



December 14, 2020

MEMORANDUM FOR: André Mendes
Chief Information Officer
U.S. Department of Commerce

FROM: Frederick J. Meny, Jr.
Assistant Inspector General for Audit and Evaluation

SUBJECT: CYs 2019–2020 Cybersecurity Information Sharing Act (CISA)
Evaluation (#2021-395)

As required by the Cybersecurity Information Sharing Act of 2015 (CISA), we are initiating an evaluation of the sharing capabilities used by the U.S. Department of Commerce. Pursuant to the requirements in CISA, we will assist in creating an interagency report on the actions taken by the executive branch of the federal government to carry out this title during calendar years 2019–2020.

The joint report will be issued through a committee led by the Office of the Inspector General of the Intelligence Community. Attached is the committee's announcement memorandum, which includes its objective.

We plan to begin this work immediately. We will contact your audit liaison to schedule an entrance conference, at which time we can discuss the objective and scope in further detail. If you have any questions, please call me at (202) 482-1931 or Dr. Ping Sun, Director for IT Security, at (202) 482-6121.

We thank you in advance for your cooperation during this evaluation.

Attachment

cc: Ryan A. Higgins, Deputy Chief Information Officer (Acting)
Joselyn Bingham, Audit Liaison, OCIO
Maria Hishikawa, IT Audit Liaison, OCIO
MaryAnn Mausser, Audit Liaison, Office of the Secretary

Attachment.

Assessment of and Joint Report on the Implementation of the Cybersecurity Information Sharing Act of 2015

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OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
AUDIT DIVISION
WASHINGTON, DC 20511

MEMORANDUM FOR: (U) Distribution

SUBJECT: (U) Assessment of and Joint Report on the Implementation of the Cybersecurity Information Sharing Act of 2015

(U) In December 2015, Congress passed the Consolidated Appropriations Act of 2016 (Public Law 114-113), including Division N – the Cybersecurity Act of 2015. Within the Cybersecurity Act, Title I – the Cybersecurity Information Sharing Act of 2015 (CISA), Section 107, Oversight of Government activities, requires the inspectors general of the “appropriate Federal entities¹, in consultation with the [IC IG] and the Council of Inspectors General on Financial Oversight” to jointly report to Congress on actions taken over the most recent 2-year period to carry out CISA requirements.

(U) The objective of this project is to provide a joint report on actions taken during calendar years 2019 and 2020 to carry out CISA requirements. Specifically, we will report on:

- The sufficiency of policies and procedures related to sharing cyber threat indicators within the Federal Government
- Whether cyber threat indicators and defensive measures have been properly classified, as well as an accounting of the security clearance authorized for the purpose of sharing cyber threat indicators or defensive measures with the private sector
- Actions taken to use and disseminate cyber threat indicators and defensive measures shared with the Federal Government
- Specific aspects of cyber threat indicators or defensive measures that have been shared with the Federal Government, including:
 - The number of cyber threat indicators or defensive measures shared using the capability [Automated Indicator Sharing] implemented by the Department of Homeland Security

¹ The Office of the Director of National Intelligence and the Departments of Commerce, Defense, Energy, Homeland Security, Justice and Treasury.

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SUBJECT: Assessment of and Joint Report on the Implementation of CISA

- Instances in which any federal or non-federal entity shared information that was not directly related to a cybersecurity threat and contained personally identifiable information (PII)
 - The number of times, according to the Attorney General, that information shared under this title was used by a federal entity to prosecute an offense listed in CISA Section 105(d)(5)(A)
 - The effect of sharing cyber threat indicators or defensive measures with the Federal Government on privacy and civil liberties of specific persons, including the number of notices that were issued with respect to a failure to remove information not directly related to a cybersecurity threat that contained PII
 - The adequacy of steps taken by the Federal Government to reduce any adverse effect from activities carried out under this title on the privacy and civil liberties of specific persons.
- Barriers affecting the sharing of cyber threat indicators or defensive measures.

(U) The inspectors general for the Departments of Commerce, Defense, Energy, Homeland Security, Justice, and Treasury, and the Office of the Director of National Intelligence will prepare the report of compliance with Section 107 by December 2021.

(U) If you have any questions on this project, you can reach IC IG points of contact, Ms. Amber Keyser at 571-204-8035 or ambernk@dni.gov, or Ms. Deborah Carros at 571-204-8052 or Deborah.Carros@dni.gov.

(U) Thank you for your continued support and cooperation on this effort.

FREDERICK MENY Digitally signed by FREDERICK MENY
Date: 2020.12.01 10:51:48 -05'00'

Frederick J. Meny Jr.
Assistant Inspector General for Audit and Evaluation
U.S. Department of Commerce Office of Inspector General

Date

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Date: 2020.12.08 20:14:12 -05'00'
4425895

Troy Meyer
Acting Deputy Inspector General for Audit
Department of Defense Office of Inspector General

Date

Sarah B. Nelson Digitally signed by Sarah B.
Nelson
Date: 2020.12.08 14:48:10 -05'00'

Sarah B. Nelson
Assistant Inspector General for Technology, Financial, and Analytics
Department of Energy Office of Inspector General

Date

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SONDRA F MCCAULEY Digitally signed by SONDRA F
MCCAULEY
Date: 2020.12.09 17:46:11 -05'00'

Sondra F. McCauley
Assistant Inspector General for Audits
Department of Homeland Security Office of Inspector General



Jason R. Malmstrom
Assistant Inspector General for Audit
Department of Justice Office of Inspector General

Deborah L. Harker Digitally signed by Deborah L.
Harker
Date: 2020.11.23 11:09:34 -05'00'

Deborah L. Harker
Assistant Inspector General for Audit
Department of Treasury Office of Inspector General



Karen J. Goff
Acting Assistant Inspector General for Audit
Office of the Inspector General for the Intelligence Community

Date

11/13/2020

Date

Date

11/13/2020

Date

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Secretary of Defense Secretary of Energy
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