Congress of the United States
Washington, DC 20515

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Dear Mr. Nix, Mr. Parscale, Mr. Lundry, Mr. Meyers, and Mr. Lakin:

It is now clear that Russian interference with the 2016 presidential election involved the careful targeting of certain voters through social media and other online platforms.[1] This targeting appears to have been executed with an extraordinary level of precision that suggests a deep familiarity with American voter preferences and habits and exceeds the reported capabilities of foreign cyber operations. As we assess legislation that addresses whether American businesses directly engaged with known hostile foreign actors such as Wikileaks, cooperated with foreign governments, or used misappropriated data, it is important we understand what happened. Given your expertise and involvement with presidential campaigns, we are writing to seek additional information on this matter.

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[1] *See e.g.,* Manu Raju et al., *Exclusive: Russian linked Facebook ads targeted Michigan and Wisconsin*, CNN, Oct. 4, 2017; Donie O'Sullivan & Dylan Byers, *Even Pokemon Go used by extensive Russian-linked meddling effort*, CNN, Oct. 13, 2017

The Russian government's campaign appears to have been an orchestrated attack that involved, among other actions, the theft of digital files from the Democratic National Committee and attempts to gain unlawful access to the personal information of millions of Americans.[2] The operation also may have gained or attempted to gain unauthorized access to data from voter registration systems across the country.[3] As a result, the Russian government may have been in a position to obtain information from the hacked voter rolls;[4] from stolen swing-state voter analysis;[5] through meetings with Russian operatives;[6] through information acquired by hostile non-state intelligence actors,[7] or from the leaked RNC voter database.[8]

Russian agents reportedly used sophisticated targeting to "sow discord in a very granular nature."[9] Social media companies like Facebook and Twitter have disclosed the existence of thousands of fake accounts and advertisements designed to spread divisive political information and targeted at key audiences in certain swing states.[10] These social media advertisements—many generated overseas and amplified by automated "bots"—

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[2] *See e.g.*, Andrew Kramer & Andrew Higgins, *In Ukraine, a malware expert who could blow the whistle on Russian hacking*, N.Y. TIMES, Aug. 16, 2017. *See also* OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE, INTELLIGENCE COMMUNITY ASSESSMENT: ASSESSING RUSSIAN ACTIVITIES AND INTENTIONS IN RECENT US ELECTIONS (Jan. 6, 2017).

[3] Massimo Calabresi, *Inside the secret plan to stop Vladimir Putin's U.S. election plot*, TIME, July 20, 2017. *See also* Geoff Mulvihill & Jake Pearson, *Federal government notifies 21 states of election hacking*, WASH. POST, Sept. 23, 2017.

[4] Nicole Perlroth et al., *Russian election hacking efforts, wider than previously known, draw little scrutiny*, N.Y. TIMES, Sept. 1, 2017.

[5] Berzon & Barry, *How alleged Russian hacker teamed up with Florida GOP operative*, WALL STREET J.; Andrew Kramer & Andrew Higgins, *In Ukraine, a malware expert who could blow the whistle on Russian hacking*, N.Y. TIMES, Aug. 16, 2017.

[6] *See e.g.*, Rebecca Ballhaus, *Jared Kushner details Russia meetings, denies collusion*, WALL STREET J., July 24, 2017; Alan Neuhauser, *Documents were exchanged in Donald Trump Jr.'s Russia meeting*, U.S. NEWS, July 14, 2017.

[7] Betsy Woodruff, *Trump data guru: I tried to team up with Julian Assange*, DAILY BEAST, Oct. 25, 2017.

[8] Selena Larson, *Data of almost 200 million voters leaked online by GOP analytics firm*, CNN TECH, June 19, 2017.

[9] Sonam Sheth, *New evidence emerges that Russia infiltrated Facebook to sow political chaos in the US*, BUS. INSIDER, Sept. 28, 2017.

