

Committee Leaders Release CRS Report Showing DOE's Counterintelligence Program May Be Off Course

Washington, D.C. - The Committee on Energy and Commerce today released a Congressional Research Service (CRS) report that shows the Department of Energy's (DOE) efforts to consolidate and streamline its counterintelligence program may be veering off course, potentially jeopardizing its ability to protect some of the country's most sensitive national security secrets from foreign intelligence services.

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Washington, D.C. - The Committee on Energy and Commerce today released a Congressional Research Service (CRS) report that shows the Department of Energy's (DOE) efforts to consolidate and streamline its counterintelligence program may be veering off course, potentially jeopardizing its ability to protect some of the country's most sensitive national security secrets from foreign intelligence services.

"This CRS study raises some troubling questions about the state of DOE's counterintelligence program and the need for Congress to look more closely at how it is functioning," said Dingell. "We'd like to examine the extent to which DOE shares these concerns and whether any of these issues have been addressed. I plan to work with my colleagues to conduct a thorough review of how the Department of Energy protects our nation's secrets to ensure that the alleged 'reforms' promulgated by this Administration have not made things worse."

"The report demonstrates why some of the concerns raised about DOE's counterintelligence program should be examined more closely," Barton said. "Given DOE's record of treating secrets at the Los Alamos National Laboratory like leftover napkins, we could all use some reassurance that security problems haven't infected the department's

counterintelligence programs, too. This report shows us what we need to find out.”

The report comes a decade after intelligence evidence surfaced indicating that China successfully stole nuclear weapons secrets from DOE’s weapons complex prompting a congressionally mandated overhaul of the Department’s counterintelligence program.

“DOE controls some of our country’s most important secrets about nuclear weapons and technology,” said Stupak. “It is critically important that these secrets receive the highest protection. Recent events, including massive cyber attacks upon DOE facilities by hackers highlights the interest foreign powers have in stealing these secrets. What this report indicates is that DOE facilities may not be as secure as they should be. This report follows a troubling trend of recent security breaches at DOE and its labs. We will continue our aggressive oversight of DOE to ensure the department’s counterintelligence program is improved.”

The CRS report cites critics who assert that the consolidation has undercut the authority and independence of the DOE’s counterintelligence program. As a result, counterintelligence is not receiving the attention, focus, and priority that it warrants. Congress has voiced similar concerns, noting that DOE’s counterintelligence functions are now organized as they were when DOE experienced significant counterintelligence problems in the 1990s.

Specific concerns outlined in the report include:

- Budget constraints that critics contend have degraded counterintelligence analytic capability;
- The diversion of counterintelligence analytic capability;
- A breakdown in communication between DOE counterintelligence field offices and DOE Headquarters; and

Failure of DOE Headquarters to achieve certain strategic counterintelligence goals.

Critics

were also concerned that there had been some discussion within DOE about the possibility of placing Presidential Decision Directive-61 on “inactive status.” This directive was issued by President Clinton in 1998 with the intention of bolstering the Department’s counterintelligence capabilities by establishing the first-ever independent counterintelligence office within DOE. Under DOE’s most

recent consolidation, that office has been absorbed by a new Office of Intelligence and Counterintelligence.

The Committee

on Energy and Commerce is conducting an ongoing investigation into mismanagement concerns and security lapses at the Department of Energy's Los Alamos Nuclear Laboratory. To date, the Committee has held two hearings on this issue. The Committee is also looking into security problems at the Lawrence Livermore National Laboratories and has asked the Government Accountability Office (GAO) to investigate the Department of Energy's handling of security at the lab.

Read the CRS Report

Prepared by the Committee on Energy and Commerce

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