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VIA FAX AND EMAIL

The Honorable Darrell Issa
Chair, House Oversight and Government Reform Committee
2347 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

The MITRE Corporation is in discussion with House Oversight and Government Reform Committee staff regarding your request for unredacted copies of the six Security Control Assessment (SCA) reports on HealthCare.gov that we produced for CMS. I am writing directly to you in an effort to facilitate a mutually satisfactory resolution of this matter that balances this request with our obligation to protect sensitive information which could pose a threat to the confidentiality of personal citizens' information if disclosed.

As previously communicated to staff, MITRE is prepared to make available for *in camera* review the SCAs in their unredacted form. On MITRE's behalf, I renew our invitation for such an arrangement. I believe that this responds to the Committee's interest while also allowing MITRE to properly discharge our obligation to the government as a custodian of sensitive information potentially affecting the privacy interests of all Americans.

MITRE provided Committee staff copies of the six SCAs in redacted form on November 5. In our transmittal email, we explained that the redactions were performed in order to protect the security of personal and private citizens' information on the HealthCare.gov site. We noted that "the redacted information includes code and other technical information that could be used to hack the system." We cautioned that even in their redacted form, the information in the SCAs "should still be considered sensitive and may pose a security risk to the confidentiality of consumer information accessible through HealthCare.gov if disclosed." We delivered the requested documents to the Committee despite these concerns because of our respect for the Committee's oversight mission and our interest in being responsive.

Consistent with MITRE's wish to be cooperative, two MITRE executives met with staff on October 28. This was followed on November 8 by a phone conference between MITRE representatives and your staff. On 22 November, MITRE delivered to Committee staff a preliminary version of the October 11 SCA Report titled Health Insurance eXchange (HIX). We performed the same redactions on the preliminary report as had been performed on the final report—and for the same reasons; our concerns about the potential for compromising of confidential and private citizens' information if the data gets into the hands of a "bad actor." On

The Honorable Darrell Issa
Page Two
4 December 2013

that same date, MITRE delivered to staff email communications in connection with the SCA conducted by MITRE in the August-September timeframe. Yesterday, we made available for a phone conference with Committee staff the member of MITRE's technical staff who oversaw MITRE's conduct of the Security Control Assessment that is the subject of the emails.

Finally, please note that the SCA reports were produced by MITRE under contract to CMS. The reports are designated contract deliverables and are therefore owned by CMS which has authority and control over their disposition. I believe that the SCAs are in fact within scope of the Committee's subpoena issued to Health and Human Services on October 31.

I appreciate your consideration of our concern and trust that we will find a mutually acceptable resolution that allows us to continue to work cooperatively with the Committee.

Respectfully,



Alfred Grasso

AG/sls

cc: The Honorable Elijah E. Cummings