social security fund, if we have an education system which guarantees that the job is created in this nation will be there and the people who are in the nation can qualify for them and earn wages and pay into the social security system, we are helping social security.

So education helps to keep us strong militarily, it helps to keep us strong economically. Education is the best investment we can make in social security.

The problem now is that because already we have not been able to fill many of the jobs in the high-tech industries, corporations are contracting out to other nations. Bangalore, India, is called the computer capital of the world because in Bangalore, India, they have numerous contractors from this Nation who are contracting with firms in Bangalore to provide computing services. And because of our high-tech communications facilities, we can do that kind of thing.

In addition to large numbers of corporations contracting to firms located in Bangalore, and the people in Bangalore, of course, pay their social security into the Indian system, not the American system, we have also large numbers who come to this country as foreign workers and improve their skills because they are hired in the jobs that cannot be filled by our corporations. They go back and make the computer and other high-tech industries of their Nation even more efficient and effective as competitors. So wherever we look, we find the need for greater investment in education.

There are many ways we can invest in education. We have talked about a lot of them. I do not think that I would rank reducing the classroom size over construction or construction over reducing the size of the elementary classes, but I would like to say that a school construction initiative which is meaningful would send a message to the whole Nation and the whole public education system.

If we believe in a religion, then the first visible commitment of that religion is manifested in the kind of church they build or temple they have or synagogue they have. The physical facility is not at the heart of what the religion is all about, but the physical facility is a visible manifestation of a commitment.

If we abandon the public schools of this Nation, and we have a situation similar to the one we have now, where we are spending only 25 cents per child. We have 55 million children in school. When we look at the amount of money the Federal Government is spending, it is about 23 cents per child.

I propose a bill, H.R. 1820, which I have already introduced and am seeking cosponsors, where we would spend $417 per year per child instead of 23 cents per year per child. For $417 per year per child, we could deal with the crumbling, dilapidated schools, schools that endanger the health of youngsters because they have coal-burning furnaces, lead pipes, some have serious problems in terms of the roof. No matter how many times you repair it, the water seeps into the walls at the top and it keeps coming down. Lead paint, lead is in the paint. There are all kinds of dangers.

Many buildings are just so old. We have a lot of buildings in New York City that are 75 years or older, many that are 100 years old. This is not unique to New York City. All of the big cities have the same problem. Many rural areas, of course, have even worse problems. They never had sound buildings. We need a construction effort.

I conclude by saying that investment in the public education system is one of many of the steps we need to take to end the oppression of working families and provide benefits, and have them share in the wealth, instead of being objects of our contempt.

Madam Speaker, I include for the Record the following information on World War II:

<table>
<thead>
<tr>
<th>State</th>
<th>Total casualties</th>
<th>Combat deaths</th>
<th>Three big cities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>World War I</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>35,100</td>
<td>7,307</td>
<td>Philadelphia, Boston,</td>
</tr>
<tr>
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<td>29,576</td>
<td>5,956</td>
<td>Pittsburgh, Harrisburg</td>
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<tr>
<td>Illinois</td>
<td>15,994</td>
<td>3,016</td>
<td>Chicago, Springfield,</td>
</tr>
<tr>
<td>Ohio</td>
<td>14,484</td>
<td>3,073</td>
<td>Cleveland, Cincinnati,</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>9,766</td>
<td>1,670</td>
<td>Boston, Amherst, Burlington</td>
</tr>
<tr>
<td>New Jersey</td>
<td>6,766</td>
<td>1,153</td>
<td>Newark, Jersey City, Hoboken</td>
</tr>
<tr>
<td>California</td>
<td>6,153</td>
<td>1,352</td>
<td>San Francisco, Oakland,</td>
</tr>
<tr>
<td>Detroit</td>
<td>2,443</td>
<td>2,443</td>
<td>Los Angeles</td>
</tr>
<tr>
<td><strong>World War II</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<tr>
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<td>12,382</td>
<td>12,382</td>
<td>Los Angeles</td>
</tr>
<tr>
<td><strong>Korean Conflict</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York</td>
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<td>1,447</td>
<td>Detroit, Ann Arbor, Lansing</td>
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<tr>
<td>Vietnam</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

I order to be printed.
allow those key players to gain access to the key decisionmakers that would benefit them in acquiring technology.

\[2145\]

The nine Members that were a part of the Cox committee represent a broad basis of views in this Congress. Four Democrats and five Republicans, very serious Members; and our goal was and the result was a totally nonpartisan effort.

We looked at every aspect of technology that may in fact pose problems for us down the road in the future or not that technology had in fact been transferred. If so, to what extent, how it was transferred, and what the implications were for our long-term security.

The almost 1,000-page document that we completed in my mind, very detailed and certainly would be required reading for any American. The problem is, most American citizens, like most Members of Congress, do not have the time to sift through almost 1,000 pages of detailed explanations and stories relative to various technologies that had been transferred out of the U.S. over the past several decades.

Therefore, much of this is contained within the thousand-or-so-page report, even though 30 percent of that material was classified because the administration would not declassify the entire document, the media, to a large extent, have chosen not to focus on the substance of what is in the Cox committee report.

Unfortunately, the bulk of the American media, and I say the bulk because there are a few exceptions, people like Jeff Girth with the New York Times, who has been doing tireless work in this area before our report was even issued, people like Carl Cameron at Fox News, who continues to do extensive work in this area; people like 60 Minutes, who are right now doing research in these areas, and other network affiliates, they are the exception.

The bulk of the mainstream media have chosen to accept the spin that has been given by this White House to the country as the point person for this administration.

What I am trying to do, Madam Speaker, is to present information to our colleagues, which they could, in turn, provide to their constituents, of a factual basis that compliments the work that was done by the Cox committee.

Now, the public at large can receive copies of the Cox committee report. It is available on the newstand, or they can get it on the Web site that has been established by the Cox committee itself. Many libraries now have copies of the Cox committee three-volume series.

Last evening, I mentioned the fact that I have now established a Web site on the Cox report that goes beyond the information that is covered in the Cox report and provides the visual explanation of the overview of the problem that we dealt with in the Cox committee report.

