



**UNITED STATES OFFICE OF PERSONNEL MANAGEMENT**

**STATEMENT OF  
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DIRECTOR  
OFFICE OF CONGRESSIONAL, LEGISLATIVE,  
AND INTERGOVERNMENTAL AFFAIRS  
U.S. OFFICE OF PERSONNEL MANAGEMENT**

**before the**

**COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM  
UNITED STATES HOUSE OF REPRESENTATIVES**

**on**

**“Document Production Status Update”**

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**January 7, 2016**

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Chairman Chaffetz, Ranking Member Cummings, and Members of the committee, I am pleased to be here this morning to testify on behalf of the United States Office of Personnel Management (OPM) and Acting Director Beth Cobert regarding the committee’s requests for information and documents related to the cybersecurity incidents at OPM.

Over the course of the past year, in the face of extraordinary circumstances, OPM has worked tirelessly to address the cybersecurity incidents; to provide information and services to those impacted by these incidents; and to respond to numerous congressional inquiries regarding the incidents through hearings, classified and unclassified briefings, document productions, letters, and town halls. During this time, OPM employees have worked hard to improve upon the services that OPM provides every day to the entire Federal workforce from resume to retirement. It has been my distinct privilege to serve with these individuals.

OPM is a small agency with an important mission—to recruit, retain, and honor a world-class workforce to serve the American people. To preserve and build upon that mission, OPM’s leadership has made responding to the recent cybersecurity incidents and bolstering OPM’s information technology (IT) infrastructure and security capabilities its highest priority. OPM is committed to working with Congress as well as our interagency partners, including the Department of Homeland Security (DHS), the Department of Defense (DoD), and the Federal Bureau of Investigation (FBI), among others, to continue to strengthen our cybersecurity posture in order to protect the Federal government and the people we serve.

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It is critical to OPM that all of our stakeholders, particularly those directly impacted by these incidents, receive information in a timely, transparent, and accurate manner. OPM undertook two separate notification processes regarding the comprehensive identity theft protection and monitoring services that are being provided to those individuals who are impacted by the cybersecurity incidents. OPM is conducting outreach about these services on our website and through media interviews and by communicating directly with agencies, stakeholder representatives such as unions and other employee groups, and contractor associations who were directly impacted.

Further, to provide Congress with necessary information, my office provided multiple sets of Fact Sheets and Frequently Asked Questions (FAQ) regarding the cybersecurity incidents and related services. OPM established a phone hotline exclusively for congressional offices to contact us with questions on behalf of your constituents. OPM has also attended town halls and conducted phone briefings with Members of Congress and congressional staffers on the issue.

Simultaneously, OPM has made every effort to work in good faith to respond to multiple congressional oversight requests, including document productions.

Since June 2015, OPM has:

- Received and provided responses to every question in six separate document production requests resulting in:
  - 19 separate document productions including tens of thousands of documents and internal reports;
- Testified at four public congressional hearings;
- Made hundreds of calls to Members and congressional staffers relating to the cybersecurity incidents;
- Received over 170 letters from Members of Congress relating to the cybersecurity incidents
- Made senior officials available for interviews;
- Conducted 13 classified and unclassified briefings; and
- Expended thousands of staff-hours in an effort to be responsive.

OPM has worked as quickly as its infrastructure and resources allow. To be responsive to congressional requests, OPM has taken numerous steps to increase its previously limited capacity to respond to congressional inquiries of a large volume and sensitive nature. This includes hiring additional staff, bringing on detailees from other agencies, and obtaining document management tools that allowed the agency to respond more promptly and efficiently to Congress. As capacity was increased, OPM worked with committee staff to prioritize the requests and provide responses on a rolling basis in order to accommodate the committee's schedule and oversight interests.

As a result of the extreme and ongoing sensitivities of information related to OPM's IT networks, servers, and systems, redactions of sensitive system information were made so as not to provide a roadmap of vulnerabilities for potential adversaries and malicious actors. These redactions are consistent with those employed by other Federal agencies, and were based on security recommendations from OPM IT security professionals and in consultation with

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interagency cyber experts. Additional redactions were also made for reasons of longstanding Executive branch confidentiality interests.

In the interest of accommodating the committee's oversight interests, a significant number of sensitive documents were also made available for *in camera* review in unredacted form in OPM's liaison office in the Rayburn House Office building in order to provide ease of access for committee members and staff. At the committee's request, and after further consultation with OPM IT security professionals and other Federal agencies, a number of these documents subsequently have been produced to the committee.

