Congress of the United States
Washington, DC 20515

October 7, 2015

David Mader
Acting Deputy Director for Management
U.S. Office of Management and Budget
Eisenhower Executive Office Building
1650 Pennsylvania Avenue, NW
Washington, DC 20503

Dear Mr. Mader:

Thank you for serving as Chair of the President's Suitability and Security Clearance Performance Accountability Council (PAC), which is conducting a cross-agency, 90-day review focused on "information security, governance, policy, and other aspects of the security and suitability determination process."[1] As Members of the House Oversight and Government Reform National Security Subcommittee, we are writing to share with you and the PAC our specific concerns regarding the security of our government's background investigations system.

In the wake of the recent data breaches at the Office of Personnel Management (OPM) that compromised sensitive security clearance information for over 20 million Americans, the need to identify the key vulnerabilities in our system and make actionable recommendations has never been more urgent. We strongly believe that security clearance data—which has been described as "crown jewels" of our national intelligence—should not be protected by OPM, which is neither an intelligence agency nor a defense organization.

Earlier this year, on June 16 and June 24, the House Oversight and Government Reform Committee held two hearings on the OPM data breaches. We were shocked to learn that for years OPM leadership had ignored warnings from the inspector general of "material weakness" in data security. OPM's failure to address known vulnerabilities was inexcusable. As former active duty military officers whose SF-86 forms and sensitive personal information were likely compromised, we felt the impact of this negligence firsthand.

[1] "FACT SHEET: Administration Cybersecurity Efforts 2015." White House Office of the Press Secretary. 9 July 2015. <https://www.whitehouse.gov/the-press-office/2015/07/09/fact-sheet-administration-cybersecurity-efforts-2015>

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While we have renewed faith in OPM's efforts to overhaul its systems under the leadership of Acting Director Beth Cobert, we continue to believe that it is inappropriate in the 21st century for extremely sensitive data of American national security personnel to be housed in an agency without a national security focus. Simply put, OPM was not designed to house and protect this sensitive data. We therefore request that the PAC identify a more secure location to store and protect security clearance data. We have drafted, and are prepared to offer, legislative authority to accomplish that goal.

We also urge the PAC to thoroughly address other issues surrounding our security clearance system. We believe a comprehensive review of information security must include an evaluation of modern techniques, including data segmentation, isolation from the network, and cryptographic hash functions, among others.

In addition, given the movement towards a continuous evaluation system for background investigations, which the PAC recommended in its February 2014 report, there is an increasing need to reevaluate what type of information we need to store. Monitoring for unusual bank or travel activity can often tell us more information about a person than their neighbors and addresses for the past 10 years. The antiquated SF-86 should be modernized for 21st century threats. We also urge the PAC to look at ways to reduce the large number of personnel that are granted security clearances to further minimize risk.

As you approach the end of the 90-day review, we thank you and the entire PAC, including the 15-person Program Management Office, for your hard work and dedication to modernize our background investigation process and overhaul its data security to ensure that the OPM data breach is never repeated. We look forward to working with you to implement these reform measures and request a briefing on your report's findings upon completion.

Sincerely,

Ted W. Lieu

TED W. LIEU
Member of Congress

Steve Russell

STEVE RUSSELL
Member of Congress

cc:
Office of Personnel Management