So our colleagues, Madam Speaker, and all of their constituents can now turn to the Internet where they can access the material. I am going to show this evening, and they can download the actual charts that I am going to provide. In addition, smaller versions of these larger charts have been made available to every Member of this body. All they have to do is contact my office, send a staffer over, and be they Republican or Democrat, they can get the charts and all the related information that goes with the charts so they can share this information in a factual way with their constituents.

The Web site where our colleagues and the American people across this country can access this information is www.house.gov/curtweldon. Any American represented by any one of our colleagues can access this information through that Web site.

In fact, last evening, we had a number of contacts from throughout the country from people who want to get additional factual information in an investigational form, in a condensed form about what actually the Cox report focused on.

As I have said in a series of speeches that I have been giving both here and around the country, Madam Speaker, the focus of the Cox committee was not just on our laboratories. Now, if my colleagues listen to Bill Richardson, the Secretary of Energy and the point person that has been asked by the administration to provide the spin for the Cox committee report, my colleagues would think that only focused on our laboratories, Los Alamos, Sandia, and Lawrence Livermore in particular. Nothing could be further from the truth, Madam Speaker.

While it is laboratory security was one part of what we looked at, it is only one small part of the bigger picture of the way that we loosened the controls over our technology for the past 7 years.

The American people need to understand that this effort was well beyond our laboratories. But as I did last night, I want to highlight four specific actions that rebut what Secretary Richardson has been saying around the country as the point person for this administration as he has tried to spin the Cox committee report as though it is only concerned with lab security.

Now, Madam Speaker, our colleagues know full well that they have read the text of Mr. Richardson’s speeches, that his focus has been something along the lines of this: This administration was the administration which uncovered the Chinese espionage in 1995 that has not only concerned with lab security.

Secretary Richardson would have the American people believe and would have my colleagues believe that this administration had no responsibility whatsoever in technology being transferred to China and that the only thing they did was that they uncovered the fact that, in 1995, they learned that China had stolen the designs for our warhead capabilities, the W-88 and the W-87, that occurred in previous administrations. That has been the extent of Secretary Richardson’s comments.

He has also gone on to say, now, look; we have taken steps to correct all of this, and today we have corrected the bulk of the problems.

Well, I am here to rebut that, Madam Speaker. I would like to do it in a forum where I could stand directly across from Secretary Richardson, or even better, President, and have a chance to go at it verbally and exchange information, but it looks like that is not going to be possible.

The national media outlets will put Secretary Richardson on the Sunday morning talk shows whenever the White House spin, but they have yet to give full consideration to the factual rebuttal to what Secretary Richardson has been saying. So I am going to attempt to do that here again on the public record tonight.

First of all, we must remind the American people that contrary to what Secretary Richardson has been saying, it was this administration, under the leadership of then-Energy Secretary Hazel O’Leary in 1993 that ended the policy of color coding laboratory security credentials at our laboratories. My understanding is that she thought having color coded badges was to some extent discriminatory and they were not necessary. So under her administration, acting on behalf of Bill Clinton, we did away with that process in 1993.

Now what did that mean? That meant, Madam Speaker, that all of those employees at our labs that we used to be able to tell by the color of the identifying ID system that they had on them no longer could be done, or no longer could be checked, because we did away with that color coding, making it much more difficult to determine where employees could or could not have access to key areas. Now, obviously that made it much easier for an unauthorized people to go into areas where they did not have appropriate clearance.

Now, if this policy were so acceptable and defensive, my question is, why did this administration 2 weeks ago reinstate the policy as it existed under President Reagan, President Bush, and even President Carter and before that?
If this policy change, which Secretary O'Leary made on behalf of Bill Clinton in 1989 and 1994, was so politically important, why did they go back to the policy as it was under Republican Presidents?

Was perhaps there some new revelation that this relaxation that occurred by the Clinton administration in 1993 and 1994 led to security problems in our laboratories? Bill Richardson has yet to answer that question.

Second point, Madam Speaker, we have not heard Bill Richardson talk about the fact that it was under Secretary Hazel O'Leary, acting on behalf of President Clinton, that FBI background checks of people who worked at our labs and visited our labs were put on hold.

Now, why do we have FBI background checks? They were there to discourage people who should not have access to our country's secrets to get into places where those secrets were kept. That was not done prior to 1993, Madam Speaker. That was done by this administration. The change in policy that opened the floodgates for people to go to our labs, who in previous years would not have been allowed access to those facilities.

Bill Richardson has not dealt with that issue, because as he said, this administration only inherited problems and did everything to correct them.

Third point. There was an incident involving a retired employee from Lawrence Livermore Laboratory in the 1993 to 1995 time frame, where that employee, former employee, was accused by the Department of Energy of having released sensitive classified information to unauthorized people. The Department of Energy investigated that issue, because as he said, this administration only inherited problems and did everything to correct them.

The employee appealed that decision to the Secretary of Energy's office. Hazel O'Leary herself overturned the decision of the Oakland Department of Energy office and allowed that retiree to retain his classified status. When that occurred, Madam Speaker, employees all across DOE involved in sensitive security areas got the feeling that this administration felt that giving away classified secrets was no big deal.

We lowered the threshold for the security clearance process. We stopped the FBI background checks. Then we even had an employee who was accused by the Department of Energy itself, and found guilty of giving classified information. The Secretary herself overturned the Department of Energy decision to take away his security clearance.

Now, those people that I have talked to in the Department of Energy who worked under Hazel O'Leary, way more than one or two people, have said that under her leadership, there were wholesale relaxations to declassify massive amounts of information, in some cases boxes and cartons of records that no one had gone through, simply declassified, made available for people to read in a spirit that I guess was considered openness, even though these were, in many cases, the most important technical secrets that this country had.

Let me give my colleagues one particular example, Madam Speaker. Secretary Richardson has gone around the country, and he has made the case that when this administration found the evidence in 1995 that China had stolen or received the design for our most capable nuclear warheads, the W–88 and the W–87, he said that the Administration immediately corrected those problems so they would never occur again. Even though Janet Reno cannot properly explain why the Justice Department turned down requests for four wiretaps, for efforts by one of our employees at one of our facilities to show and explain the physics of the way America's most capable warhead would work. This was not some secret espionage capability of the Chinese. This was the Department of Energy, following Hazel O'Leary's decision to open up to the people of the world our most secret information about technologies important to our country.

