

United States Senate

WASHINGTON, DC 20510

March 19, 2018

The Honorable Kirstjen Nielsen
Secretary of Homeland Security
Washington, D.C. 20528

Dear Secretary Nielsen:

In testimony before the Senate Select Committee on Intelligence during the annual Worldwide Threats Assessment on February 13, 2018, Director of National Intelligence Dan Coats said "Frankly, the United States is under attack," and that, "at a minimum, we expect Russia to continue using propaganda, social media, false-flag personas, sympathetic spokespeople, and other means of influence to try to exacerbate social and political fissures in the United States."

Mike Pompeo, the Director of the Central Intelligence Agency, also directly addressed Russian influence activities related to the upcoming 2018 elections: "We have seen Russian activity and intentions to have an impact on the next election cycle." The Director of the National Security Agency, Admiral Mike Rogers, agreed and said that he does not expect these active measures to change or to stop.

Due to the efforts to undermine confidence in the 2016 election and these stark unanimous warnings from the senior leadership of the Intelligence Community, we have introduced legislation, the SAVE Act, aimed at providing federal government resources to state election agencies to help harden their election systems against sophisticated attacks from foreign adversaries.

Even while there is no evidence that votes were changed or miscounted in the 2016 election, public confidence in the outcome of that election was clearly diminished because of press reports that Russia "hacked" the election systems of several states. The mere fact that Russia targeted state election systems and succeeded in securing access to a limited number of systems, even without changing votes, has reduced public confidence because of pervasive uncertainty in the security and reliability of state election systems.

The Department of Homeland Security (DHS) must learn more about the nature of state election processes and the need to expand access to cyber hygiene scans, vulnerability assessments, and other protections. Now that 2018 special elections have begun and the 2018 primary and general elections are coming up quickly, we must assume that Russian actors will not stand idly by as the American people begin to cast their ballots.

The Department of Homeland Security, in conjunction with the Election Assistance Commission, needs to do much more to accelerate efforts to assist states in the 2018 and 2020

elections. We were disappointed to learn, for example, that as of June 2017 – nearly eight months after the 2016 elections – not a single chief election official had received a security clearance. While DHS sponsored a one-day classified briefing at a recent conference of state election officials, many states still lack a senior election official with the necessary clearance to permit them to fully understand when their information systems are being targeted by a sophisticated adversary.

For these reasons, we request a written statement regarding any statutory authority or appropriations of funds that the Department deems necessary to provide the American people with unequivocal confidence that the federal government is making available to state election agencies the necessary means to protect the integrity of Election Day and the voting process.

Each state is rightfully responsible for planning, organizing, and implementing its own election processes. Because of the long lead-time that election officials require to make changes to their processes and equipment before Election Day, however, the Department needs to describe to Congress, without delay, what additional authorities or funding are necessary to secure the upcoming elections. As the lead agency for assisting critical infrastructure, we ask that you provide your assessment of the additional authorities or funding that Congress could provide to the Department to defend against these attacks from Russia or other adversaries, and particularly attacks aimed at undermining the public confidence in voting and election information systems.

Sincerely,



Susan M. Collins
United States Senator



Martin Heinrich
United States Senator