

Congress of the United States
Washington, DC 20515

February 11, 2015

The Honorable Barack Obama
President of The United States
The White House
Washington, DC 20500

Dear Mr. President:

Thank you for your dedication and leadership on the important national and economic security issue of cybersecurity. As the leaders of the Committees that developed legislation to codify the Department of Homeland Security's role as the lead Federal agency for helping to protect private sector networks, principally through the National Cybersecurity and Communications Integration Center (NCCIC), we have several questions regarding your newly-unveiled proposal for a new cybersecurity information integration center.

We were pleased that you signed "National Cybersecurity Protection Act of 2014" (P.L. 113-282) into law less than two months ago, on December 18th, and implementation of that law is underway. At this time, the NCCIC, with its newly codified authority, is working to establish itself as an effective partner with the private sector to meet evolving cybersecurity challenges. Pursuant to the "National Cybersecurity Protection Act of 2014," among the functions of the NCCIC are the following:

"(1) being a Federal civilian interface for the multi-directional and cross-sector sharing of information related to cybersecurity risks, incidents, analysis, and warnings for Federal and non-Federal entities;

"(2) providing shared situational awareness to enable real-time, integrated, and operational actions across the Federal Government and non-Federal entities to address cybersecurity risks and incidents to Federal and non-Federal entities;

"(3) coordinating the sharing of information related to cybersecurity risks and incidents across the Federal Government;"

Additionally, the NCCIC is "a 24/7 cyber situational awareness, incident response, and management center that is a national nexus of cyber and communications integration for the Federal government, intelligence community, and law enforcement." We understand that increasing private sector participation and improving the quantity and quality of information received at this Federal civilian center was a priority for you, as it is for us and DHS Secretary Jeh Johnson.

Therefore, we have questions about your new proposal to establish another information sharing hub, the Cyber Threat Intelligence Integration Center (CTIIC) that was unveiled this week, as the activities outlined for the center seem to resemble the functions authorized in law for the NCCIC. We are concerned that the introduction of the CTIIC at this moment in the NCCIC's evolution may complicate those efforts and introduce uncertainty for the private sector and other partners. It also risks driving away activity to the new CTIIC, which would be operated by the Office of the Director of National Intelligence (ODNI).

Accordingly, we request that you please answer the following questions:

- Why is the CTIIC needed at this time? How is it supposed to differ from the NCCIC? Do you intend to submit a legislative proposal to Congress to authorize this center? If so, when?
- Some have observed that functions of the CTIIC are duplicative with those of the NCCIC.¹ Others have said that it introduces unnecessary bureaucracy.² Is the CTIIC duplicative? Specifically, what are the responsibilities and activities of the CTIIC and are they already covered by the NCCIC or, for that matter, the FBI's cyber center?
- Why are you establishing this center at the ODNI, particularly in light of your longstanding interest in bolstering DHS as the interface for the private sector on cybersecurity? What interactions will the new center have with the private sector?
- Given that the CTIIC will be housed in the Intelligence Community, please explain how it will relate to the National Security Agency and the degree to which it will be involved in the collection of intelligence?
- As you roll out this new center, how do you plan to ensure that the private sector shares timely cyber threat information with the statutorily-authorized NCCIC?

¹ Sean Lyngaas, "New Cyber Agency Modeled on Counterterrorism Center," FEDERAL COMPUTER WEEK (FCW), February 10, 2015, wrote that Chris Cummiskey, the former DHS undersecretary for management, said his first reaction to the news of the CTIIC's establishment was that "its prescribed functions sounded quite a bit like NCCIC's."

² Melissa Hathaway, former White House cybersecurity coordinator and president of Hathaway Global Strategies told Ellen Nakashima in "New Agency to Sniff Out Threats in Cyberspace," WASHINGTON POST, February 10, 2015, that said "We should not be creating more organizations and bureaucracy . . . we need to be forcing the existing organizations to become more effective- hold them accountable." Further, Stephen Cobb, a security researcher at ESET North America, told National Public Radio's Marketplace Tech that "the only real difference between NCCIC and CTIIC is that NCCIC reports to the Department of Homeland Security, whereas the new agency answers to the Office of Director of National Intelligence," at <<http://www.marketplace.org/topics/tech/two-cybersecurity-agencies-diverged-wood>>

- To what degree does the effectiveness of the CTIIC depend on enactment of information sharing legislation? The protections for personally identifiable information are well-established with respect to private sector information sharing at the NCCIC. What, if any, privacy protections would be required for information sharing with the CTIIC?

As partners in efforts to bolster the nation's cyber posture, we have a keen interest in ensuring efficiency and effectiveness of the Federal government's efforts and seek opportunities to minimize duplication and get the best results for our money.

Thank you, in advance, for your timely response to our questions. Should you or other members of your team need to follow up on this request, please feel free to contact Hope Goins, Chief Counsel for Oversight (Committee on Homeland Security, Minority) at (202) 226-2616, Brett DeWitt, Senior Policy Advisor for Cybersecurity (Committee on Homeland Security, Majority) at 226-8417, Matt Grote, Senior Professional Staff Member (Senate Homeland Security and Governmental Affairs Committee, Minority) at 202-226-2627 or William McKenna, Chief Counsel for Homeland Security (Senate Homeland Security and Governmental Affairs Committee, Majority).

Sincerely,



Bennie G. Thompson
Ranking Member
Committee on Homeland Security



Michael T. McCaul
Chairman
Committee on Homeland Security



Thomas R. Carper
Ranking Member
Homeland Security and Governmental
Affairs Committee



Ron Johnson
Chairman
Homeland Security and Governmental
Affairs Committee