There is one additional factor that needs to be investigated, Madam Speaker. There was an individual, or is an individual employed at the Department of Energy who has currently been placed on what I call political administrative leave. His name is Edward J. McCollum. He was the one who briefed Members of Congress and their staffs about problems with one of our nuclear facilities, Rocky Flats. When I was there, I was told that he had done the outrageous thing of informing Congress about security concerns at one of our nuclear sites, what was the response of this administration? They put him on administrative leave. Secretary Richardson has announced that he is going to fire Mr. McCollum because he claims he gave out classified information.

Madam Speaker, I cannot believe this is happening in America, but there is some added irony here. Madam Speaker, I am providing for the CONGRESSIONAL RECORD, a document dated May 3, 1999, prepared by Mr. McCollum which outlines the problems at Rocky Flats and what steps he took to correct them.

Mr. Chairman, thank you for the opportunity to speak with the committee today on the Department of Energy's Safeguards and Security Program. Over the past nine years, I have served as the Deputy Director, Office of Safeguards and Security. In this capacity, I have been responsible for the development and promulgation of policy that governs the protection of the national security assets entrusted to the department, to include those assets that are part of the nation's nuclear physics.
June 8, 1999

CONGRESSIONAL RECORD—HOUSE

OFFICE OF NATIONAL DOMESTIC PREPAREDNESS

RECOMMENDATIONS AS TO HOW BEST TO RECTIFY SECURITY WITHIN THE DEPARTMENT, ALONG WITH A JUDGMENT POSSIBLE CONCERNING THE STATUS OF THE ADVERSARY WITH THE WEAPONS OR EXPLOSIONS. I AM ALSO RESPONSIBLE FOR DESIGNING THE DEFENSE OF SPECIFICAL Solar power plants and their associated infrastructure. I am also responsible for the design and construction of DOE field sites when requested. My office is also charged with conducting special inquiries into incidents of security concern to include, but not limited to, those involving the unauthorized disclosure of classified information.

AS YOU MAY KNOW THE DEPARTMENT OF ENERGY HAS PLACED ME ON ADMINISTRATIVE LEAVE SINCE APRIL 19, 1999. DOE OFFICIALS ALLEGE THAT I COMMITTED A SECURITY INFRACTION BY CLAIMING TRUE BUT UNCLASSIFIED INFORMATION DURING A CONVERSATION WITH A WHISTLEBLOWER FROM THE ROCKY FLATS SITE. BASED ON THE DEPARTMENT’S OWN CLASSIFICATION PROCEDURES AND GUIDELINES (CG–88–3, Chap 10, Disposal of Radioactive Material), I FIRMLY BELIEVE THAT THESE ALLEGATIONS ARE COMPLETELY UNFOUNDED.

I HAVE BEEN AN AUTHORIZED CLASSIFIER IN THE DOE AND IT’S PREDECESSOR ORGANIZATIONS FOR OVER 25 YEARS AND HELPED DEVELOP THE FIRST CLASSIFICATION GUIDE IN THIS AREA IN 1975. FURTHER DOE ALSO FAILED TO FOLLOW ITS OWN PROCEDURES IN INVESTIGATING THESE ISSUES BEFORE PLACING ME ON ADMINISTRATIVE LEAVE. I BELIEVE THIS ACTION WAS AN OBVIOUS ACT OF RETALIATION AGAINST THE INDIVIDUAL AND THE OFFICE OF SAFEGUARDS AND SECURITY THAT HAVE BEEN SUPPORTED ME AND MY DISTRESSING MESSAGE OF LAX SECURITY AT THE DOE LABORATORIES FORWARD SINCE 1965.

PRIOR TO JOINING THE OFFICE OF SAFEGUARDS AND SECURITY I HAVE SERVED AS A MEETING IN THE UNITED STATES MILITARY INTELLIGENCE AND SPECIAL FORCES ASSIGNMENTS IN EUROPE AND SOUTH EAST ASIA. I CULMINATED MY MILITARY DUTY AFTER OVER THIRTY YEARS OF ACTIVE AND RESERVE SERVICE.

IN FULFILLING MY RESPONSIBILITIES AS THE DIRECTOR OF SAFEGUARDS AND SECURITY, I HAVE ATTEMPTED TO PROVIDE SENSIBLE DOE MANAGEMENT WITH THE MOST SOUND, PROFESSIONAL JUDGMENT POSSIBLE CONCERNING THE STATUS OF SECURITY WITHIN THE DEPARTMENT. ANY RECOMMENDATIONS AS TO HOW BEST TO RECTIFY SECURITY WITHIN THE DEPARTMENT, ALONG WITH A JUDGMENT POSSIBLE CONCERNING THE STATUS OF THE ADVERSARY WITH THE WEAPONS OR EXPLOSIONS. I AM ALSO RESPONSIBLE FOR DESIGNING THE DEFENSE OF SPECIFICAL

GROUPS. AT TIMES ARTIFICIAL “SAFETY CONES” HAVE BEEN PLACED IN FRONT OF THE ENTRANCES TO FACILITIES. AT OTHER TIMES, THE WEAPONS OR EXPLOSIONS HAVE BEEN DISPLAYED AT THE UNITED STATES NUCLEAR WEAPONS SITES.

THE DOE SECURITY PROGRAM SUFERS FROM A VARIETY OF PROBLEMS. ONE OF THE PRIMARY CONCERNS IS THE PROTECTION OF UNCLASSIFIED SENSITIVE INFORMATION PROCESSED BY THE DOE AND THE DEPARTMENT’S SYSTEMS TO THE CLASSIFIED ARCHITECTURE. RELATIVELY LITTLE GUIDANCE HAS BEEN ISSUED ON HOW TO PROTECT SENSITIVE BUT UNCLASSIFIED INFORMATION. TO DATE,ция are critical to ensure the adequate protection of Special Nuclear Material (SNM). Many facilities have systems ranging in age from the late 60’s to early 70’s and others from the late 70’s to early 80’s. Because of the obsolescence of these systems, replacement parts and services are increasingly expensive and hard to find. Additionally, security measures (i.e., protective force response) are required to ensure the highest levels of protection. Older systems are also more vulnerable to attack by advanced technologies that are now readily and cheaply available to potential adversaries.

