

**Statement of Senator Tom Coburn**

**“The Cybersecurity Partnership between the Private Sector and Our Government: Protecting our National and Economic Security”**

**Committee on Homeland Security and Governmental Affairs  
Thursday, March 7, 2013**

Thank you, Mr. Chairman. Welcome to all the witnesses. I appreciate you being here. Senator Carper and I had a little demonstration or presentation on the executive order yesterday. And I have to say I was impressed with the thoroughness and the presentation of it.

I am highly disappointed that OMB didn't release the FISMA report. There is no reason for it other than it shows significant criticism of our ability to manage critical information within the federal government. I will apologize to them vociferously if, in fact, my assessment of that report -- but to not put it out before this hearing is absolutely ridiculous, because we all know, and the GAO's going to testify today what we all know, is the status within our own government on how well we're doing, and so it's unfortunate that we have chosen not to have a critical piece of information that analyzes a report card on us for this hearing.

I am appreciative of the leadership of the president and his staff in doing this executive order. I think it was timely and appropriate. I'll speak to the issue that nobody wants directly to speak to, is the reason the bill didn't go through the Senate is because there is a disagreement on the liability protections for business and industry when they share their information to protect them against frivolous lawsuits. In the hearings that Senator Carper and I have had, that have been classified thus far, there hadn't been one person who has testified, all the administrative witnesses -- all of administration -- who do not agree that those protections are going to have to be there for us to accomplish what we need to do for our country. We have to get past that one issue, and we have to address the issues in front of us.

The other thing that I would like to emphasize is the intellectual property loss that this country loses every year. General Alexander, head of the NSA, has said it's around \$400 billion a year, and if we do not create a workable situation, what we are doing is taking the investment that we spend every year that we want to spend in terms of R&D in this country, and giving it away.

We have to find a way to solve this problem in the Senate, and we have to work across the aisle and across the special interest groups that don't want certain things, because it might create a lack of a supreme benefit for their cause. What we have to do is what's in the best interest of the nation, and I think the president has shown real leadership with this executive order, and now we need to come behind and firm it up.

I appreciate -- also, Senator Rockefeller, his cooperation on the witnesses for this. I want to thank you publicly for that. Having a hearing on cybersecurity and not listening to the expert at GAO would be inappropriate, and Mr. Wilshusen is here, and he's knowledgeable, and I look forward to his testimony in the second panel.

Thank you.