

United States Senate

WASHINGTON, DC 20510-0803

May 24, 2018

The Honorable James N. Mattis
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Mattis:

I write today regarding the continued security implications of President Donald Trump's smartphone use. As you know, Senator McCaskill and I wrote to you more than fifteen months ago, on February 9, 2017, to gain a better understanding of the efforts by the Department of Defense and the White House to oversee, develop, and implement protective measures for President Trump's use of a smartphone. As of the date of this letter, the Department has yet to respond.

The security measures surrounding President Trump's smartphone use remain unclear. Despite prior reports suggesting that President Trump was using a "secure encrypted device approved by the U.S. Secret Service,"¹ subsequent reports indicated that the President was still using an "old, unsecured Android phone."² Later reports then suggested that although President Trump "has been using his new iPhone for the past couple of weeks ..." he continued to send tweets from his reportedly unsecured Android phone until at least March 25, 2017.³ Just this week, a new report has indicated that "President Donald Trump uses a White House cellphone that isn't equipped with sophisticated security features designed to shield his communications ... a departure from the practice of his predecessors that potentially exposes him to hacking or surveillance."⁴ This security lapse is all the more concerning in light of reports that President Trump has urged world leaders to contact him directly through his smartphone⁵ and that White House Chief of Staff John Kelly's personal smartphone was compromised for months.⁶

¹ Maggie Haberman and Glenn Thrush, *A Trump Administration, with Obama Staff Members Filling in the Gaps*, N.Y. TIMES (Jan. 19, 2017).

² Maggie Haberman, *A Homebody Finds the Ultimate Home Office*, N.Y. TIMES (Jan. 25, 2017).

³ Arjun Kharpal, *Trump is Finally Using an iPhone but Some of his Tweets are Still Coming from an Android Device*, CNBC (Mar. 29, 2017).

⁴ Eliana Johnson et al., *'Too Inconvenient': Trump goes Rogue on Phone Security*, POLITICO (May 21, 2018).

⁵ Vivian Salama, *Trump's Use of Private Cellphone Raises Security Concerns*, THE ASSOCIATED PRESS (May 31, 2017).

⁶ Josh Dawsey et al., *John Kelly's Personal Cellphone was Compromised, White House Believes*, POLITICO (Oct. 5, 2017).

Given the need for clarity on this matter, I respectfully renew the requests made in the enclosed February 9, 2017 letter, and request a response no later than June 7, 2018.

If you or members of your staff have any questions about this request, please do not hesitate to ask your staff to contact [REDACTED] at 202-224-2441.

With best personal regards, I am

Sincerely,



Tom Carper
United States Senator

Enclosure

cc: The Honorable Kirstjen M. Nielsen
Secretary
U.S. Department of Homeland Security

The Honorable GEN Paul M. Nakasone
Director
National Security Agency

The Honorable David S. Ferriero
Archivist of the United States
U.S. National Archives and Records Administration

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

CHRISTOPHER R. HIXON, STAFF DIRECTOR
MARGARET E. DAUM, MINORITY STAFF DIRECTOR

February 9, 2017

The Honorable James N. Mattis
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Mr. Secretary:

We write today regarding the security concerns stemming from President Donald Trump's reported use of his personal, unofficial, smartphone. Public reports originally indicated that President Trump began using a "secure, encrypted device approved by the U.S. Secret Service" prior to taking office.¹ Subsequent reports, however, suggest that President Trump may still be using his personal smartphone, an "old, unsecured Android phone."² While it is important for the President to have the ability to communicate electronically, it is equally important that he does so in a manner that is secure and that ensures the preservation of presidential records.

As you know, hackers often target smartphones in an attempt to obtain sensitive, personal information from the user. Malicious software, often referred to as malware, can provide access to this information through emails, text messages, and even smartphone software.³ These reports are very troubling because security risks associated with the use of an unsecured phone include hackers' ability to access the device to turn on audio recording and camera features, as well as engaging surveillance tools that allow location and other information tracking features.⁴ Manufacturers regularly release updates for smartphone software systems, in part, because new security risks are constantly emerging. Hackers are sometimes successful even when smartphone users take recommended precautions and restrict access to their personal information. These vulnerabilities are among the reasons why national security agencies discourage the use of personal devices. For example, the Department of Defense's (DoD) 2013 Commercial Mobile Device Implementation Plan stated: "DoD policies, operational constructs,

¹ Maggie Haberman and Glenn Thrush, *A Trump Administration, with Obama Staff Members Filling in the Gaps*, N.Y. TIMES (Jan. 19, 2017).