THE DOE SECURITY PROGRAM SUFERS FROM A VARIETY OF PROBLEMS. ONE OF THE PRIMARY CONCERNS IS THE PROTECTION OF UNCLASSIFIED SENSITIVE INFORMATION PROCESSED BY THE DOE AND THE DEPARTMENT’S SYSTEMS TO THE CLASSIFIED ARCHITECTURE. RELATIVELY LITTLE GUIDANCE HAS BEEN ISSUED ON HOW TO PROTECT SENSITIVE BUT UNCLASSIFIED INFORMATION. TO DATE,
Continual reductions, delays or cancellations of projects and procurement funding decreases the vulnerability risks to sites protection capability. Also, DOE is not realizing significant savings available through advancements in technology that have increased detection, assessment, and delay capabilities.

Some sites are using a variety of non-standard form and access control systems that have not been fully tested to determine if they contain vulnerabilities, or if they meet Departmental requirements without excessive measures. Such systems may have back doors or viruses, that allow the insider adversary to cripple the entire site protection system, thus leaving the site vulnerable. Some sites do not have qualified personnel to conduct these vulnerability tests and are generally unwilling to conduct any type of attack on the system to determine if such vulnerabilities can be accomplished.

COUNTERTELECONOMIC MEASURES

PDD–39, The United States Policy on Counterterrorism, requires all governmental agencies to provide security measures to defend against Weapons of Mass Destruction, including chemical and biological weapons. The Office of Safeguards and Security has developed security policies and requirements for implementing PDD–39. Field Elements, however, have been slow to purchase and install explosive detection systems, with only a limited number of sites having done so. Program Offices claim that there is no funding for such equipment.

PERSONNEL SECURITY

I fear that a recent decision by the department to have all Field Offices fund the cost of clearances for field contractor personnel will have severe repercussions. Since implementing this new approach at the beginning of FY 1999, we have already begun to see a dramatic increase in the backlog of background investigations. As with other security areas, program offices must decide upon competing interests when determining those areas to be funded. Unfortunately, security activities are relegated to a lower tier in terms of importance by some program offices and sites. This approach is the case with the funding of security background investigations. As the first line of defense against the “insider” threat, the adequate and timely conduct of investigations is critical to ensuring the department maintains a protection posture commensurate with the level of threat.

ROLES AND RESPONSIBILITIES

Operating beneath the surface of these major challenges are some fundamental issues that, if properly addressed, could provide the impetus to effect real progress. These challenges, for the most part, are not new, nor are their solutions.

Organizational Structure: In all of the reviews of the safeguards and security program conducted by the Department and its做梦 agencies, there is a recurring theme. Simply, the Department’s organizational structure of the Safeguards and Security Program is such that programmatic and operational responsibilities are not properly aligned. The Safeguards and Security Program in its current structure has one organization developing policy, training and providing technical advice, another organization providing funding and “implementing guidance” (Headquarters Program Offices), a third organization (Field Site Office) providing guidance and implementing policy, while a fourth (EH) is responsible for oversight. A fundamental change in both the organizational structure and funding of the Safeguards and Security Program is absolutely necessary before the Department can begin to systematically address the major vulnerabilities which have been previously addressed. These organizational and financial changes must include policy, guidance and implementation in one location, with an appropriate budget to participate in the Department decision making process.

Security Program Funding: This is the central, driving issue. Budget cuts have adversely affected all of DOE. As previously alluded to, however, when Program Offices have been asked to develop policies and requirements for implementing virtually every security program, the Information Security Program to the Protective Force Program, has suffered significantly as a result. I believe many of these cuts are shortsighted and ill advised as they eventually lead to security lapses. Nevertheless, my office has no authority to force offices to implement departmental security policies and requirements. Similarly, my office has no funds to provide to Program Offices or Field Elements to implement information security measures. Without an adequate budget there is simply no authority.

Security Policy and Requirements Formulation. DOE security policies and requirements are based upon current threat data and requirements identified by outside intelligence organizations. DOE, the Department of Defense, the Nuclear Regulatory Commission, the Federal Bureau of Investigation, and the Central Intelligence Agency meet every two years to evaluate current threat data and formulate an agreed upon threat statement that governs security programs throughout the U.S. Government. In addition, the Department of Energy internally reviews this threat statement annually. In DOE parlance, the resulting document is known as the Design Basis Threat. Program offices are directed or simply advised to meet the Design Basis Threat as the baseline for planning security measures. Security requirements are also levied upon the Department by the Office of Management and Budget, the General Services Administration. For example, Presidential Decision Directive 39 directed all Executive Branch agencies to protect against terrorist acts, and to ensure increased security in light of the events of September 11. These mandates will be used to help further secure the department’s classified computer systems and networks. The improvements will help strengthen fire walls, upgrade intrusion detection devices, and fund rapid response teams to work with the FBI to detect and respond to threats.

In the area of the control, measurement and accountability of special nuclear materials, the Department has established the Fissile Materials Assurance Working Group (FMAWG) to assess needed areas of improvement and make recommendations. In this regard, the FMAWG identified unmeasured fissile materials and initiated actions to resolve discrepancies. They further identified issues regarding the safeguarding of irradiated materials and are promulgating policy for implementing them. The Department is developing new technologies for tamper indicating devices and proposing pilot projects for field implementation.

PATH FORWARD

All of these positive steps are good, necessary actions to ensure the adequacy of our protection posture. More is needed, however. As previously addressed, organizational realignment of safeguards and security activities is sorely needed. I understand that this is now under review by the department. While addressing the problems inherent in the current organizational structure of the Department will not in itself solve all of the issues contained in this report, it will establish the necessary framework to allow resolution of the remaining recurring issues. Simpler organizational realignment, however, by itself, will not result in the fundamental change in approach that is required by the Department. I propose that Congress be informed with a draft legislation of the Department and work with Congress to establish a reduced budget item for safeguards and security. Doing so will enable a more accurate accounting and control of security resources and investments. It will also improve the likelihood that policy will be issued in conjunction with the necessary resources to implement that policy.

