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September 21, 2017

Christopher C. Krebs
Senior Official Performing the Duties of the Under Secretary
National Protection & Programs Directorate
Department of Homeland Security

Dear Mr. Krebs:

I write to commend the Department of Homeland Security (DHS) for taking a positive step towards increasing transparency regarding the cybersecurity directives issued by DHS, and to urge you to make this a standard practice.

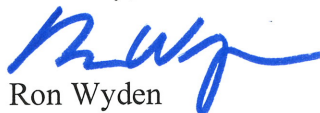
On September 19, 2017, the DHS National Protection and Programs Directorate (NPPD) issued a Binding Operational Directive (BOD) to all Federal executive branch departments and agencies directing them to discontinue use of Kaspersky products. DHS has the authority, pursuant to the Federal Information Security Modernization Act of 2014, to issue “compulsory direction to an agency that . . . is for purposes of safeguarding Federal information and information systems from a known or reasonably suspected information security threat, vulnerability, or risk.” Agencies are required to comply with these directives.

Although NPPD has now issued four BODs since it was granted the authority by Congress, the September 19, 2017 directive is the first to be made public. NPPD voluntarily published the BOD in the Federal Register. None of the other three prior BODs have been published or are available online, which significantly limits the impact of this important cybersecurity advice, both inside and outside the government.

I hope that NPPD will adopt a standard policy of publishing all BODs, including the single BOD issued in 2015 and the two issued in 2016. One of these BODs is designated as For Official Use Only—that document includes information that I believe would particularly inform the ongoing national debate around cybersecurity. As such, I also ask that you undertake review of that BOD for public release.

If you have any questions about this this request, please contact Chris Soghoian on my staff at (202) 224-5244.

Sincerely,



Ron Wyden
United States Senator

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