



December 18, 2013

The Honorable Darrell Issa
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I write in response to your letter yesterday to Secretary Sebelius concerning the handling of sensitive cybersecurity information produced to the Committee by the MITRE Corporation (MITRE). We appreciate your willingness to meet on these issues. As we made clear in conversations with your staff and in our letter to you on December 13, we proposed a meeting between you and appropriate Administration officials, including federal cybersecurity experts, to discuss appropriate procedures for safeguarding the sensitive security information contained in the MITRE documents. These documents consist of security control assessments (SCAs) that detail the security features and risk mitigation strategies associated with the Federally Facilitated Marketplace (FFM), which could be used by determined actors to compromise the security and functioning of HealthCare.gov and related Federal IT systems. We were disappointed that you did not take us up on the offer we made in our December 12 letter to have the Department's cyber security experts brief your staff, before you received the sensitive documents from MITRE, and to explain with particularity the security risks involved were this information to become available to potential hackers and other malicious cyber actors.

Now that you are in possession of the documents and share responsibility with us for ensuring that they are not used to compromise the security of the FFM, we appreciate your willingness to arrange a meeting to discuss appropriate procedures for safeguarding the sensitive security information contained in the MITRE documents, and other sensitive security information you may receive during the Committee's investigation.

As you know, a number of Ranking Members have raised concerns to the Speaker of the House about the sensitivity of the SCAs and the need for a meeting to discuss protocols for the appropriate handling of these materials going forward. Additionally, Democratic Leader Pelosi wrote to Speaker Boehner today requesting a briefing on the sensitive documents that you have received related to the security of HealthCare.gov. In light of these requests and the seriousness of our concerns, we would like to work with majority and minority staff for the Committee to schedule such a meeting with you, Ranking Member Cummings, Speaker Boehner, Democratic Leader Pelosi, and appropriate Administration officials, including federal cybersecurity experts, as soon as possible.

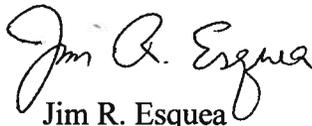
Your letter of yesterday also expressed an interest in discussing the security issues and mitigation strategies detailed in the MITRE assessments. As we have previously stated, the Department recognizes the Committee's interest in the security of HealthCare.gov and related Federal IT systems, and has made substantial efforts to accommodate your security-related oversight requests. The Department of Health and Human Services' and Centers for Medicare & Medicaid Services' Chief Information Officers met with your staff last month to discuss the security testing performed on the website prior to October 1, and the Committee has since conducted several transcribed interviews focused on the ongoing security measures in place to identify and remediate potential risks. The Department will continue to cooperate with your investigation.

To date, there have been no successful security attacks on HealthCare.gov and no person or group has maliciously accessed personally identifiable information from the site. As you are aware, the components of the HealthCare.gov website that are operational have been determined to be compliant with the Federal Information Security Management Act, based on standards promulgated by the National Institute of Standards and Technology.

If the Committee continues to have security concerns that have not been addressed by these engagements, as we have previously advised, we are prepared to make cybersecurity experts available to brief the Committee on the security risks and mitigation steps discussed in the MITRE documents at your convenience.

The security of consumers' personally identifying information remains a top priority for the Department. We hope the Committee will work with us to safeguard the agency's sensitive security documents so that we can ensure that Americans are able to securely shop for quality, affordable health insurance coverage through the Marketplace.

Sincerely,



Jim R. Esquea
Assistant Secretary for Legislation

cc: The Honorable Elijah Cummings
Ranking Member