The need for a stronger role for implementing policy, while a fourth (EH) is responsibility for oversight. A fundamental change in both the organizational structure and funding of the Safeguards and Security Program would be less than forthcoming if I failed to mention some positive aspects of the Department’s safeguards and security program. Let me start by saying that the program is staffed with dedicated and professional individuals. These women and men throughout the country who are firmly committed to protecting the critical national security assets entrusted to their care. Unfortunately, these individuals are most demanding, even dangerous in some respects. Yet despite the dwindling resources made available to them, these dedicated individuals continue to perform their critical functions in an outstanding manner. Where this department has failed is in providing these professionals the necessary resources to allow them to perform their responsibilities appropriately. The Department has also failed to provide national security protection so that individuals will bring forward problems and deficiencies without fearing retaliation.

Progress has been made in some of the areas I previously addressed. In the area of physical security, the Department is reducing the number of security personnel. Specifically, the Department augmented security at some field sites by deploying new technologies to safeguard special nuclear materials and weapons; worked with other agencies to train departmental protective forces; identified and developed more sophisticated detection and deterrent systems; and hired additional security personnel. New explosive detection systems are being installed at selected nuclear facilities and some sites are upgrading access control systems.

From a longer-term perspective, the department is requesting a dramatic increase in budget for national security-related funding. This additional funding will be used to help further secure the department’s classified and unclassified computer networks. The improvements will help strengthen fire walls, upgrade intrusion detection devices, and fund rapid response teams to work with the FBI to detect and respond to threats.

June 8, 1999
over a twenty-year period. While there have been some periods when the Department has been effective, organizational and budget pressures have played too central a theme for this function to remain within DOE. A strong Departmental Security Program which continues to support the nation’s security, the public health, safety and our environment.

I am confident that the report will be a valuable tool to stimulate open conversations, provide constructive feedback and assist in addressing the continued viability of the Department’s Safeguards and Security Program. Collectively, we must continue to strive to maximize the use of our resources necessary to ensure requisite security for the Nation’s and the Department’s most vital assets.

Attachment

MEMORANDUM FOR DISTRIBUTION LIST

From: Edward J. McCallum, Director, Office of Safeguards and Security

Subject: Status of Safeguards and Security

This report provides a comprehensive review of Safeguards and Security activities throughout the Department of Energy complex of facilities. It provides a useful road map at the future of the Program. The report is structured to present a Departmental perspective of the Safeguards and Security Program. A strong Departmental management of Safeguards and security professionals. For the first time the report also contains a section which summarizes safeguards and security participation in National Nuclear Command and Control activities.

During the past year disturbing trends continued that resulted in additional budget reductions, further diminishing technical resources, reducing mission training and undermining our ability to protect nuclear weapons, special nuclear materials and other critical assets. This is occurring at a time of increased responsibilities resulting from the international transfer of nuclear materials and dismantling of U.S. nuclear weapons. Although traditional and time proven protection principles are still emphasized, it is becoming increasingly difficult to adequately protect our nation’s nuclear stockpile in the face of these resources, ongoing changes to programs, aging protection forces and funding uncertainties. This has increasingly resulted in a "hollow force" that goes below the "bottom line."

Critical assets. This is occurring at a time of inadequate resources, obsolescent technologies, if present or future foes can have ready access to it? To treat it as a mission-critical element requires a greater sense of accountability than seen to date. Secretary Richardson has committed to establishing and maintaining safeguards and security expertise. It will take the commitment not only of the Secretary, however, but of each and every program official throughout the Department. This mission element must be satisfied. It is incumbent upon senior departmental management to make safeguards and security a priority. It is too important to be relegated to a secondary status where its operations are viewed as ancillary.

Both Congress and the public rightfully expect our best effort in executing this vital program. We should demand no less from ourselves.


MEMORANDUM FOR DISTRIBUTION LIST

Dear Dr. Moniz,

Acting Deputy Secretary, Department of Energy, Washington, DC,

RE: DR. MONIZ: As the Central Intelligence Agency’s representative to the Department of Energy (DOE) Security Management Committee, I have become increasingly aware of the importance of security at DOE. I take the need for a strong, centralized security program seriously. It is incumbent upon senior management to make safeguards and security a priority. It is too important to be relegated to a secondary status where its operations are viewed as ancillary.

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WASHINGTON, DC, March 16, 1999.

Dr. Ernest Moniz,

Acting Deputy Secretary, Department of Energy, Washington, DC,

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From: Edward J. McCallum, Director, Office of Safeguards and Security

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June 8, 1999

MEMORANDUM FOR JOSEPH S. MAHALEY, DIRECTOR, OFFICE OF SAFEGUARDS AND SECURITY

MEMORANDUM FOR JOSEPH S. MAHALEY, DIRECTOR, OFFICE OF SAFEGUARDS AND SECURITY

A draft of this memorandum was sent to you on May 7, 1999, along with the draft report referred to in this memorandum.

June 8, 1999

DEPARTMENT OF ENERGY

Germantown, MD, February 3, 1999

Memorandum for Joseph S. Mahailey, Director, Office of Safeguards and Security

Subject: Hagengruber Study

I have completed my initial review of the subject document and offer the following impressions. These thoughts are not intended to be all inclusive, nor do they address all of the facts that I find questionable. In this regard, I have directed the Safeguards and Security (S&S) Program staff to conduct a thorough review of the entire report with respect to its factual accuracy. Upon completion of this review, any assertions regarding factual inaccuracies will be forwarded. Beyond the factual accuracy of some of the items found in the report, however, it is evident that this study not only missed the mark of the task assigned, but if left unchallenged could serve to damage the Department’s standing in the security and intelligence communities.

In reading the report, I am struck by the elementary understanding it portrays of the Safeguards and Security (S&S) Program, specifically as it relates to national level directives that provide much of the foundation for many of the areas called into question. There is no mention of the Presidential Decision Directives (PDD) or the requirements contained therein governing federal agencies and their policies toward counterterrorism, explosives detection, radiological dispersal, and nuclear weapons defense. In fact the assertions offered are in direct contradiction to President Clinton’s policy on Counterterrorism produced earlier in 1999.

