

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<http://oversight.house.gov>

January 11, 2017

The Honorable Jeh C. Johnson
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Mr. Secretary:

Today we wrote to the Inspector General of the Department of Homeland Security (DHS) to request an investigation of recent allegations by Georgia Secretary of State Brian Kemp that DHS conducted unauthorized scans of the Secretary of State's computer network.

The Department may be in possession of records which are relevant to such an investigation or an inquiry by the Committee. Letters Secretary Kemp sent you and the President-Elect describe a series of ten incidents between February 2, 2016, and November 15, 2016, that he identified as unauthorized scans of his office's network.¹ Your response to Secretary Kemp, dated December 12, 2016, explains the incident identified in Secretary Kemp's initial letter as "normal . . . interaction" by a DHS contractor with the Georgia Secretary of State's website."² However, your response lacked sufficient information to validate or verify that determination and was caveated as an "interim response . . . subject to change."³ Therefore, we requested the Inspector General conduct an independent investigation of these incidents.

To ensure the integrity of such an investigation, please preserve all documents that can reasonably be anticipated to be subject to a request for production by the Committee on Oversight and Government Reform or the Inspector General. Specifically, preserve all such documents, communications, and other data ("electronic records"), including, but not limited to, those transmitted to or from the workstation and devices operated by the contractor identified in your letter of December 12, 2016; to or from any system owned or operated by the Georgia Secretary of State; through the DHS network gateway with the IP address of [REDACTED] and/or referring or relating to network activity on or about:

¹ Letter from Brian P. Kemp, Sec'y of State, Georgia, to Jeh C. Johnson, Sec'y of Homeland Sec., U.S. Dep't of Homeland Sec. (Dec. 8, 2016); Letter from Brian P. Kemp, Sec'y of State, Georgia, to Jeh C. Johnson, Sec'y of Homeland Sec., U.S. Dep't of Homeland Sec. (Dec. 13, 2016); Letter from Brian P. Kemp, Sec'y of State, Georgia, to Donald Trump, President-Elect (Dec. 13, 2016).

² Letter from Jeh C. Johnson, Sec'y of Homeland Sec., U.S. Dep't of Homeland Sec. to Brian P. Kemp, Sec'y of State, Georgia (Dec. 12, 2016).

³ *Id.*

1. February 2, 2016, at 13:03 CST;
2. February 28, 2016, at 13:19 CST;
3. May 23, 2016, at 08:42 CDT;
4. September 12, 2016, at 11:52 CDT;
5. September 28, 2016, at 07:54 CDT;
6. October 3, 2016, at 10:41 CDT;
7. October 6, 2016, at 10:14 CDT;
8. November 7, 2016, at 12:15 CST;
9. November 8, 2016, at 07:35 CST; or
10. November 15, 2016, at 07:43 CST.

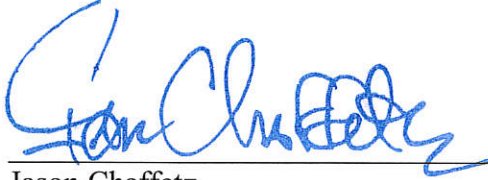
Electronic records should be construed broadly and includes log files; captured packets and packet header information; digital files and associated metadata; cached webpages; notes, reports, emails, presentations, graphics, or memoranda of investigations; and data captured by security devices and systems such as the National Cybersecurity Protection System. For the purposes of this request, “preserve” means taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, or mutation of electronic records, as well as negligent or intentional handling that would make such records incomplete or inaccessible. Further, we request that you:

1. Exercise reasonable efforts to identify and notify former employees and contractors, subcontractors and consultants who may have access to such electronic records that they are to be preserved;
2. Exercise reasonable efforts to identify, recover, and preserve any electronic records which have been deleted or marked for deletion but are still recoverable; and
3. If it is the routine practice of any agency employee or contractor to destroy or otherwise alter such electronic records, either halt such practices or arrange for the preservation of complete and accurate duplicates or copies of such records, suitable for production, if requested.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at “any time” investigate “any matter” as set forth in House Rule X.

The Honorable Jeh C. Johnson
January 11, 2017
Page 3

Please contact Liam McKenna of the Committee staff at (202) 225-5074 to confirm that you have preserved the records covered by this request, or with any questions. Thank you for your attention to this matter.



Jason Chaffetz
Chairman

Sincerely,



Jody B. Hice
Member of Congress

cc: The Honorable Elijah E. Cummings, Ranking Minority Member

The Honorable John Roth, Inspector General, Department of Homeland Security

The Honorable Brian P. Kemp, Secretary of State of Georgia