

Congress of the United States
Washington, DC 20515

July 26, 2018

The Honorable Gregg Harper
Chairman
Committee on House Administration
United States House of Representatives
Washington, D.C. 20515

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
United States House of Representatives
Washington, D.C. 20515

The Honorable Trey Gowdy
Chairman
Committee on Oversight and Government Reform
United States House of Representatives
Washington, D.C. 20515

The Honorable Michael McCaul
Chairman
Committee on Homeland Security
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Harper, Chairman Goodlatte, Chairman Gowdy, and Chairman McCaul:

In recent days, while top officials in the Trump administration have clearly reiterated that Russia interfered with our elections in 2016 and are currently targeting the 2018 elections, the President has denied Putin's involvement and the ongoing threat he poses.¹ He appears to have changed his position on this question several times the past week—stating, in Helsinki, that he had “no reason to believe” the Russian government had meddled in the last elections, and proposing, just yesterday, that Putin *will* be working to undermine the current elections, but this time “pushing very hard for the Democrats.”² Despite these equivocations, it is clear that Putin meddled in our elections and when a foreign power interferes in our elections, it is an attack on our nation and our democracy. Election security is a national security issue, and it is time this Congress treated it like one.

As Members of the Committees that have oversight on this issue, we have a duty to investigate: 1) the threats facing our elections in 2018 and 2) the Trump administration's plan to secure our elections from foreign interference. Accordingly, we respectfully request that you convene a joint hearing on election security and invite the following officials to testify:

- Christopher Wray, Director, Federal Bureau of Investigation
- Kirstjen Nielsen, Secretary, Department of Homeland Security
- Dan Coats, Director of National Intelligence
- Rod Rosenstein, Deputy Attorney General, Department of Justice
- Tom Hicks, Chairman, Election Assistance Commission

The evidence that Russia interfered in our elections in the past and will do so in the future continues to grow. On Friday, July 13th, Special Counsel Robert Mueller issued an indictment providing additional details on the election security attacks that took place in 2016. The indictment stated that Russian hackers targeted an election software company as well as state and local election officials, stole information on

¹ David Sanger and Matthew Rosenberg, *From the Start, Trump Has Muddied a Clear Message: Putin Interfered*, The New York Times (Jul. 18, 2018) <https://www.nytimes.com/2018/07/18/world/europe/trump-intelligence-russian-election-meddling.html>

² @realDonaldTrump (President Donald J. Trump), Twitter, July 24, 2018, 11:50AM.

500,000 voters, and hacked into a state election board.³ On July 19th, Director of National Intelligence Dan Coats stated at the Aspen Security Forum, “It’s undeniable that the Russians are taking the lead on this . . . They are the ones trying to wreak havoc over our election process.”⁴ His comments were echoed by Deputy Attorney General Rod Rosenstein hours later, “As Director Coats made clear, these actions are persistent, they are pervasive, and they are meant to undermine America’s democracy on a daily basis, regardless of whether it is election time or not.”⁵

At the same time, we are concerned that the Trump administration is not doing enough to address vulnerabilities to our election systems. The co-chair of the FBI’s election-meddling task force left the agency last month.⁶ Three other top cybersecurity officials at the FBI are retiring with more expected to leave soon.⁷ We need to hear from FBI Director Christopher Wray in order to ensure that the agency has a plan to replace the departing staff, and that the safety of our elections will not suffer in the interim.

We were heartened to hear Deputy Attorney General Rosenstein’s remarks last week announcing new federal government efforts to identify, counter, and notify the public about Russian and other foreign interference in our election.⁸ This announcement coincided with the release of the “Report of the Attorney General’s Cyber Digital Task Force,” which discussed the threat of Russian election interference, outlined five categories of foreign influence operations, and described how different federal agencies are working to defend against and counter those operations.⁹ We need to hear from Deputy Attorney General Rosenstein about this report and these initiatives in order to understand what specific steps federal agencies are taking to address threats to our elections.