[10] Ben Collins et al., *Russia's Facebook fake news could have reached 70 million Americans*, DAILY BEAST, Sept. 8, 2017 and Elizabeth Dwoskin et al., *Twitter finds hundreds of accounts tied to Russian operatives*, WASH. POST, Sept. 28, 2017. *See also* Dylan Byers, *Russian-bought Black Lives Matter ad on Facebook targeted Baltimore and Ferguson*, CNN MONEY, Sept. 28, 2017; Adam Entous et al., *Russian Facebook ads showed a black woman firing a rifle, amid efforts to stoke racial strife*, WASH. POST, Oct. 2, 2017; and Ben Collins et al., *Russians impersonated real American Muslims to stir chaos on Facebook and Instagram*, DAILY BEAST, Sept. 27, 2017.

may have reached as many as 70 million Americans.[11] Google has recently uncovered Russian-purchased election disinformation ads across many of its products, including YouTube, Google search, and its Doubleclick ad service.[12] In the days leading up to the election, "fake news"—some of which originated from sites based in Albania and Macedonia[13]—accounted for more than 46 percent of the political news shared in Michigan via Twitter.[14]

An open question remains, however, as to how the targeting of these advertisements and news stories was directed from the ground. It appears that the Russians themselves did not know how to maximize the impact of the information they wanted to disseminate. As one GOP operative in Florida explained when he received a set of documents stolen from the Democratic Congressional Campaign Committee and sent to him through a Russian cut-out, "as someone who actually knows what some of these documents mean … I realized it was a lot more than even Guccifer knew that he had."[15]

Because of this capability gap, experts have suggested this type of data manipulation could have been provided only by seasoned American political operatives with access to a sophisticated data analytics operation, as well as detailed and granular knowledge of American voter preferences.[16] Former Deputy Assistant Secretary of Defense Mike Carpenter stated, "There appears to have been significant cooperation between Russia's online propaganda machine and individuals in the United States who were knowledgeable about where to target the disinformation."[17] When asked about Russia's expertise in microtargeting in swing states such as Wisconsin, Former CIA Director John Brennan said, "It's hard for me to believe the Russians—as good as they are, as sophisticated as they are on a program like this—were not able to get some

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[11] Collins, *supra* note 5.

[12] Elizabeth Dwoskin & Adam Entous, *Google uncovers Russian-bought ads on YouTube, Gmail and other platforms*, WASH. POST, Oct. 9, 2017 ("The discovery by Google is also significant because the ads do not appear to be from the same Kremlin-affiliated troll farm that bought ads on Facebook.").

[13] Ian Soares, *The fake news machine: inside a town gathering up for 2020*, CNN MONEY ("Over 100 websites were tracked here during the final weeks of the 2016 U.S. election campaign, producing fake news that mostly favored [] Trump.").

[14] Collins, *supra* note 5. ("Trump-related online traffic significantly outpaced Clinton-related traffic over the course of the eleven day period" preceding the election in Michigan.). *See also* Julian Borger, *Investigators explore if Russia colluded with pro-Trump sites during US election*, THE GUARDIAN, July 5, 2017.

[15] Alexandra Berzon & Rob Barry, *How alleged Russian hacker teamed up with Florida GOP operative*, WALL ST. J., May 25, 2017.

[16] Chris Strohm, *Russia needed help targeting US voters, two former CIA leaders say*, BLOOMBERG, Oct. 4, 2017. *See also* Philip Bump, *The investigation goes digital: Did someone point Russia to specific online targets?*, WASH. POST, July 12, 2017.

[17] *Id.*

Americans to cooperate with them either wittingly or unwittingly. I find it implausible."[18] Former Acting CIA Director Michael Morrell concurred with his colleagues' assessment when he stressed, "They do not have the analytic capability to do that themselves."[19]

Your firms provided services relating to data analytics and voter preference analysis to the Trump campaign under a data operation managed in large part by Jared Kushner. The campaign hired Giles-Parscale to run its San Antonio-based internet operation to maximize merchandise sales, heighten voter outrage, and discourage voter turnout in certain segments of the population.[20] Cambridge Analytica provided the analysis to help choose the right targets for directed advertisements and other online media.[21] The republican data firms Deep Root Analytics, TargetPoint, and Data Trust "were among the RNC-hired outfits working as the core of the Trump campaign's 2016 general election data team."[22]

