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United States Senate  
WASHINGTON, DC 20510-3703

June 7, 2018

COMMITTEES:

COMMITTEE ON FINANCE  
COMMITTEE ON BUDGET  
COMMITTEE ON ENERGY & NATURAL RESOURCES  
SELECT COMMITTEE ON INTELLIGENCE  
JOINT COMMITTEE ON TAXATION

The Honorable Aimen Mir  
Deputy Assistant Secretary for Investment Security  
Department of the Treasury  
1500 Pennsylvania Avenue Northwest  
Washington, DC 20220

Dear Secretary Mir:

I am writing to request that you act promptly to enhance the encryption and security of information and data handled by the Committee on Foreign Investment in the United States (CFIUS).

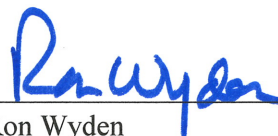
As you are aware, CFIUS handles a tremendous amount of sensitive information. CFIUS reviews transactions that could result in the control of a U.S. company by a foreign individual or entity and determines the potential impact that acquisition would have on the national security of the United States. As part of this review, CFIUS collects large amounts of sensitive information about the companies and individuals involved in the proposed transaction. CFIUS requires that these documents be submitted electronically before CFIUS will conduct its review.

Despite the large amount of sensitive information sent to CFIUS, CFIUS requests that companies send their documents through an unsecured email address linked from the CFIUS website. This practice unnecessarily exposes sensitive data to interception and theft by malicious third parties, including foreign governments. In a recent meeting with my office, you acknowledged that CFIUS has a secure upload portal, which it offers to submitters upon request, but that it does not publicly advertise or proactively recommend the use of this secure option. In the same meeting, you confirmed to my office that the vast majority of CFIUS submissions are received via email. This status quo is simply unacceptable—encrypted submission of sensitive data to the U.S. government should be the default, not the exception.

To that end, I ask that you promptly transition to the default use of an encrypted portal for the submission of sensitive data (including business confidential or personally identifiable information) by companies and individuals participating in the CFIUS review process. In the longer term, CFIUS should develop and deploy a secure electronic docketing system, through which it can securely and efficiently receive and manage case materials submitted by companies and individuals, including confidential business information.

If you have any questions about this request, please contact Chris Soghoian in my office.

Sincerely,



Ron Wyden  
United States Senator

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