

Wiley Rein's Jon Burd Discusses Cybersecurity Executive Order

Law360

February 27, 2013

Jon W. Burd, a partner in Wiley Rein's Government Contracts Practice, was quoted in a February 26 *Law360* article about the potential ramifications of President Obama's recent Executive Order aimed at improving cybersecurity.

On February 12, Obama issued a directive pushing government contractors to voluntarily accept new government security measures and to share information about cyberattacks with federal agencies. The move comes amid growing reports of Chinese hackers obtaining U.S. secrets, with companies and agencies in Washington, DC particularly targeted in the attacks.

While many commenters praised the president's motives as well-intentioned, there is concern about the new burdens placed on government contractors. Some fear contractors risk losing business if they disclose their systems have been compromised by hackers.

Another fear, Mr. Burd told *Law360*, is that the voluntary nature of the president's sharing order could become mandatory in time. The 2013 National Defense Authorization Act, passed last December, already requires contractors with security clearances to report cyberattacks and system breaches.

"If I was an industry member, I would wonder if we'll see a broader mandatory disclosure requirement that will apply to non-cleared contractors," said Mr. Burd. "None of that is on the immediate horizon, but it's reasonable to wonder out loud whether that is a path that we may head down in the not too distant future."

Related Professionals

Jon W. Burd
Partner
202.719.7172
jburd@wiley.law

Practice Areas

Government Contracts