



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

November 17, 2023

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas:

The cyber threats we face today are complex and persistent. As the federal government shores up its software supply chain, it is important that the software the government uses, whether built by the private sector or a government agency, is held to a high security standard. The Department of Homeland Security (Department) houses a trove of sensitive information. Concerns exist that government-built solutions in use by the Department are not held to a comparable standard as software that is built by the private sector. Knowingly using less secure products puts that important information at risk, and is unacceptable.

Accordingly, please provide a briefing to Committee staff as soon as possible, but no later than December 1, 2023. The briefing should address the following questions:

1. What cybersecurity risk assessments does the Department take to assess the security of government-built solutions, and how do they compare to cybersecurity requirements imposed on private sector contractors providing comparable solutions?
 - a. How is the Department adhering to its own Secure by Design principles when assessing both government-built and private sector solutions?
2. How often do agencies that provide the Department with software solutions provide their information security risk assessment documentation and all other evidence of security oversight by independent audit? Who conducts these audits and assessments and provides oversight of continuous monitoring?
3. When there is a substantial software update to a government-built solution, who reviews those changes for potential security vulnerabilities? Are those assessments provided to the Department?

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4. How is the Department reviewing any cloud services provided by other federal agencies for services to determine if they meet the same standards and requirements a commercial provider must meet?
5. In the instance that an exception is made to the commercial products preference required by the Federal Acquisition Regulation, what criteria does the Department consider to make such a determination?

Please contact the Committee on Homeland Security Majority staff at 202-226-8417 with any questions about this request.

Sincerely,



MARK E. GREEN, M.D.
Chairman

cc: The Honorable Bennie Thompson, Ranking Member
Committee on Homeland Security