



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505

The Special Counsel

January 10, 2018

The President
The White House
Washington, D.C. 20510

VIA ELECTRONIC MAIL

Subject: OSC File No. DI-15-1969

Dear Mr. President:

In accordance with law, the U.S. Office of Special Counsel (OSC) is submitting to you a report of a Department of Homeland Security (DHS) internal investigation of whistleblower allegations.¹ The whistleblower alleged that DHS's Infrastructure Information Collection Division (IICD) failed to adequately secure critical infrastructure information accessible through the Infrastructure Protection Gateway (IP Gateway) portal.

DHS's report and supplemental report concluded that IICD has implemented appropriate security measures to protect the information accessed through the IP Gateway. DHS conducted a risk assessment of the IP Gateway, and documented an original classification authority decision following the whistleblower's disclosures in 2015. DHS found that a damage assessment was not required, and reported that it had not conducted a damage assessment of the IP Gateway to determine whether the collection of information available through the IP Gateway should be classified. The reports explained that the IP Gateway was designed as an unclassified system, and information is reviewed to ensure that classified information is not added to the system.

DHS also reported that the IP Gateway is secured by just under 500 security controls in accordance with DHS and the National Institute of Standards and Technology (NIST) standards and minimum security requirements for federal systems. DHS explained that it is working on additional measures to mitigate identified residual risks, none of which present a high risk to the system. DHS found that adding state, local, and tribal users to the IP Gateway did not compromise security, and explained that DHS has taken measures to mitigate the risk of unauthorized access. IICD is also planning to implement additional capabilities to allow administrators to further restrict the data state and local users can access.

¹ See 5 U.S.C. § 1213(c) and (e).

The Special Counsel

The President
January 10, 2018
Page 2 of 2

I have determined that the reports contain the information required by statute and that its findings are reasonable. According to DHS's reports, the current security measures meet minimum requirements. OSC understands, based on DHS's findings, that DHS periodically assesses the security of the IP Gateway and plans to implement additional security measures. Given the national security implications of the critical infrastructure information contained in the system, I would urge DHS to implement its plans to mitigate any residual risk in a timely manner.

As required by law, I am submitting the DHS's report and supplemental report to you, the U.S. House Committee on Homeland Security, and the U.S. Senate Committee on Homeland Security and Governmental Affairs. I am also making these documents available to the public.² Our file is now closed.

Respectfully,



Henry J. Kerner
Special Counsel

Enclosures

² See 5 U.S.C. § 1219(a)(1); <https://osc.gov>.