In the past two weeks, however, we have also learned that certain election technology vendors with Russian ties may be vulnerable to a cyberattack. In Maryland, it was discovered that the vendor used to handle statewide voter registration, online ballot-delivery, and the website for unofficial election-night results has a Russian oligarch as its largest investor.¹⁰ In addition, ES&S, the top voting machine maker in the country, revealed that it had installed remote-access software on its systems from 2000-2006.¹¹ Remote-access software makes systems more vulnerable to attack because a hacker can gain access to the system and introduce malicious code.¹² Election technology vendors are unregulated at the federal level,

³ Garrett M. Graff, *Indicting 12 Russian Hackers Could be Mueller’s Biggest Move Yet*, WIRED (Jul. 13, 2018) <https://www.wired.com/story/mueller-indictment-dnc-hack-russia-fancy-bear/>

⁴ David Rhode, *Dan Coats and Rod Rosenstein Defy Trump*, The New Yorker (Jul. 20, 2018) <https://www.newyorker.com/news/news-desk/dan-coats-and-rod-rosenstein-defy-trump>

⁵ *Id.*

⁶ Sean Lyngaas, *FBI’s Election-Meddling Task Force Loses Key Official*, Cyberscoop (Jul. 16, 2018) <https://www.cyberscoop.com/jeff-tricoli-fbi-election-security/>

⁷ Dustin Volz and Shelby Holliday, *Three Top FBI Cybersecurity Officials to Retire*, The Wall Street Journal (Jul. 19, 2018) <https://www.wsj.com/articles/three-top-fbi-cybersecurity-officials-to-retire-1532036330>;

⁸ Department of Justice, *Deputy Attorney General Rod J. Rosenstein Delivers Remarks at the Aspen Security Forum* (Jul. 19, 2018) <https://www.justice.gov/opa/speech/deputy-attorney-general-rod-j-rosenstein-delivers-remarks-aspen-security-forum>

⁹ Department of Justice, *Report of the Attorney General’s Cyber Digital Task Force* (July 19, 2018) <https://justice.gov/cyberreport>

¹⁰ Ovetta Wiggins, *Election System Firm with Maryland Contract Has Ties to Russian Oligarch, FBI Tells State*, The Washington Post (Jul. 13, 2018) https://www.washingtonpost.com/local/md-politics/marylands-election-system-tied-to-russian-oligarch-fbi-tells-state/2018/07/13/89b8ce56-86fa-11e8-8f6c-46cb43e3f306_story.html?utm_term=.59158fed8f7f

¹¹ Kim Zetter, *Tom Voting Machine Vendor Admits It Installed Remote-Access Software on Systems Sold to States*, VICE (Jul. 17, 2018) https://motherboard.vice.com/en_us/article/mb4ezy/top-voting-machine-vendor-admits-it-installed-remote-access-software-on-systems-sold-to-states

¹² *Id.*

and DHS Secretary Kirstjen Nielsen and EAC Chairman Tom Hicks should appear before Congress and explain what they are doing to ensure that election vendors are not being used by foreign actors seeking to interfere in our elections and that state and local election officials are updated, as necessary, as threat information evolves.

We are similarly concerned that, last week, House Republicans rejected a proposal to fund election security efforts at the state and local levels.¹³ The threat posed by the Russian government and other foreign actors is real, and we hoped that our colleagues would take it seriously.


We are under attack and the very foundation of our democracy is at stake. We urge you to put aside partisan politics and work with us to protect and defend our country from this ongoing attack. As Rod Rosenstein stated, "When we confront foreign interference in American elections it's important for us to avoid thinking politically as Republicans or Democrats and instead to think patriotically as Americans."¹⁴

Thank you for your consideration.

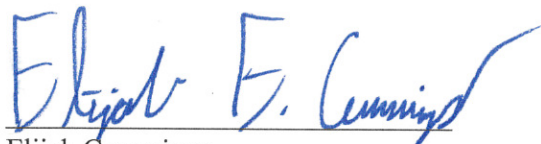
Sincerely,



Robert A. Brady
Ranking Member
Committee on House Administration



Jerrold Nadler
Ranking Member
Committee on the Judiciary



Elijah Cummings
Ranking Member
Committee on Oversight and Government Reform



Bennie Thompson
Ranking Member
Committee on Homeland Security

¹³ Erica Werner, *House GOP refuses to renew election security funding as Democrats fume over Russian interference*, Wash. Post, July 19, 2018. https://www.washingtonpost.com/business/economy/house-gop-refuses-to-renew-election-security-funding-as-democrats-fume-over-russian-meddling/2018/07/18/20761f88-8abb-11e8-8aea-86e88ae760d8_story.html?utm_term=.585e164ded26

¹⁴ Jen Kirby, *Rod Rosenstein on Russian Cyberattacks: "It's What They Do Every Day"* Vox (Jul. 19, 2018) <https://www.vox.com/2018/7/19/17593568/rod-rosenstein-aspen-security-russia-hacking-cyberattacks>