

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing titled "Election Interference:
Ensuring Law Enforcement is Equipped to Target Those Seeking to Do Harm"
June 12, 2018**

Thank you to everyone for being here today.

For many months now, we have been aware that foreign actors attempted to interfere in our democracy by spreading false or inflammatory rhetoric to the electorate, and by attempting to hack our electoral systems themselves. Our hearing today will again focus on what actions we can take to help prevent that from happening again – in particular, what tools we can provide law enforcement to investigate and prosecute those who seek to do us harm.

The great threat posed by foreign meddling in our elections has led to many responses from within our government. First and foremost, the Department of Homeland Security has been on the front lines trying to bolster state and local election infrastructure. In January 2017, DHS designated our election systems as critical infrastructure. That designation supported two cybersecurity-related purposes: (1) election officials, upon request, would be a top priority for the receipt of DHS's service; and (2) election infrastructure would receive the benefit of various domestic and international cybersecurity protections.

Moreover, DHS has worked to share classified and non-classified cybersecurity risk information with state and local officials. DHS has formed several working groups and task forces to develop plans for election infrastructure security, working not only with state and local election officials, but also the private sector to help generate best practices and solutions. And DHS has continued to work to strengthen partnerships with state and local election officials.

Nevertheless, elections are controlled by the states. That means these partnerships are completely voluntary. That puts the onus on the states to seek help from, and cooperate with, the federal government. If they don't, DHS can't help.

Other responses from the government include President Trump's decisions to levy sanctions against Russian organizations and individuals that participated in election interference. In March 2018, the Treasury Department targeted five entities and 19 individuals, including the Internet Research Agency and individuals associated with it. In April, the Administration imposed additional sanctions on seven Russian oligarchs and top government officials for interference in the 2016 election and other aggressions. Among the individuals sanctioned was Oleg Deripaska, an individual who had close ties to former Trump campaign manager Paul Manafort. Also in March of 2018, President Trump expelled 60 Russian diplomats in the U.S.—the largest such expulsion in U.S. history.

On the criminal front, this past February the Special Counsel charged several Russian entities with crimes associated with an effort to interfere in the U.S. election process.

Congress has devoted substantial attention to the issue as well. Some have complained about alleged inaction, particularly within our own Committee. To the contrary, in the Judiciary Committee alone, we have held no less than five hearings addressing this particular issue. This will be our sixth hearing regarding Russian and other foreign interference in our elections since the last election.

Other Hearings

- **On March 15, 2017**, “The Modus Operandi and Toolbox of Russia and Other Autocracies for Undermining Democracies Throughout the World.”
- **On May 3, 2017**, FBI Oversight. Former FBI Director James Comey answered questions relating to Russia’s involvement in the 2016 election.
- **On May 8, 2017**, “Russian Interference in the 2016 United States Election.” Former Deputy Attorney General Sally Yates and former Director of National Intelligence James Clapper testified.
- **On July 26, 2017**, the “Oversight of the Foreign Agents Registration Act and Attempts to Influence U.S. Elections: Lessons Learned from Current and Prior Administrations.” That hearing followed a DOJ Inspector General report which recommended several initiatives to improve the Foreign Agents Registration Act. I incorporated those recommendations in creating and introducing S. 2039, the *Disclosing Foreign Influence Act*, which would help DOJ better investigate foreign agents improperly seeking to influence our policies and elections.
- **On October 31, 2017**, “Extremist Content and Russian Disinformation Online: Working with Tech to Find Solutions.”

On the legislative front, there have been no fewer than 18 pieces of legislation proposed to combat different angles of the foreign election meddling issue in the Senate alone. However, only one has been referred to the Judiciary Committee. I’ve cosponsored the *Disclosing Foreign Influence Act*, as well as the *Shell Company Abuse Act*, with Senators Whitehouse, Durbin, and Graham. This second bill, if enacted into law, would criminalize concealing activities of a foreign national in connection with contributions or donations to campaigns or electioneering communications.

In addition to the bills offered into the Senate, 16 have been offered in the House, and there have been many hearings in many other committees.

DHS and DOJ have been working hard to formulate the best response to this challenge, and to investigate and prosecute those targeting our elections. Experts and academics have also weighed in with thoughts on how best to protect our elections as we move towards November 2018. We will hear from some of them today.

As I mentioned earlier, our hearing is focused very squarely on this issue: are there additional steps we can take within the jurisdiction of the Judiciary Committee that will meaningfully assist law enforcement to deter, prevent, investigate or punish foreign actors who seek to meddle in our elections?

It's important to note that the Federal Election Campaign Act – which is not even within Judiciary's jurisdiction – is a comprehensive framework designed to address illegal campaign and election-related activities. FECA provides many of the answers to enforcement.

In Title 18, and as the Mueller indictment suggests, many of the existing statutes already address this behavior: Wire Fraud, Bank Fraud, Aggravated Identity Theft, FARA, and the Computer Fraud and Abuse Act, to name a few.

New problems sometimes call for new solutions. Sometimes they can be addressed by existing laws. Ultimately, the answer may be that no new law needs to be created; or that only a few small changes are necessary. These are perfectly acceptable answers. But that does not mean we should not ask the question. So, we are here to ask it.