

Congress of the United States
House of Representatives
Washington, DC 20515

March 7, 2018

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

Dear Secretary Nielsen:

We are writing with respect to statements made by President Donald Trump yesterday recommending the use of paper ballots in state-run elections and referring to a “very, very deep study” on the issue of paper ballots conducted by “[v]arious agencies, including Homeland Security.”¹

While we appreciate the President’s full-throated endorsement for paper ballots, there are a number of details about the scope, timeline, goals, and deliverables of the study that the President did not address in his statement. We would like to understand the role that the Department of Homeland Security (DHS) has played in conducting this study, as well as the efforts of its interagency partners.

As co-chairs of the Congressional Task Force on Election Security, we have been vocal about the vulnerability of electronic voting machines and the need for a verifiable, auditable paper trail. However, replacing state voting systems takes a great deal of time and money – and many states have neither. In fact, by the time President Trump declared yesterday that “we’re coming out with I think some very strong suggestions on the ‘18 election,” many Texas voters had already cast their ballots in the state primary election.² The 2018 election season is here, and the time to secure voting infrastructure is running out. Nevertheless, there are five states that continue to rely on paperless voting systems.³

Finally, as DHS is uniquely aware, there are limits on the Federal government’s ability to mandate certain security standards or defensive measures in State and local voting equipment, or even to take advantage of free cybersecurity assistance offered to election administrators through the critical infrastructure designation. Incentivizing the replacement of aging or insecure voting equipment will require funding. We are interested in the extent to which the President, through DHS and other agencies, intends to use this study to push out security reforms beyond the current voluntary framework.

¹ See *Remarks by President Trump and Prime Minister Löfven of Sweden in Joint Press Conference* (March 6, 2018), transcript available at <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-prime-minister-lofven-sweden-joint-press-conference/>.

² *Id.*

³ These states are Louisiana, Georgia, South Carolina, New Jersey, and Delaware, according to Verified Voting, *The Verifier – Polling Place Equipment November 2018*, available at <https://www.verifiedvoting.org/verifier/>.

Pursuant to Rule X(3)(g) and Rule XI of the Rules of the House of Representatives, we respectfully request you provide a written response to the following information, and whatever supplementary information you deem responsive, by March 21, 2018.

1. When did President Trump direct Federal agencies to undertake the “very, very deep study” on paper ballots. How did the President communicate to DHS that it would be responsible for performing this study? Did the President at any time convene, lead, or attend a meeting among DHS and its interagency partners for the specific purpose of discussing the need for the study on paper ballots and his objectives for it? Please provide the dates of any such meeting and the agencies represented.
2. What is the scope of President Trump’s study on paper ballots, and will it cover other aspects of election security, including strategies for deterring similar foreign interference in the future?
3. How would you describe the role that DHS plays in conducting the study, and which Federal agencies are participating? To what extent has this interagency effort consulted with and received input from election stakeholders at the state and local level?
4. Please describe the timeline of the President’s study on paper ballots, as well as any deliverables. How will the forthcoming recommendations be distributed to State and local officials, as well as to Congress?
5. What is the nature of DHS’ relationship with the 14 states that currently rely on voting tools and equipment that do not use paper ballots? How have officials from these states responded to the President’s study, and other DHS offers for cybersecurity assistance?

Thank you for your attention to this matter. If you have any questions, please contact Alison Northrop, Chief Director for Oversight, at alison.northrop@mail.house.gov or 202-226-2616.

Sincerely,



BENNIE G. THOMPSON
Member of Congress



ROBERT A. BRADY
Member of Congress