Further, it conveys a lack of understanding of the Department’s role in the national level environment in which the Department operates and the criticality that the national level environment plays in the implementation of the Department’s policies. The report ignores the fact that the Department is a key player in the national level environment and is a critical element to the national level counterterrorism, radiological dispersal, and nuclear weapons defense policies. In fact, the assertions contained in the report are in direct contradiction to President Clinton’s policy on Counterterrorism.

Beyond the lack of depth of understanding of S&S Program requirements, however, I find the team failed to answer the only questions that were posed to them. Specifically, whether current—DOE practices ensure that Special Nuclear Material (SNM) and Nuclear Weapons are adequately protected against Radiological Dispersal Device (RDD) and Improvised Nuclear Device (IND) threats. The short statements in the report that we need to change policies to require a higher standard of protection of SNM and nuclear weapons defense provides no new information. The single graphic depicting greater quantities of explosives relative to SNM types was recognized and reviewed earlier by the Safeguards and Security Commission and provides no new information. The single graphic depicting greater quantities of explosives relative to SNM types was recognized and reviewed earlier by the Safeguards and Security Commission and provides no new information.
June 8, 1999

CONGRESSIONAL RECORD—HOUSE

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Mr. WELDON of Pennsylvania. Madam Speaker, Mr. McCallum has been punished and has been placed on administrative leave and may lose his job. Guess who now sits on the corporate board of directors, being paid, overseeing the operation of that same facility? You guessed it, Madam Speaker. Hazel O'Leary. Hazel O'Leary now sits on the board of directors of the company that oversees the Rocky Flats facility that Mr. McCallum attempted to bring to the attention of the Congress was being protected in a woefully inadequate way. What is the response of this administration? To make him the scapegoat.

It is a shame that he did not precise Notra Trulock. Perhaps he was tempted to bring to the attention of the Chinese connection. I want to review that again today in some more detail. As a member of the Cox committee, I had the opportunity, over the 7 months that we worked aggressively on this project, to meet a number of senior and very capable intelligence officers and people within our intelligence establishment who are absolutely frustrated by what they see occurring in this administration on security issues. When we completed the Cox mission, I want to review that again today in some more detail.

So working with this group of people, and I would add for the record, who are today currently employees of this administration, so I cannot name them because they will be given the same treatment as Mr. McCallum has been given. These people have given me the information that I am providing to our colleagues and to the American people. This chart, Madam Speaker, for the first time, even though it looks like a hodgepodge of blocks, it can be pulled down on the Internet site, as I have said earlier, and this site is www.house.gov/curtweldon. This document gives the full pictorial representation of what we think China had planned to acquire western technology.
say we are the fools if we are stupid enough to allow China to access information that would be controlling. And that is why I think the buck stops here, Madam Speaker, with our own government. It was our government that failed the American people.

This chart outlines the Central Military Commission of the People's Liberation Army of China. The red boxes on this chart, which are too difficult to read without having the chart directly in front of you, are the various military commands and entities that are a part of the Central Military Commission that we know have been involved in engaging and in acquiring technology for China. Now, some of that acquisition has been legal, and there is nothing wrong with that. If they can buy it in the open market, if they can buy things we are legally willing to sell them or other countries will sell them some of it was not legal. By and large, though, much of what they got, they got through legal manipulation that we allowed to occur.

The green boxes are those entities and banks and financial institutions here, in Hong Kong and Macao, as well as in Europe and Asia, that were designed to fund the acquisition of these technologies. Now, because they could not buy it in the open market, front companies were established, and they are the blue boxes. We estimate there were hundreds and hundreds of front companies established by the Chinese to acquire technologies, paid for by these entities, to go to the arms of the People's Liberation Army, because that is a desire they had for these specific technologies.

A very elaborate scheme, but very simple. The financing through the entities to buy it in the open market, but that control was not there. That control that wanted to improve their missile systems, their nuclear programs, their computing capabilities, the design of their fighter aircraft, whatever the need might be. Again, if we are stupid enough to sell sensitive technology, how can we just blame China for buying it in the open market? This was the network.

Now, we can see that what we did not look at in the Cox committee is what influenced technology to flow. Was it money? It was influence that wanted to improve their missile technology to flow. Was it money? Was it influence? Was it a desire to increase economic activity for American companies? What was the motivation? We did not look at that in our China committee effort. We thought that should be a follow-on once we determined that there was security harm done to our country. That is why I prepared this document and the document I am going to follow up with.

There are some connections here, Madam Speaker, that the American people need to look at, because some of these green boxes have attached to them campaign donations. Ted Stoeng, $200,000 to $400,000 to the Democratic National Committee. Or John Huang and James Rady, and all of these people who contributed millions of dollars to the Democratic National Committee. Or the temple that gave, through Maria Hsia, $50,000 at a fundraiser at a temple of impoverished religious leaders. Those connections need to be pursued.

This information, Madam Speaker, has been investigated much more thoroughly by the FBI and the CIA than I have. Now, I have seen some of the classified versions of this, which are far more elaborate, which I obviously cannot show publicly. What I have shown here is an unclassified version of the connections between these agencies that have been publicly identified. And in response to a question by a Member of Congress, Louie Freeh, the director of the FBI, was asked: "How much of the information that we are aware about in public form, like this, compares to what you know in the FBI and the CIA about what happened in this entire series of transactions?" The response of FBI director Louie Freeh. "The public knows about 1 percent." One percent of what went on that we have in the FBI and the CIA in terms of these connections. One percent, Madam Speaker, which means that 99 percent beyond this our intelligence and our law enforcement agencies know about but we do not.

