

United States Senate

WASHINGTON, DC 20510

August 20, 2018

The Honorable Roy Blunt
Chairman
Committee on Rules and Administration
United States Senate
305 Russell Senate Office Building
Washington, DC 20510

The Honorable Amy Klobuchar
Ranking Member
Committee on Rules and Administration
United States Senate
305 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Blunt and Ranking Member Klobuchar:

As your Committee prepares to markup the *Secure Elections Act*, we request you include a requirement in the legislation to mandate disclosure of foreign ownership information by elections infrastructure vendors.

Last month the Federal Bureau of Investigation briefed the Maryland State Board of Elections and state officials about a vendor used by the Board to host various election systems. The vendor, ByteGrid LLC, hosts the statewide voter registration, candidacy and election management system, online voter registration system, online ballot delivery system, and the unofficial election night results website. Bytegrid did not disclose to state officials that it is financed by AltPoint Capital Partners, whose fund manager and largest investor is a Russian oligarch named Vladimir Potanin.

We therefore strongly supported the State of Maryland's bipartisan request from our governor and state legislative leaders for additional assistance from the Department of Homeland Security (DHS). We wrote as a bipartisan Congressional delegation requesting that the DHS's Office of Cybersecurity and Communications provide the State of Maryland with technical assistance to evaluate the network utilized by the Board. Specifically, DHS should assist the State of Maryland in evaluating network security, auditing network integrity, and providing additional support and services deemed necessary and appropriate by the Board.


We also recently asked Treasury Secretary Mnuchin to review the acquisition of ByteGrid in his role as Chairman of the Committee on Foreign Investment in the United States. The Congress recently enacted the *Foreign Investment Risk Review Modernization Act*, which allows CFIUS to review transactions and investments in critical infrastructure, including elections infrastructure. While we are hopeful that the Treasury Department's review will be able to provide additional information about this specific transaction, we are concerned about the implications of this case for elections across the country.

Given the unanimous assessment of the Intelligence Community that Russia interfered in our 2016 presidential election, all levels of our government must take every necessary precaution to preserve the security and integrity of America's free and fair elections. American elections are a hallmark of our democratic system and a cornerstone of the rule of law. Access to these systems by a foreign government could provide information for intelligence or other purposes adverse to U.S. national security interests. We appreciated your Committee's hearings in June and July on election security preparedness, which featured testimony from election vendors and local, state, and federal officials, as well as DHS and Election Assistance Commission (EAC) officials.

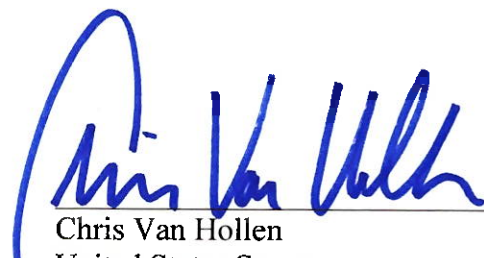
As the Rules Committee prepares to markup the *Secure Elections Act*, we respectfully request that you sponsor an amendment requiring that an election infrastructure vendor submit a report to the Chair of the EAC and the Secretary of DHS identifying any foreign national that directly or indirectly owns or controls the vendor, as well as any material change in ownership resulting in ownership or control by a foreign national.

We appreciate your time and attention to the concerns and proposals we have raised. Thank you for your kind consideration and for your critical, bipartisan work you to enact meaningful legislation to secure American elections.

Sincerely,



Benjamin L. Cardin
United States Senator



Chris Van Hollen
United States Senator