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**STATEMENT BY THE HONORABLE DUNCAN HUNTER  
CHAIRMAN, MILITARY PROCUREMENT SUBCOMMITTEE  
HEARING ON THE RESULTS OF THE DEPARTMENT OF ENERGY'S INSPECTOR  
GENERAL INQUIRY INTO SPECIFIC ASPECTS OF THE ESPIONAGE INVESTIGATION AT  
THE LOS ALAMOS NATIONAL LABORATORY**

The Subcommittee will come to order.

The Subcommittee meets today to hear continuing testimony on the espionage investigation at the Los Alamos nuclear weapons laboratory. In particular, we meet to find out why the prime suspect in this case was allowed to remain in place working on classified nuclear weapons programs for 14 months after the FBI stated that there was *no longer any investigative reason* to keep him in place, with his clearance, working on sensitive matters.

We are not here today to try to determine if the prime suspect in this espionage investigation, Mr. Wen Ho Lee, is guilty of espionage against the United States or if he is the only possible perpetrator. We are here to ask questions that cry out for a response to what seems like a simple, common sense, inquiry: When Director Freeh of the FBI twice told senior Department of Energy officials in 1997 that there was *no investigative reason* to keep the suspect in place, why did no one take what would seem to be the prudent action and remove the suspect from the classified nuclear weapons development facility at Los Alamos—the so-called X division—until 14 months afterward?

I would think that Department and laboratory officials who had knowledge of the severity of the espionage loss to China would be extremely anxious about the prime suspect's being allowed to remain in the X Division, with his Q security clearance, working on nuclear weapons design information. Where was the sense of urgency? Did officials at the Department and the labs become so accustomed to intelligence losses that they were accepted as unavoidable occurrences? Were counterintelligence and security always considered someone else's problem? A problem to be addressed by others at other levels in the organization? Was the Department populated with managers that felt they didn't have any responsibility or stewardship for the country's nuclear weapons secrets?

(More)

With us today to provide some clarity regarding these issues because of their high degree of involvement in them are:

- Mr. Frederico Peña, the former Secretary of Energy from March 1997 until June 1998.
- Ms. Elizabeth Moler, the former Deputy Secretary of Energy from June 1997 until October 1998 and the Acting Secretary of Energy from July to August 1998.
- Mr. Notra Trulock, the Director of the Office of Energy Intelligence from May 1994 until April 1998 and the Acting Director of the DOE Office of Intelligence from April until October of 1998.

Also with us is:

- Mr. Gregory Friedman, the current Department of Energy Inspector General.

Mr. Friedman's testimony is important because his office conducted a review, at the request of the Secretary Richardson, to address the facts and circumstances surrounding the security clearance, access, and assignments of the espionage suspect at the Los Alamos National Laboratory. I hope our witnesses can provide explanations on who dropped the ball, and what systemic problems allowed this situation to persist.

As I noted above, today we are going to continue testimony on the DOE espionage case. This is the fifth briefing or hearing we've held, the first having taken place over a year ago on October 6, 1998. At that time, both Mrs. Moler and Mr. Trulock testified; and, as my colleagues know, part of Mr. Trulock's originally prepared testimony was withheld at the direction of Mrs. Moler.

As all my colleagues know, for almost eight months this subcommittee attempted to obtain an unredacted copy of this testimony from DOE and met late this past Monday to take the extraordinary step of authorizing a subpoena to obtain it. Having finally gotten this classified document in exchange for not issuing the subpoena, we want to know more about why parts of it were withheld and will probe this matter to the extent we can in open session.

Which brings me to another point: classification. It seems the entire testimony of Mr. Friedman is classified when almost every point he makes can be found in the Department's own press release announcing his conclusions. I find this to be extremely irritating. I respect the need to protect sensitive information as much as any person in this room; but, Mr. Friedman, most of what you've classified is either in the press release or can be found in other open source documents which have even been reviewed by your own Department. I want it understood that I will not stand idly by and let the Department hide behind security if it's not warranted.

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