Madam Speaker, the individual that Louis Freeh assigned to investigate this, Charles LaBella, when he got through all of this evidence, well beyond what I have, wrote a memorandum to Louis Freeh that I have been told is almost 100 pages in length. That then resulted in Louis Freeh sending a memo to Janet Reno saying there is enough evidence here that you better impanel a special investigative effort, an independent counsel, because of what may be here. Janet Reno refused Louis Freeh and refused Mr. LaBella. That document has never been released to the Members of Congress or the American public. In fact, I am not aware of any Member of Congress that has read that memo. But I can tell you, Madam Speaker, every Member of this body and every citizen in America should demand of this President one thing, and that is, to release the LaBella memorandum. If this President and Vice President Gore have nothing to hide, if there are no connections, if there is no scandal, if there is no grand scheme, if there are no implications, it can all go away very quickly by releasing the LaBella memorandum. That document has been subpoenaed by the Congress and it has been refused by Janet Reno to be turned over to us so that we have not had the opportunity to see what Charles LaBella said was there in that 99 percent of information that we do not know about. What I have given to the American people is the unclassified information that they can read, and it in itself is revealing. In fact, Madam Speaker, you will notice there are lines connecting many of these boxes. The solid lines indicate direct relationships between the PLA entities, the financing entities, and the front companies. So they are directly linked.

And there is a very elaborate scheme, but very simple. The financing through the entities, the financing through all of this evidence, well beyond what I have, that controls China's military. That information, Madam Speaker, is what we are legally willing to sell them or other countries will sell them. It is public information. Now, that is not all. And the media when I brought this out last week said, "Well, wait a minute, you haven't established a direct relationship." I cannot show classified information here. That is a violation of our Federal laws. I have given unclassified documentation which without a doubt shows the connections between these entities.

Now, the administration would have us believe that this is really all concocted by China and that we should make China the evil empire. I am not doing that, Madam Speaker. I cannot blame China if decisions made by this administration allowed technology to flow legally, and that is what occurred in most cases. The influence that was provided by these financial people ended up lowering the controls over our regulation of technology being sold abroad.

The influence exercised by these people and their money influenced key decision-makers in this administration. In my opinion, that lies in terms of fault at the feet of this administration itself. And as much as we would like to totally blame China, I blame our own government.

Now, are there instances where China went too far? Absolutely. And I would say this again on the record. If we can document that there is direct espionage that took place at our labs or at other facilities, we should use the full
force of our law to prosecute those people who in fact spied on America, much like we have done in the past. But we cannot blame any country if we deliberately sold them the bulk of this technology because of influence they were able to get by putting some money around or by curry favor with certain people.

Let me talk about the second chart, Madam Speaker. The second chart, which was also prepared with the help of existing employees that work for this government who are in sensitive positions, gives the time line, the time line of liberalized and decontrolled technologies to the People’s Republic of China. But I want you to know, it was not just China that benefited from these policies. Many of these policy decisions benefited a number of countries who were able to legally buy our technologies.

Now, I am not against our companies selling technology abroad. In fact, I am an advocate of our companies being able to sell and compete in the world marketplace. But, Madam Speaker, that occurred because of the floodgates opened. Everything and anything was for sale. Our companies got their way, they got to sell whatever they wanted, foreign countries and companies the same thing, and China took advantage of it.

It was this administration in 1993 under this administration. The Commerce Department will tell you it was good for business. Some of the businesses leaders told the government that this was good for business. We on the Cox Committee will tell you it was bad for America. Other allied nations will tell you it was bad for international security. Proliferation has never been worse than it has been for the past 6 years. Iran, Iraq, Syria, Libya, North Korea, India, Pakistan, all have cutting-edge technologies that up until 1993 were tightly controlled by COCOM, all of that ended by this administration. That is the focus of the Cox report.

The chronology of this chart takes each technology separately: warhead design, machine tools, low observable technologies, telecommunications, propulsion systems, high-powered computers, encryption technology, space launch technology, and analyses when key decisions were made by this administration and gives you the month and the date that allowed technologies to flow that up until these dates were not available. You can see by the number of red dots here that during this time frame, the floodgates opened. We said, “We’ll sell anything and everything and we won’t consult with our allies.” So you have had a mad competition among companies in countries that up until 1993 worked together to make sure that no one could unfairly have a larger share of the market with sensitive technologies. After 1993, the demise of COCOM, the floodgates opened. Everything and anything was for sale. Our companies got their way, they got to sell whatever they wanted, foreign countries and companies the same thing, and China took advantage of it.

Now, there are some interesting other factors about this chart, Madam Speaker. You will notice a gray area in the center of this chart, starting in 1995, ending in 1997. Why did I make that gray? Because in 1995, we have been told by Bill Richardson that this administration found out that China was acquiring our most sensitive technology. And if you listened to Secretary Richardson, this is what he said: “Boy, when we found that out, we took aggressive action. We said, ‘We’re not going to let China steal our technology.’”

“Well, that is what he said. The color in the blue, Madam Speaker, and all the red dots you see here, just under Space Launch alone, 15 separate actions after this administration knew that China had stolen our design technologies that they took in 3 years to give more technology to countries like China. And that is across the board, Madam Speaker. So the blue indicates that in the time that China was trying to acquire this technology and doing it illegally, opened the floodgates even further for more technology.

There is one more factor here, Madam Speaker. All of us in America know what the elections did. It was a kind of interesting when you look at this chart from a distance that the bulk of the clustering of these dots are in and around the time frame of 1996. I wonder what was happening in that time frame, Madam Speaker? Might there have been the year when the presidential elections were being held? Could there be some coincidence that many of these key decisions in terms of policy changes were being done because elections were being held and maybe people were interested and from the standpoint of corporate America in having policymakers make determinations to allow more products to be sold overseas, could that be a reason? That is what the LaBella memorandum recommended.

But it goes beyond these issues, Madam Speaker. Let us move down to this next item here. PRC Nationals to U.S. High Tech Companies. It was in 1994, in fact it was in March, that Chinese nationals to our U.S. labs and our U.S. high tech companies was allowed. The COMEX review of foreign nationals was abandoned, by this administration, by the Clinton administration.

That was in 1994. I am sure that was done because the companies wanted less hassle of foreign nationals going into our high tech companies. And over here in 1997, we revised our deemed exports policy to allow foreign nationals to work at U.S. high tech companies. But it was in 1994 that the decisions made that allowed more Chinese nationals to work in our high tech companies in America. And how about the high tech furnace approval for weapons of mass destruction? That approval was given in 1998. Madam Speaker, a technology that gives China capability for the production of weapons of mass destruction. Even though this administration said when they found out about the theft of nuclear secrets, they took aggressive action to correct it. Madam Speaker, that is not the case.

