energy, environmental, and scientific programs and "shall review and study on a continuing basis laws, programs, and government activities" as set forth in House Rule X.

When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 394 of the Ford House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment provides information regarding producing documents to the Committee.

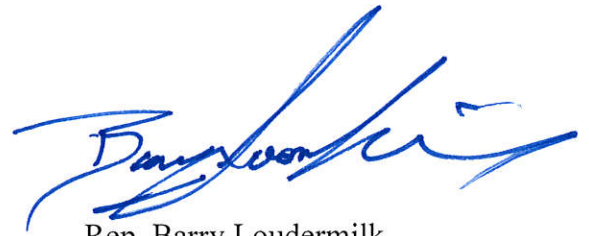
If you have any questions about this request, please contact Committee staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,

The Honorable Ernest Moniz  
February 26, 2016  
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Rep. Lamar Smith  
Chairman  
Committee on Science, Space, and Technology



Rep. Barry Loudermilk  
Chairman  
Subcommittee on Oversight



Rep. Randy Weber  
Chairman  
Subcommittee on Energy

cc: The Honorable Eddie Bernice Johnson, Ranking Member, Committee on Science, Space,  
and Technology  
The Honorable Don Beyer, Ranking Member, Subcommittee on Oversight  
The Honorable Alan Grayson, Ranking Member, Subcommittee on Energy

Enclosure