August 7, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Kevin K. McAleenan
Secretary (Acting)
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Attorney General Barr, Acting Secretary McAleenan, and Director Wray:

We write regarding the recent report by the Senate Select Committee on Intelligence, entitled “Russian Active Measures Campaigns and Interference in the 2016 U.S. Election.” Given the contents of the report, we respectfully request an updated briefing for Florida’s congressional delegation on Russian cyber activities directed at our state’s election system. We also wish to express our view that the lack of transparency throughout this process highlights the importance of H.R. 3529, the Achieving Lasting Electoral Reforms on Transparency and Security (ALERTS) Act, bipartisan legislation we introduced to require notification—to appropriate members of Congress, relevant state and local officials, and potentially affected voters—when an election system is breached and voter information may have been compromised.

The March 2019 Mueller report concluded that Russian government-affiliated cyber actors targeted individuals and entities involved in the administration of the 2016 U.S. election, including in Florida. The Mueller report stated that, in November 2016, Russian actors sent spearphishing emails to over 120 email accounts used by Florida county officials responsible for administering the 2016 election. The Mueller report said “the FBI believes that this operation enabled [the Russian government] to gain access to the network of at least one Florida county.”

In light of these findings, we sent a letter to Attorney General Barr and FBI Director Wray requesting a briefing for the members of the Florida congressional delegation. That briefing was held on May 16, 2019. During the briefing, the FBI informed us—and authorized us to reveal—that Russia had gained access to the election-related computer networks of at least two Florida counties.

In July, the Senate Select Committee on Intelligence released the first volume of a report on Russian interference in the 2016 election. The Committee reached out to 21 states that DHS had identified as potential targets of Russian government interference.
Based on public information, the evidence strongly suggests that Florida is “State 2” in the Senate report, although we cannot be certain about that conclusion. If this is the case, then the Senate report’s heavily-redacted discussion of State 2 raises a host of troubling new questions. For example, the report indicates that, in 2018, the FBI formally advised the Department of Homeland Security that the FBI “suspected compromises” of the election infrastructure of two additional Florida counties, referred to as “Counties C and D” in the Senate report.

In light of this and other new information contained in the Senate report, we believe a follow-on briefing for the members of the Florida congressional delegation is warranted when the House returns to session in September. Our offices will contact you to coordinate this briefing.

We continue to believe the secrecy surrounding this critically-important issue is unhelpful, and underscores the importance of amending federal law to require notification—to appropriate members of Congress, relevant state and local officials, and potentially affected voters—when an election system is breached and there is a basis to believe the breach resulted in voter information being altered or otherwise affected. We have introduced bipartisan legislation to establish a reasonable notification standard, the ALERTS Act. We believe our bill strikes the right balance between being forthcoming to the voting public, protecting voter confidence, and holding state and local officials accountable for their efforts to secure our elections—and that it should be enacted into law.

We look forward to scheduling a briefing in September on information contained in the Select Committee on Intelligence report pertaining to Florida.

Sincerely,

Stephanie Murphy
Member of Congress

Michael Waltz
Member of Congress