



One Hundred Tenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

October 22, 2007

The Honorable Michael Chertoff
Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Chertoff,

On September 20, 2007, the Baltimore Sun published an article describing an inter-government initiative that – if undertaken – will have a major impact on the cybersecurity posture of the United States. The article reports that the Department of Homeland Security and the National Security Agency are planning a major effort to monitor critical infrastructure networks to prevent unauthorized intrusion. According to the article, up to 2,000 people from both agencies will be assigned to this endeavor.

On at least four separate occasions, my staff has tried to schedule briefings from the Department on this effort. Each time, the Department refused to do so. At a hearing on October 17 before the Subcommittee on Emerging Threats, Cybersecurity, Science and Technology, I asked Assistant Secretary Greg Garcia to provide the Committee with information on this initiative. Again, my request was met with silence. We understand that similar requests by the House Permanent Select Committee on Intelligence to the Director of National Intelligence have also gone unanswered.

This week, I learned that the so-called “Cyber Initiative” may be unveiled by the President as early as November 1. I certainly hope that the Department does not plan to go forward with this program without fully briefing this Committee as well as the House Appropriations Committee. Though my colleagues and I have long called upon this Administration to take the cyber threat to our Federal networks and critical infrastructure seriously, the article raises numerous Constitutional and privacy issues. Would this initiative cover both public and private networks? To what extent would the intelligence community be involved in monitoring privately-owned critical infrastructure? How would this fit into the regulatory structures that exist in various sectors? Though the need to improve America’s defensive posture is clear, the centralization of power raises significant questions that must be answered before any major overhaul is initiated.

Thank you for your consideration of this request. If you have any questions, please contact Jacob Olcott, Subcommittee Director and Counsel at (202) 226-2616. I look forward to your timely reply.

Sincerely,

A handwritten signature in black ink that reads "Bennie G. Thompson". The signature is written in a cursive style with a large, stylized initial "B".

Bennie G. Thompson
Chairman

cc: Peter T. King, Ranking Member, House Committee on Homeland Security
Chairman and Ranking Member, House Committee on Appropriations
Chairman and Ranking Member, Subcommittee on Homeland Security, House
Committee on Appropriations