

MICHAEL C. BURGESS, M.D.
26TH DISTRICT, TEXAS



2161 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-7772
(202) 225-2919 FAX

COMMITTEE ON ENERGY AND COMMERCE
HEALTH
ENERGY
OVERSIGHT AND INVESTIGATIONS

2000 SOUTH STEMMONS FREEWAY
SUITE 200
LAKE DALLAS, TX 75065
(940) 497-5031
(940) 497-5067 FAX

COMMITTEE ON RULES
COMMITTEE ON BUDGET

Congress of the United States
House of Representatives

www.house.gov/burgess

May 11, 2021

The Honorable Frank Pallone, Jr.
Chairman, Committee on Energy and Commerce
House of Representatives
Washington, DC 20515

Dear Chairman Pallone:

I write to request a classified briefing with the appropriate administration officials and federal agency personnel for Members of the Energy and Commerce Committee on the Colonial Pipeline attack. As you know, on May 7, 2021, the Colonial Pipeline Company alerted the Department of Energy (DOE), the Department of Homeland Security (DHS), and the Federal Bureau of Investigation (FBI) that it suffered a ransomware attack, prompting the shut down of their pipeline network.¹ The FBI subsequently attributed the attack to “DarkSide,” a Russian hacker group.² I appreciate you setting up a Member-level briefing with DOE; however, as Members of the committee with jurisdiction over U.S. energy infrastructure, it is imperative that we receive a classified briefing on this attack as soon as possible.

The Colonial Pipeline is a critical component of our nation’s energy infrastructure. It carries over 100 million gallons of refined petrochemicals from Texas to the East Coast, representing roughly 45% of the region’s supplies of diesel, gasoline, and jet fuel.³ If its operations are not quickly restored, energy prices will spike nationwide.⁴ Such a price increase could potentially spoil any hope of a quick economic recovery. This attack is the latest example of our critical infrastructure’s vulnerability to cyber threats from state and non-state actors.

Given the seriousness of this attack and the implications for the security of all critical infrastructure, Members must be apprised of administration efforts to stop this attack and prevent them in the future. The DOE is the lead agency coordinating the response. The DHS also has jurisdiction through the Transportation Security Administration (TSA), among other agencies. It is extremely concerning that there are reportedly no more than six full-time staff supporting pipeline cybersecurity at the TSA.⁵ We must understand how

¹ <https://www.colpipe.com/news/press-releases/media-statement-colonial-pipeline-system-disruption>

² <https://www.fbi.gov/news/pressrel/press-releases/fbi-statement-on-compromise-of-colonial-pipeline-networks>

³ <https://www.colpipe.com/about-us/faqs>

⁴ <https://gasprices.aaa.com/gas-prices-jump-six-cents-on-week-likely-to-climb-higher-with-major-pipeline-shutdown/>

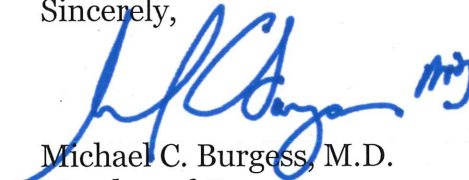
⁵ <https://www.politico.com/news/2021/05/08/colonial-pipeline-cyber-attack-485984>

the DOE is responding to this crisis, and aiding the private owners of critical infrastructure, to determine how we can prevent future vulnerabilities. This is especially pertinent given the limited resources of other federal agencies. While the Energy and Commerce Committee does not have jurisdiction over DHS, we can bolster DOE capabilities to better prepare for future attacks.

I also sent a letter to President Biden requesting he address cyber vulnerabilities throughout our critical infrastructure as well as delineate the lines of cyber authority for federal entities. The federal government discourages private entities from paying cyber attack ransoms in order to prevent the creation of a ransomware market. The DOE and Colonial Pipeline have refused to publicly state whether Colonial has paid the ransom. To better prepare for future attacks and to limit vulnerabilities, we must learn whether the ransom has been paid. This information could be shared in a classified setting.

To understand what happened, the ongoing response efforts, and to restore confidence for the American people, I request a classified briefing for Members of the Energy and Commerce Committee. We must fully understand the current state of response as soon as possible.

Sincerely,



Michael C. Burgess, M.D.
Member of Congress

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