² Maggie Haberman, *A Homebody Finds the Ultimate Home Office*, N.Y. TIMES (Jan. 25, 2017).

³ *Cyber Threats to Mobile Phones*, UNITED STATES COMPUTER EMERGENCY READINESS TEAM, U.S. DEPARTMENT OF HOMELAND SECURITY (Feb. 6, 2013).

⁴ Cecilia Kang, *That Old Phone Trump Uses for Twitter Could Be an Opening to Security Threats*, N.Y. TIMES (Jan. 25, 2017); See also, *Guidelines for Managing the Security of Mobile Devices in the Enterprise*, NATIONAL INSTITUTE OF STANDARDS FOR TECHNOLOGY, U.S. DEPARTMENT OF COMMERCE (SP 800-124).

and security vulnerabilities currently prevent the adoption of devices that are unapproved and procured outside of official government acquisition.”⁵

The national security risks of compromising a smartphone used by a senior government official, such as the President of the United States, are considerable. In addition to these security risks, media reports suggest that President Trump often uses his personal Android phone to communicate via his personal Twitter account.⁶ The National Archives and Records Administration considers President Trump’s tweets to be records that must be adequately documented, preserved, and maintained for historic purposes, as required by the Presidential Records Act.⁷

The Defense Information Systems Agency (DISA) is a sub-component of DoD, “which helps secure the [P]resident’s communications.”⁸ In order to better understand the efforts of the Department, through DISA and the White House Communications Agency, to oversee, develop, and implement protective measures for President Trump’s use of a personal smartphone, please provide the following information by March 9, 2017:

1. A written response confirming whether President Trump received a secured, encrypted smartphone for his personal use on or before his inauguration. If so, please provide a written response confirming that President Trump is using this secured phone. If not, please provide a written response describing what kind of personal smartphone President Trump is using, or has used, since taking office.
2. A written response outlining the steps DISA has taken, or plans to take, to develop written policies and procedures regarding protective measures for President Trump’s use of a personal smartphone. If such written policies and procedures currently exist, please provide a copy, as well as regular updates regarding compliance with these standards.
3. Did DISA consult and coordinate with the U.S. Secret Service and the National Security Agency during the development of any protective measures for President Trump’s use of a personal smartphone? If so, please describe such consultation and coordination efforts.
4. When developing protective measures for President Trump’s use of a personal smartphone, did DISA consult with the National Archives and Records Administration to ensure that all security measures allow for the preservation of any presidential records created through President Trump’s use of the device, in compliance with the Presidential Records Act?

⁵ Memorandum from Teresa M. Takai, Chief Information Officer, U.S. DEPARTMENT OF DEFENSE, to Secretaries of the Military Departments, *et. al* on Department of Defense Commercial Mobile Device Implementation Plan (Feb. 15, 2013).

⁶ *Trump’s Still Using His Old Android Phone. That’s Very, Very Risky*, Wired (Jan. 25, 2017).

⁷ Stephen Braun, *Trump’s Tweets are Presidential Records, but Deletions?*, THE ASSOCIATED PRESS (Jan. 23, 2017); *see also* The Presidential Records Act, 44 U.S.C. §§ 2201, 2203 (2015).

⁸ Eric Geller, *Trump’s Phone: A Cybersecurity Threat?*, POLITICO (Jan. 26, 2017).

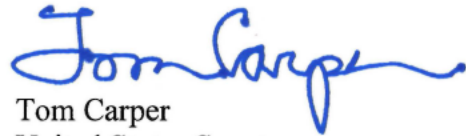
If you or members of your staff have any questions about this request, please feel free to ask your staff to contact [REDACTED] [REDACTED] [REDACTED] Senator Carper's office at 202-224-2441. Thank you very much for your attention to this matter.

With best personal regards, we are

Sincerely yours,



Claire McCaskill
Ranking Member



Tom Carper
United States Senator

cc: The Honorable Ron Johnson
Chairman

The Honorable John F. Kelly
Secretary
U.S. Department of Homeland Security

The Honorable ADM Michael S. Rogers
Director
National Security Agency

The Honorable David S. Ferriero
Archivist of the United States
U.S. National Archives and Records Administration