

Congress of the United States
House of Representatives
Washington, D.C. 20515

February 6, 2009

The Honorable Steven Chu
Secretary
Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Secretary Chu:

As part of the Energy and Commerce Committee's (Committee) ongoing oversight of the Department of Energy (DOE) and the national laboratories, we are writing regarding the special report issued by the DOE Inspector General (IG) in March 2008. The special report, entitled *The Department's Unclassified Foreign Visits and Assignments Program* (DOE/IG-0791), concluded that DOE's Foreign Visits and Assignments Program (Program) posed an unnecessarily high security risk, because of weakness in the tracking and hosting of foreign nationals.

The Foreign Visits and Assignments Program has a history of security weaknesses. The IG's December 2002 report, entitled *The Department's Unclassified Foreign Visits and Assignments Program* (DOE/IG-0579), noted such shortcomings as admitting visitors before receiving the required approvals, not completing background checks, and either not entering, or entering incorrectly, information into DOE's Foreign Access Central Tracking System (FACTS). While DOE addressed some of these issues, the IG's 2008 report stated "[a]dditional and continuing weaknesses . . . diminished the effectiveness of controls designed to reduce the security risk associated with foreign visits and assignments."

Given the additional and continuing weaknesses identified by the IG, we are concerned that DOE may not be taking the necessary steps to identify and mitigate the security weaknesses of the Program. Please respond to the following questions in writing and provide all supporting documents:

1. Has DOE developed a corrective action plan to address the issues raised in the IG's report? If not, why not? If so, please provide a copy of the corrective action plan.
2. To what extent has DOE worked with law enforcement agencies to develop the corrective action plan? Please list the law enforcement agencies DOE has consulted with in

developing the corrective action plan, a point of contact for each agency with contact information.

3. What steps has DOE taken to ensure staff are familiar with the Program requirements and are adequately trained to use the FACTS system?
4. What corrective action will be taken against lab employees that fail to comply with the Program requirements?
5. Have any foreign nations exploited the security weaknesses of the Program to gain access to sensitive records, files, or computers? Please list all breaches that have occurred since the IG's 2002 report, including the date and location of the breach, the individual committing the breach and his or her home nation, the nature of the information compromised, and any other relevant information concerning the breach.

Thank you for your prompt attention to this matter. If you have any questions related to this request, please contact Alan Slobodin of the Energy and Commerce Committee, Republican staff at (202) 225-3641.

Sincerely,



Joe Barton
Ranking Member
Committee on Energy and Commerce



Greg Walden
Ranking Member
Subcommittee on Oversight and Investigations