

RON JOHNSON, WISCONSIN, CHAIRMAN

JOHN McCAIN, ARIZONA  
ROB PORTMAN, OHIO  
RAND PAUL, KENTUCKY  
JAMES LANKFORD, OKLAHOMA  
MICHAEL B. ENZI, WYOMING  
KELLY AYOTTE, NEW HAMPSHIRE  
JONI ERNST, IOWA  
BEN SASSE, NEBRASKA

THOMAS R. CARPER, DELAWARE  
CLAIRE McCASKILL, MISSOURI  
JON TESTER, MONTANA  
TAMMY BALDWIN, WISCONSIN  
HEIDI HEITKAMP, NORTH DAKOTA  
CORY A. BOOKER, NEW JERSEY  
GARY C. PETERS, MICHIGAN

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

CHRISTOPHER R. HIXON, STAFF DIRECTOR  
GABRIELLE A. BATKIN, MINORITY STAFF DIRECTOR

July 6, 2016

Ms. Beth F. Cobert  
Acting Director  
Office of Personnel Management  
1900 E Street NW  
Washington, DC 20415

Dear Acting Director Cobert:

The Government Accountability Office (“GAO”) recently released a report examining cybersecurity threats and information security practices of federal agencies responsible for high-impact systems, including the Office of Personnel Management (“OPM”).<sup>1</sup> The eighteen agencies with high-impact systems surveyed reported that attempts by foreign nations<sup>2</sup> to attack their systems were “the most serious and most frequently-occurring threat to the security of their systems.”<sup>3</sup> Agencies reported 2,267 incidents involving high-impact systems including 500 cases where malicious code was installed.<sup>4</sup>

The persistent threat from nation-state actors and other cyber adversaries highlights the importance of securing all federal information systems—particularly those that have been identified as high-impact.<sup>5</sup> The OPM data breach reported in July 2015 is a prime example—with more than 20 million people affected, new counterintelligence risks created,<sup>6</sup> and, ultimately, U.S. national security threatened.

The GAO’s audit examined OPM and other select agencies’ controls of high-impact systems.<sup>7</sup> While GAO identified areas where OPM and other agencies have made progress, the auditors also found weaknesses that should be addressed to secure high-impact systems. For example, GAO determined that OPM had out of date remedial action plans, which may hinder the Office’s ability to “effectively prioritize and manage their remedial actions and correct

---

<sup>1</sup> GOVERNMENT ACCOUNTABILITY OFFICE, GAO-16-501, INFORMATION SECURITY: AGENCIES NEED TO IMPROVE CONTROLS OVER SELECTED HIGH-IMPACT SYSTEMS, (May 2016), *available at: <http://www.gao.gov/products/GAO-16-501>*.

<sup>2</sup> *Id.* at 10. GAO described nations as: “including nation-state, state-sponsored, and state-sanctioned programs” which “use cyber tools as part of their information-gathering and espionage activities.”

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* GAO describes high-impact systems as those “where the loss of confidentiality, integrity, or availability can have a severe or catastrophic adverse effect on organizational operations, assets, or individuals,” and that “such an impact can result in loss or degradation of mission capability, severe harm to individuals or major financial loss.”

<sup>6</sup> Evan Perez, “New campaign warns of espionage in wake of OPM Breach,” *CNN*, January 19, 2016.

<sup>7</sup> GOVERNMENT ACCOUNTABILITY OFFICE, GAO-16-501, INFORMATION SECURITY: AGENCIES NEED TO IMPROVE CONTROLS OVER SELECTED HIGH-IMPACT SYSTEMS, (May 2016), *available at: <http://www.gao.gov/products/GAO-16-501>*.

known deficiencies in a timely manner.”<sup>8</sup> The auditors also identified problems with OPM’s provision and tracking of security training for personnel and contractors.<sup>9</sup>

We are writing to understand what actions OPM is taking to address GAO’s recommendations to secure high-impact systems. Accordingly, please provide the following information:

1. Please provide OPM’s plans and a projected completion date for implementing and addressing GAO’s recommendations with which OPM concurred, including updating security and remedial action plans.<sup>10</sup>
2. Please explain why OPM did not fully concur with GAO’s recommendations for providing and tracking training for personnel, including contractors, with significant security responsibilities. Please address GAO’s response to OPM’s non-concurrence.
3. Please explain why OPM did not concur with GAO’s recommendation to reevaluate security control assessments and ensure that they are comprehensive.<sup>11</sup> According to GAO, OPM responded to the audit by stating that “it had not been provided with enough information regarding the technical control finding.”<sup>12</sup> But GAO stated that this was not an accurate characterization of the situation.<sup>13</sup>
4. Please describe how OPM plans to ensure that its security control assessments are comprehensive and will detect vulnerabilities in its systems.
5. Please describe any additional actions OPM is taking to strengthen the security and controls of its high-impact systems.

Please provide this information as soon as possible, but no later than 5:00 p.m. on July 21, 2016.

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate “the efficiency, economy, and effectiveness of all agencies and departments of Government.”<sup>14</sup> Additionally, S. Res. 73 (114th Congress) authorizes the Committee to examine “the efficiency and economy of operations of all branches and functions of the Government with particular reference to (i) the effectiveness of present national security methods, staffing and processes....”<sup>15</sup> For purposes of this request,

---

<sup>8</sup> *Id.* at 57.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* GAO reported that OPM concurred with two of its recommendations: “Update security plans for selected systems to ensure all access controls specific to high-impact systems are addressed...”; “Update remedial action plans for selected systems, to include source of funding and updated completion dates.”

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* at 63.

<sup>13</sup> *Id.*

<sup>14</sup> S. Rule XXV(k); *see also* S. Res. 445, 108<sup>th</sup> Cong. (2004).

<sup>15</sup> S. Res. 73 § 12, 114th Cong. (2015).

Ms. Beth F. Cobert  
July 6, 2016  
Page 3

please refer to the definitions and instructions in the enclosure.

If you have any questions about this request, please have your staff contact Dan Lips or Matt Grote at (202) 224-4751. Thank you for your prompt attention to this matter.

Sincerely,



Ron Johnson  
Chairman



Thomas R. Carper  
Ranking Member