Mr. Kushner has credited President Trump's victory in large part to the services your firms provided, which included mapping specific voter blocks, building thousands of customized online ads, and targeting voters on immigration, and the services provided by pro bono volunteers.[23] In fact, a profile of Mr. Kushner characterized the data operation as one that "dictated every campaign decision: travel, fundraising, advertising, rally locations—even the topics of the speeches."[24] Mr. Parscale credited Facebook's micro-targeting abilities and having Facebook staff embedded in his campaign as key to

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[18] John Brennan, Director of the Central Intelligence Agency, Today's Global Security Landscape: A Convo with John Brennan and David Ignatius, Remarks before the Fordham School of Law Center on National Security (Oct. 18, 2017).

[19] Strohm *supra* note 15.

[20] *See* Joel Winston, *How the Trump campaign built an identity database and used Facebook ads to win the election*, MEDIUM, Nov. 18, 2016 ("Trump campaign used data to target African Americans and young women with $150 million dollars of Facebook and Instagram advertisements."); Kate Brannen, *Did Russians target democratic voters with Kushner's help?*, NEWSWEEK, May 23, 2017; Steve Bertoni, *How Jared Kushner won Trump the White House*, FORBES, Nov. 22, 2016; Joshua Green and Sasha Issenberg, *Inside the Trump bunker, with days to go*, BLOOMBERG, Oct. 27, 2016 ("We have three major voter suppression operations under way. They're aimed at three groups Clinton needs to win overwhelmingly: idealistic white liberals, young women, and African Americans.").

[21] *See* Joshua & Green, *supra note* 12; Max Bergmann, *How Facebook could crack the Trump-Russia case*, JUST SECURITY, Sept. 19, 2017; Kate Brannen, *Did Russians target Democratic voters, with Kushner's help?*, NEWSWEEK, May 23, 2017.

[22] Kate Kaye, *How the Trump camp's data inexperience helped propel his win*, ADAGE, Dec. 14, 2016.

[23] "I called some of my friends from Silicon Valley who were some of the best digital marketers in the world. And I asked them how [to] scale this stuff. They gave me their subcontractors." Bertoni, *Exclusive Interview: How Jared Kushner won the White House*, FORBES, Nov. 22, 2016.

[24] *Id.* ("[Kushner] put all the different pieces together").

President Trump's victory.[25] While Mr. Kushner accepted credit for the campaign's data analysis and real-time targeting, others outside and within the campaign, including Cambridge Analytica executives, have downplayed these efforts.[26]

The prospect that any American company may have aided a foreign government, worked with hostile foreign actors, or benefited from unlawfully accessed information is concerning and could impact the consideration of ongoing legislation. Accordingly, we ask that you provide information and documents in response to the following questions:

1. Please describe the services you and your firm provided to any presidential campaign or national political committee. Please include copies of FEC disclosure reports, contributions by political action committees,[27] quarterly distributions or summary of payments related to services rendered to any 2016 presidential campaign.

2. At any time during the 2016 presidential campaign, did your firm receive information from a foreign government or foreign actor, either directly or through an intermediary, which played any role in the service you provided?

3. At any time during the 2016 presidential campaign, did your firm provide information to a foreign government or foreign actor, either directly or through an intermediary?

4. At any time during the 2016 presidential campaign, did your firm utilize any data that may have been obtained by a third party without authorization?

5. Please describe each instance in which your firms received or shared a data set or related work product during the 2016 presidential campaign, including the dates on which the campaign received or shared a data set.

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[25] "Secret Weapon," 60 MINUTES (CBS Broadcast Oct. 8, 2017) ("Twitter is how [Trump] talked to the people, Facebook was going to be how he won.")

