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June 11, 2008

The Honorable John Tierney
Chairman
Subcommittee on National Security and Foreign Affairs
B-371C Rayburn Building
Washington, D.C. 20515

Dear Chairman Tierney:

I write to call your attention to and to request a hearing regarding a troubling trend. In recent years, there have been increasing reports of espionage, both human and electronic, within this country by Chinese agents.

As if this were not worrisome enough, today Congressman Frank R. Wolf revealed the Federal Bureau of Investigations (FBI) found four of his office's computers had been hacked by sources working within the People's Republic of China.[1] Congressman Wolf said similar incidents had been discovered on the computers of other House Members and at least one House Committee.

These are just the incidents that have been uncovered; there may be many more. The *National Journal* even went so far as to make "The Chinese Cyber-Invasion" the cover story of its May 31, 2008 issue. On the topic of human espionage, the *Washington Post* published an article on April 3, 2008 entitled "Chinese Spy 'Slept' in U.S. for 2 Decades."[2] The article recounts the case of Chi Mak, a Chinese-born engineer working in California recently sentenced to 24 ½ years in prison for passing classified documents to the Chinese.

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[1] Pete Yost and Lara Lake Jordan, *Wolf Says Chinese Hacked Capitol Computers*, ASSOC. PRESS (Jun. 11, 2008), *available at* http://www.wjla.com/news/stories/0608/527450.html [last visited Jun. 11, 2008].
[2] Joby Warrick and Carrie Johnson, *Chinese Spy 'Slept' In U.S. for 2 Decades*, WASH. POST (Apr. 3, 2008), *available at* http://www.washingtonpost.com/wp-dyn/content/article/2008/04/02/AR2008040203952_pf.html [last visited Jun. 11, 2008]

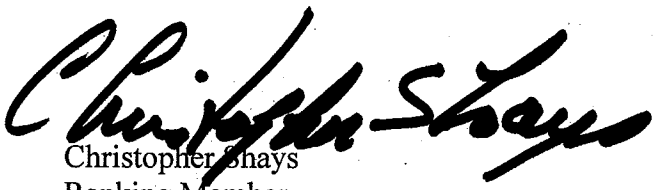
While such an incident would be worrisome enough on its own, it unfortunately is just the most recent occurrence. Since the beginning of 2007 there have been 12 separate cases of espionage involving China.[3]

Between electronic and human espionage, we are clearly facing a concerted effort by the Chinese to obtain sensitive information. I propose we hold a Subcommittee hearing to address this issue. The hearing could take a variety of directions in multiple panels or as a series of hearings. Issues I feel need to be addressed include:

- A thorough discussion of the extent of the espionage threat coming from China, including any trends in their espionage efforts and targets.
- How centrally directed are these efforts?
- What is the administration doing to counter espionage efforts? How successful are these efforts? What can Congress do to assist?
- Are any policy changes needed to better secure classified information? Many of the recent cases involved defense contractors; are present security standards for contractors sufficient?
- Many of the recent human espionage cases involve illegal exportation. This implies the domestic possession of such information may be legal. Does Congress need to tighten domestic constraints on such information?

Please contact Ms. A. Brooke Bennett or Mr. Todd Greenwood at (202) 225-5074 if you have any questions or to coordinate what I hope will be an important hearing.

Sincerely,



Christopher Shays
Ranking Member
Subcommittee on National Security
and Foreign Affairs

cc: The Honorable Frank R. Wolf, Member of Congress

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[3] *Recent Espionage Cases Involving China,* WASH. POST. (Apr. 3, 2008), *available at* http://www.washingtonpost.com/wp-dyn/content/article/2008/04/02/AR2008040203372.html?sid=ST2008040204050 [last visited Jun. 11, 2008]