

United States Senate

WASHINGTON, DC 20510

May 31, 2017

The Honorable Andrew McCabe
Acting Director
Federal Bureau of Investigation
935 Pennsylvania Ave NW
Washington, DC 20535

Dear Acting Director McCabe:

On May 8, 2017, the Federal Communications Commission (FCC) announced that it was the victim of “multiple distributed denial-of-service attacks (DDos),” where an attacker overwhelms a network with information to prevent legitimate users from accessing information or services. This attack appeared to target the FCC’s Electronic Comment Filing System, which is the portal through which the public may submit comments on ongoing proceedings. While the FCC has released little information to date about the reported attacks, the agency has stated that the attacks “were deliberate attempts by external actors to bombard the FCC’s comment system with a high amount of traffic” and that “[t]hese actors were not attempting to file comments themselves; rather they made it difficult for legitimate commenters to access and file with the FCC.”

The FCC is important to the lives of all Americans because it oversees our Nation’s telecommunications networks. These networks are important for both consumers and industry, contributing to public engagement, individual livelihood, public safety, our national economy, and our ability to remain competitive globally. The public comment period associated with the FCC’s rulemaking authority is a critical part of the regulatory process and the primary way for the American people to make their voices heard. The reported cyberattack on the FCC’s Electronic Comment Filing System is extremely troubling given that it threatens to stifle the public’s ability to weigh in on these issues.

A Congressional inquiry has already been sent to the FCC asking for details about the attack. We ask that the FBI prioritize this matter and investigate the source of this attack. Any cyberattack on a federal network is very serious. This particular attack may have denied the American people the opportunity to contribute to what is supposed to be a fair and transparent process, which in turn may call into question the integrity of the FCC’s rulemaking proceedings.

We request that you update us on the status of the FBI's investigation and brief us on this matter by June 23, 2017. Thank you in advance for your assistance.

Sincerely,



BRIAN SCHATZ
United States Senator



AL FRANKEN
United States Senator



PATRICK LEAHY
United States Senator



EDWARD J. MARKEY
United States Senator



RON WYDEN
United States Senator