Testimony to House Committee/ Executive Departments and Administration

In Support of HB 1335, by Rep. Peter Somssich , District 27

Thank you, Chair Carson and committee members, for giving me the opportunity to testify in support of HB 1335. This bill is very short and, I believe, very simple. The intention of this bill is to prohibit state agencies from using software developed by Kaspersky Lab. Kaspersky Lab software is most frequently used as anti-virus and cybersecurity protection. Currently, many state agencies throughout the country have been using this software. Although, according to Scott Rupp, our State House IT manager, it is not currently being used at the State House, it is unclear whether other state agencies or facilities are in fact making use of it. I am sure that Commissioner Goulet, our Chief Information Officer, who is here today and assisted me with this bill, will provide you with more information.

Although I am not an IT or computer expert, please allow me to explain my motivation for introducing this bill. While working as a research scientist for a large international company involved in the lighting business, I became well aware of the importance of protecting computers and networks from hackers, malware and cyberthreats. In addition, on a personal and cultural level, as someone born in an Eastern European country, I am personally and professionally familiar with how the economies of these countries used to function, and how many of them still function today. I am also well aware of the high quality of Russian scientists in the fields of mathematics, computer sciences and nuclear research. However, the government of Russia, both before the collapse of the old Soviet Union, and now the new Russia, continues to be authoritarian, corrupt, a major human rights violator and not a country with genuine private companies as we know them.   These companies can only operate at the pleasure of the Russian government.

When I first heard about Kaspersky Lab approx. 5 years ago, I assumed that the founder of this company, Eugene Kaspersky, was a Russian who emigrated to the West and started a computer software company. However, after doing more research I discovered that Mr. Kaspersky had previously worked for the KGB (the old Soviet secret police) and had been trained at the KGB school for cybersecurity. Furthermore, his company had its headquarters in Moscow, Russia, under the jurisdiction of the Russian government with its lack of an independent judicial system or any form of accountability. From that time on I have been advising friends and coworkers to avoid using such software.

During the past year, according to several reports (July & Sept. 2017) in the Washington Post, the General Services Administration (GSA) in July removed Kaspersky Lab from its approved vendors list, suggesting that a possible vulnerability may exist, giving the Russian government backdoor access to computers and networks. Then later in the year intelligence heads testifying before a senate panel responded to the question from Senator Marco Rubio: "Would any of you be comfortable with Kaspersky software on your computer?", with a resounding No ! Those present included: FBI director Andrew McCabe, CIA director Mike Pompeo, Director of National Intelligence, Dan Coats, and National Security Agency (NSA) director Adm. Michael Rogers. Also during 2017, the NSA reported a successful hack of some computers by a contract employee who is suspected of taking secret documents home and working on them with a personal computer which had Kaspersky software installed.

As the result of these concerns, I decided to introduce this bill with the intention of reducing the risk of cyberthreats and malicious attacks on our NH state agencies. In addition, you may already have heard of Senator Jeanne Shaheen's amendment to the federal defense authorization bill, which has now been signed into law by the President, prohibiting federal government agencies from using Kaspersky Lab software. Thank you for allowing me to address you today.