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California Secretary of State Alex Padilla calls on NSA to Share Critical Information About Russian Threats to U.S. Election Systems

SACRAMENTO – California Secretary of State Alex Padilla today expressed his “serious concern” that the NSA failed to share critical information about Russian threats to U.S. voting systems.

In a letter to Admiral Michael S. Rogers, Secretary Padilla questions why the NSA failed to provide America’s elections officials with critical information about clear threats to our elections. The letter follows last week’s leak of an NSA report outlining Russian attempts to “spear-phish” local elections officials across the United States.

“As the chief elections officer in the most populous state in the nation, I am seriously concerned about the NSA’s failure to provide timely and critical information to America’s elections officials,” Secretary of State Alex Padilla said.

“Why did America’s elections officials have to learn about details of this threat seven months after the fact, and as a result of a leaked document from an NSA contractor?” Padilla asks. Padilla argues that information sharing was a key justification for the Department of Homeland Security’s January 2017 designation of election infrastructure as critical infrastructure.

“The purpose of federal agencies designating elections as critical infrastructure and conducting surveillance on nefarious actors is undermined when the information collected is not shared on a timely basis with those who most need it. Failing to provide timely and critical threat information to elections officials places our democracy in harm’s way,” Padilla said.

“In his Senate testimony last week, former FBI Director James Comey made a stark warning about Russian attempts to meddle in our elections—‘they will be back.’”

“We must be prepared and remain vigilant,” Padilla said. “Proper preparation requires clear and consistent collaboration among federal, state, and local officials. The NSA cannot afford to sit on critical information that could be used to defend against cyber-attacks,” Padilla added.

Padilla, a graduate of MIT, also serves as co-chair of the Elections Committee for the National Association of Secretaries of State and as a member of the Department of Homeland Security's Election Infrastructure Cybersecurity Working Group. The working group works in coordination with the U.S. Election Assistance Commission, the National Institute of Standards and Technology, the U.S. Department of Justice, and the FBI.

The full text of the letter from Secretary Padilla to Admiral Rogers can be found below:

June 13, 2017

Admiral Michael S. Rogers
Director
National Security Agency
9800 Savage Rd., Suite 6272
Ft. George G. Meade, MD 20755-6000

Dear Admiral Rogers:

As the chief elections officer in the most populous state in the nation, I am seriously concerned about the National Security Agency's failure to provide timely and critical information to America's elections officials.

I also currently serve as co-chair of the Elections Committee for the National Association of Secretaries of State (NASS) and as a member the Department of Homeland Security's Election Infrastructure Cybersecurity Working Group. The stated purpose of the Working Group is to bring together federal, state, and local officials to ensure that critical information and cyber security best practices are being shared in a bipartisan and timely manner. We work in coordination with the U.S. Election Assistance Commission, the National Institute of Standards and Technology, the U.S. Department of Justice, and the Federal Bureau of Investigation.

Last year, heading into the presidential election, the FBI issued a nationwide alert regarding cyber targeting activity against state voter registration systems. This was helpful as states promptly worked with the Department of Homeland Security to ensure our systems were protected from such attacks. What is unclear now is whether the NSA possessed additional critical information prior to the 2016 Presidential Election that should have been shared with state and local elections officials in order to better defend ourselves against cyber intrusions.

Therefore, I request your response to the following questions:

- When did the NSA first receive documented threat intelligence information targeting our elections, including, but not limited to, the email spear-phishing campaign that is described in the recently leaked NSA report?
- Why was this information not promptly shared with our nation's election officials?
- The leaked report is dated May 5, 2017. Were you aware of these spear-phishing efforts or other efforts to breach election systems prior to the Presidential Election?
- Why did America's election officials have to learn about this threat seven months after the fact and as a result of a leaked document from an NSA contractor?
- What ongoing threats to our elections exist currently?

The security of our people and our democracy should be our absolute priority. Information-sharing was a key justification for the Department of Homeland Security's January, 2017 designation of election infrastructure as critical infrastructure. The purpose of federal agencies designating elections as critical infrastructure and conducting surveillance on nefarious actors is undermined when the information collected is not shared on a timely basis with those who most need it. Failing to provide timely and critical threat information to election officials places our democracy in harm's way.

Thank you for your attention to this matter. I look forward to your prompt reply.

Sincerely,

ALEX PADILLA
California Secretary of State

cc: The Honorable Mitch McConnell, Senate Majority Leader
The Honorable Charles Schumer, Senate Minority Leader
The Honorable Paul Ryan, Speaker, U.S. House of Representatives
The Honorable Nancy Pelosi, Leader, U.S. House of Representatives
The Honorable Richard Burr, Chair, U.S. Select Committee on Intelligence
The Honorable Mark Warner, Vice Chair, U.S. Select Committee on Intelligence
The Honorable Devin Nunes, Chair, House Permanent Select Committee on Intelligence
The Honorable Adam Schiff, Ranking Member, House Permanent Select Committee on Intelligence
The Honorable Dianne Feinstein, U.S. Senator
The Honorable Kamala Harris, U.S. Senator
California Congressional Delegation

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