OPM looks forward to continuing to work with the committee and to respond to its requests for information in an as complete and timely manner as possible, recognizing the highly sensitive nature of these materials and the ongoing need to safeguard system sensitive information and the personal privacy of millions of Federal employees and the public.

Thank you for the opportunity to testify today. I look forward to your questions.

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**Appendix: OPM Responses and Documents Produced to House Oversight and Government Reform Committee Requests for Information**

**July 21, 2015** Committee request for information concerning OPM's acquisition of identity protection services, including the manner in which OPM awarded this contract.

Responsive documents provided to the committee on August 21, 2015 and December 22, 2015.

**July 24, 2015** Committee request for information concerning CyTech, the Inspector General's audits, and HSPD-12.

Responsive documents provided to the committee on August 28, 2015. Additional responsive documents were also made available to the committee *in camera* in the OPM liaison office in the Rayburn building for ease of access for committee Members and staff.

Responsive documents provided to the committee on September 25, 2015.

Two senior OPM staffers were made available for a briefing at the committee staff's request on September 28, 2015.

Responsive documents provided to the committee on October 7, 2015. Additional responsive documents were also made available to the Committee *in camera* in the OPM liaison office in the Rayburn building for ease of access for Committee Members and Staff.

Responsive documents provided to the committee on October 28, 2015. Additional responsive documents were also made available to the committee *in camera* in the OPM liaison office in the Rayburn building for ease of access for committee Members and staff.

Responsive documents provided to the committee on December 22, 2015, consisting of documents that were previously provided to the committee *in camera* in the OPM liaison office for ease of access for committee Members and staff.

**Aug. 18, 2015** Committee request for information concerning OPM's security documents and systems manuals that had been compromised

Responsive documents provided to the committee on September 18, 2015.

Responsive documents were made available on October 7, 2015 to the committee *in camera* in the OPM liaison office in the Rayburn building for ease of access for committee Members and staff.

Responsive documents that had previously been provided *in camera* were provided to the committee on December 22, 2015 after consultation with agency partners.

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Responsive documents were made available on December 30, 2015 to the committee *in camera* in the OPM liaison office in the Rayburn building for ease of access for committee Members and staff.

**Aug. 21, 2015** Committee preservation order concerning data breaches at OPM.

Response provided to the committee regarding OPM agency records preservation on September 4, 2015.

**Sept. 9, 2015** Committee request for information concerning a deleted drive on a CyTech Services appliance

Responsive documents were provided to the committee on October 28, 2015.

**Biographical Summary for  
Jason K. Levine  
Director  
Congressional, Legislative, and Intergovernmental Affairs  
U.S. Office of Personnel Management  
for  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Hearing on  
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Jason K. Levine has served as the Director of the Office of Congressional, Legislative, and Intergovernmental Affairs (CLIA) at the U.S. Office of Personnel Management (OPM) since August 2015.

Mr. Levine joined OPM from the U.S. Consumer Product Safety Commission (CPSC). Mr. Levine joined CPSC in October 2009. While at CPSC, Mr. Levine served in a variety of roles. His most recent position was as the Acting Director, and then Director, of the Office of Legislative Affairs. He also served as CPSC Chief of Staff for Chairman Elliot Kaye and prior to Chairman Kaye's confirmation he filled the same role for Acting Chairman Robert Adler. Prior to these roles he served as Chief Counsel to Commissioner Adler.

Mr. Levine also spent time during 2013 as a detailee to Kathy Greenlee, the Assistant Secretary for Aging at the Administration on Aging within the Department of Health and Human Services. In this position he advised Assistant Secretary Greenlee regarding strategies to combat the rise of unintentional injuries to older adults.

Prior to joining the CPSC, Mr. Levine served in the role of Chief Counsel to Commissioner Ellen Weintraub at the U.S. Federal Election Commission.

Before joining the federal workforce, he worked as an associate in the Washington, D.C. office of Kelley Drye and Warren. Mr. Levine began his legal career at Collier Shannon Scott, a law firm in Washington D.C. that merged with Kelley Drye and Warren in 2006. At both firms his practice focused on consumer protection and antitrust matters.

Mr. Levine received his J.D. with honors from the University of Connecticut School of Law, and his Bachelor of Science in Communication Studies from Northwestern University in Evanston, Illinois.