[26] Cambridge previously claimed the "secret sauce" to its success was in unique "psychographic profiles" assessing every eligible voter culled from social media. Cambridge executives have since admitted to using traditional methods, and test models show Cambridge's models were less effective than existing RNC systems. Nicholas Confessore & Danny Hakim, *Data firm says 'secret sauce' aided Trump; many scoff*, N.Y. TIMES, Mar. 6, 2017. Cadwalladr, *The great British Brexit robbery: how our democracy was hijacked.*

[27] *See* Letter from Campaign Legal Center to Federal Election Commission (Apr. 12, 2017) (Campaign Legal Center's complaint in FEC No. MUR 7147alleged "Make American Number 1 appeared to have paid compensation to Trump Campaign CEO Steve Bannon via payments to Cambridge Analytica and Glittering Steel LLC.");

6. At any time during the 2016 presidential campaign, did your firm utilize data obtained from any of the 21 state voting systems that were attacked or compromised by the Russian government?[28]

7. What are the capability gaps the Russians would have needed to seek outside help in order to target discrete populations of likely voters if they lacked a sophisticated understanding of American voter data and political demographics?

8. Given what you know now about Russian efforts to influence the election, how significant is the overlap between voters targeted by the Russian government and voters you targeted on behalf of clients during the 2016 presidential campaign?

9. During the 2016 presidential campaign, did your firm ever coordinate, facilitate, or seek outside assistance for the dissemination of online media—"fake news" or otherwise—that you knew to have been generated outside of the United States?

10. During the 2016 presidential campaign, did your firm ever facilitate, disseminate, or promote news or information that was suspected or known to be false?

11. During the 2016 presidential campaign, were your firm's information systems ever compromised? If so, please provide details regarding your analysis of what information was compromised and who compromised your systems.

12. Cybersecurity firm Kaspersky Lab—now banned from U.S. government use—was infiltrated by Russian government hackers searching for the code names of American intelligence programs.[29] Trump campaign official and former National Security Advisor Michael Flynn was paid more than $10,000 by Kaspersky in 2015.[30] In the past decade, has your firm purchased or used any product manufactured or sold by Kaspersky Lab? At any time did any 2016 presidential campaign official request that your firms use or install any product manufactured or sold by Kaspersky Lab?

13. VR Systems is an election software and device provider to at least eight states, and in October its system was compromised by a GRU cyber-operation, who then used the information to direct a spear-phishing campaign against state election

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[28] Sari Horwitz et al., *DHS tells states about Russian hacking during 2016 election*, WASH. POST, Sept. 22, 2017.

[29] Nicole Perlroth & Scott Shane, *How Israel caught Russian hackers scouring the world for U.S. secrets*, N.Y. TIMES, Oct. 10, 2017.
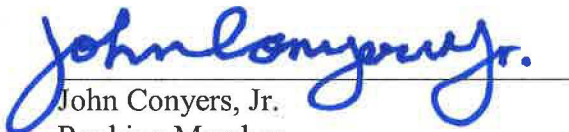
[30] Taylor Hatmaker, *Kaspersky Lab paid former national security advisor more than $10,000*, TECH CRUNCH, Mar. 16, 2017; Chad Day & Stephen Braun, *Flynn details tie to data firm, transition pay in revised financial filing*, AP, Aug. 3, 2017.

officials.[31] At any time during the 2016 presidential campaign, did your firm have contact with VR Systems or any individual claiming to provide access or information related to VR Systems?

14. Please provide a list of all employees who had access to data within your organization related to the 2016 presidential campaign, including their names and roles in your digital operation.

15. Please provide a list of all "pro bono" volunteers who had access to data within your organization related to the 2016 presidential campaign, including their names and their roles in your digital operation.

We thank you for your prompt attention to this matter and ask that you respond no later than November 9, 2017.

Sincerely,

John Conyers, Jr.
Ranking Member
House Committee on the Judiciary

Elijah E. Cummings
Ranking Member
House Committee on Oversight
and Government Reform

cc: Bob Goodlatte, Chairman, House Committee on the Judiciary
    Trey Gowdy, Chairman, House Committee on Oversight and Government Reform

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[31] Massimo Calabresi, *Inside the secret plan to stop Vladimir Putin's U.S. election plot*, TIME, July 20, 2017.