Let us go down further, Madam Speaker. During this same period of time, China and Russia were both violating international arms control agreements. The Missile Technology Control Regime, the control of exports. We caught them on a number of occasions. In fact, in last night’s special order, and again the American people can read this through my web site or get a copy of it through the Congressional Record last evening—and I did not do the work, the Congressional Research did the work—we documented the arms control violations that we caught Russia and China involved in
The dates, the type of transfer, who the transfer went to are all documented. This was not done by some partisan group; it was done by the Congressional Research Service, a part of the Library of Congress.

These violations of arms control agreements by China, were they sent technology? Where did they send the technology to? Let us look at the chart.

Well, they sent technology to Pakistan, Iran; Iran? North Korea, Syria. They sent solid propellant production technology to Libya, Iran, Egypt. They sent missile accelerometers and gyroscopes to Iran, Syria, Libya, Egypt and Pakistan. They sent antiship missiles to Iran. They sent more material to Pakistan; chemical weapons technology to Iran again.

All of these transfers done by China. What was the response of this administration? Nothing.

On, yes, two times out of about 17 or 21, I forget which it is, they did impose temporary sanctions; but they eventually waived them.

So not only are we getting Chinese access in a way they never had access before, not only were we helping to expedite and grease the skids for the financing of the purchase of technologies, but we were ignoring violations of arms control agreements that China was required to abide by. We did not call them on these violations.

And at the bottom of the chart, Madam Speaker, even though I could not complete it, I was only able to do this, but I list a number of times that the major players in the Chinese financing scams visit at the White House, not visited Members of Congress, but were in private visits in the White House itself.

In the case of John Huang, in the one year of 1993 alone, we know of 12 times he was in the White House. In 1994, twice; in 1995, let us see, one, two, three times; or 1994, three times; 1995, three times. These are people that are involved in that elaborate scheme of organizations and financing entities that were given direct access to our White House, to our top policy maker to our commander in chief, to our key leaders who were then being pressured to relax our policies relative to technology being sold abroad.

Madam Speaker, these two charts represent the pictorial view of the Cox committee report. They represent what needs to be explored further.

I am not here as a partisan, Madam Speaker. Both times I ran for mayor of my hometown I was the nominee of the Republican Party and the Democrat Party both times I ran. I work with many Democrats in this body and frequently get up on the floor of this House and praise our Democrat colleagues for their leadership role on defense and on issues that I joined with members of the Democrats on a number of key issues involving social policy, family medical leave, environmental policies, protection for our workers, and I have supported the President and the administration in some of those issues which my party has not been supportive of. But, Madam Speaker, when it comes to national security, we have a big problem here. This needs to be looked at beyond the Cox committee.

To me, I know why in my mind Janet Reno turned down the recommendation of Louis Freeh based on the memos sent by Charles LaBella to appoint an independent counsel. I am convinced, Madam Speaker, the evidence is there. I am convinced that 99 percent that we have been told we have not seen yet has far more than many people in this country want to become public.

I am also convinced, Madam Speaker, that we had better pay attention here. This is not some story about a dress, this is not some intern in the White House. This is not some story about a travel office. This is not even about Republicans or Democrats. Madam Speaker, this is about the very core of what our country is about. No one, no party official in either party, no elected leader, has the right to allow a wholesale technology faucet to open that we are going to have to pay the price for.

Now, if I am overreaching, Madam Speaker, I do not think I am because, a member of the Cox committee having sat through as many of those meetings as any one of my colleagues, with perhaps the exception of Chairman Cox himself, I know the FBI and the CIA has, and I have only seen a small fraction of what is not on this chart. I know there is much more.

If there is nothing there, Madam Speaker, the President can clear this entire issue up in a heartbeat. All he has to do is release the entire unabridged version of the Charles LaBella memo to Louis Freeh. If there is nothing to hide, if there is nothing to these connections, if there is no story, I will be happy.

I do not think that is the case, Madam Speaker. I think the reason why Janet Reno did not accept Louis Freeh’s recommendation, based on LaBella’s memo, is because she knew what is there. That document that LaBella prepared, which I understand is quite voluminous, goes into extensive detail and actually points to individual people.

Madam Speaker, this country, this democracy, nearly the American people and its elected officials to see the overview of the evidence that LaBella gave to Freeh that now remains closed and confidential. If there is nothing there, then there is no problem with the memo; if there is no evidence, if there is no story, if there is no substance, the train will go on, the China story will end, and we will make the necessary corrections to our own policies.

Madam Speaker, I would encourage every one of my colleagues and every constituent in every district of a Member of this body and the other body to demand that this administration do one thing: release the full text, the uncensored text, of the Charles LaBella memorandum to Louis Freeh. Let us see what evidence they thought may be there in terms of a greater scheme for the Chinese to acquire technology by facilitating and greasing the skids of certain key people and certain key agencies that ended up with America’s security being harmed. That was the unanimous vote of all nine members of the Cox committee, that America’s national security has been harmed by the actions that we investigated in the Cox committee work.

We cannot just stop with this document, and we cannot rely on the mainstream media because with the exception of a few people like those that I have mentioned and some others, the mainstream media is too stinking lazy to go through the investigative details necessary to uncover what is here. We need to have this administration come clean, give us the uncensored text of what Charles LaBella said to Louis Freeh which only went to Janet Reno. When that happens, we will then know the true extent of the China connection and its impact with this administration.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. ROHRABACHER). The Chair will remind Members to refrain from making personal references towards the President.

INTRODUCTION OF LEGISLATION TO DENY COMMUNIST CHINA NORMAL TRADE RELATIONS STATUS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 1999, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Madam Speaker, first of all, I would like to commend my colleague, the gentleman from Pennsylvania (Mr. WELDON), We have worked together over these last 10 years while I have been a Member of Congress on many, many occasions, and I find Congressman WELDON to be a patriot, a man of integrity, a man of courage, and I think when all of this is said and done, when we find out the jeopardy that our country has been put in and take the measures that are necessary to correct this situation and to