



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

Washington, D.C. 20223

July 19, 2022

The Hon. Bennie G. Thompson
Chairman, Select Committee to Investigate the January 6th Attack on the United States Capitol
United States House of Representatives
Washington, DC 20515

Dear Chairman Thompson:

I am writing in response to the July 15, 2022 subpoena the Select Committee to Investigate the January 6th Attack on the United States Capitol ("Select Committee") issued to the United States Secret Service ("Secret Service").

The Secret Service remains deeply committed to ensuring that you have timely access to all relevant information you require. In addition to the efforts the Secret Service has taken, and will continue to take, to respond to this subpoena, the agency will make subject matter experts available to brief the Select Committee regarding its Intune migration, records preservation policies, and any other information relevant to the concerns raised in your July 15, 2022 letter—or otherwise relevant to the Committee's investigation. The Secret Service also will ensure the Select Committee has prompt access to other relevant documents and information regarding January 6th that are not addressed in the subpoena, to include copies of agency records provided to the Department of Homeland Security's Office of Inspector General (OIG) related to its January 6th inquiry. Further, the Secret Service is continuing to take additional steps to identify and preserve all records that may be germane to the work of the Committee, and to ensure the Committee continues to have the Secret Service's thorough and expeditious support as it continues its work.

The attached is our initial production, which totals 10,569 pages. Meanwhile, the search for additional responsive records continues, and additional, relevant information will be made available as quickly as possible. A summary of the responsive information and the steps the agency is taking to identify additional responsive material is below.

1. For the time period November 1, 2020, to January 31, 2021, all documents and communications relating to the January 5th and 6th, 2021 text messages that were erased as part of a USSS device-replacement program, including the messages themselves.

The Intune migration process began on January 27, 2021. The agency instructed employees on how to preserve content on their phones on January 25, 2021. Users were given those instructions on how to save information that they were obligated or desired to preserve so that no pertinent data or federal records would be lost. We are currently unaware of text messages issued

by Secret Service employees between December 7, 2020 and January 8, 2021 requested by OIG that were not retained as part of the Intune migration. The Secret Service continues to engage in extensive efforts to further assess whether any relevant text messages sent or received by 24 individuals identified by the DHS OIG were lost due to the Intune migration and, if so, whether such texts are recoverable. These efforts include the pulling of any available metadata to determine what, if any, texts were sent or received on the devices of the identified individuals on January 5 and January 6, forensic exams of any available devices that were used by the identified individuals, and additional follow up interviews with the identified users to determine if messages were stored in locations that were not already searched by the Secret Service. We will share the results of these additional investigative steps with the Committee as soon as they are available.

2. For the time period November 1, 2020, to January 31, 2021, all documents and communications concerning the operation, support, implementation, notice, and execution of the USSS' device replacement program and/or "pre-planned, three-month system migration" including but not limited to planning documents, standard operating procedures, USSS policies (permanent and interim), notices to USSS employees, and milestone efforts.

The attached includes identified documents related to the implementation of the Microsoft Intune migration, to include planning documents, Secret Service policies, notices to employees, and milestone documents. We will continue to search for other potentially relevant communications and notices, which we will share with the Committee as soon as they are available.

As described in the attached "O365 Capabilities Rollout Schedule" document, the Secret Service's planning for the mobile device migration, to include a migration to the full suite of Microsoft O365 applications, began in Fall 2020.

In September 2020, the Secret Service Office of the Chief Information Officer (OCIO) reached out to Microsoft to engage with Intune experts on the feasibility of Intune use within our agency. Intune is a commercially available mobile device software management application. It allows organizations to remotely manage its mobile devices and applications on those devices. In November 2020, initial technical feasibility testing was completed regarding Intune.

On December 16, 2020, OCIO briefed the Chief Operating Officer on the O365 rollout plan. The plan called for Intune migration to be done first, as doing so would facilitate a smoother rollout of the rest of the Microsoft O365 suite of applications (e.g., OneDrive, Exchange Online, etc.). During the December meeting, it was determined that the mobile device migration would begin in late January 2021.

From December 17, 2020, to January 24, 2021, planning and testing of Intune continued, including further refinement of guidance to agency users on how to preserve records.

On January 25, 2021, an agency-wide Official Message (OM), which is attached to this letter, was sent notifying all Secret Service offices of the Intune migration plan and instructions for

employees to self-enroll (i.e., self-install) their devices. The OM included an internal link that provided a step-by-step guide for employees to preserve mobile device content, to include text messages, prior to the migration of their mobile devices. A copy of the guide titled "USSS Preserve Content Guide for iPhone & iPad" is included with this letter.

On January 27, 2021, a phased Secret Service-wide migration to Intune was initiated. If employees did not self-install Intune on their phones, they received a second email notification reminding them to self-enroll one week prior to the mandatory enrollment date. Mandatory enrollment/installation dates were determined by the OCIO based on the employee's office assignment and agency operational tempo. The Intune migration was completed on April 1, 2021.

3. For the time period November 1, 2020, to January 31, 2021, all documents and communications concerning the routine backup and/or saving of all USSS generated electronic information to USSS or Department servers for the purposes of normal continuity of operations within the USSS, including but not limited to planning documents, standard operating procedures, USSS policies (permanent and interim) notices to USSS employees, and milestone efforts.

The following relevant documents are attached and we continue to search for other potentially relevant communications and notices, which we will share with the Committee as soon as they are available.

The Secret Service policy relevant to the retention of electronic records is titled "GRS-06(01), Management of E-Mail and Other Electronic Message Records." This policy is based on and consistent with the Federal Records Act and its related regulations, as well as the specific guidance contained in National Archives and Records Administration (NARA) Bulletin 2015-02, "Guidance on Managing Electronic Messages" and the NARA publication "Documenting Your Public Service." This policy is also consistent with DHS Policy Directive 141-03, "Electronic Records Management Updates for Chat, Text, and Instant Messaging."

All Secret Service employees are responsible for appropriately preserving government records, including electronic records that may be created via text messaging. This responsibility is outlined in "RPM-01, Secret Service Records Management Program," and employees are required to both certify that they understand this policy when they enter duty and on an annual basis. Additionally, employees are required to complete annual training in records management via the Secret Service's online training platform. The workforce also receives communications related to record retention responsibilities as part of general awareness campaigns, along with reminders tied to specific events.

4. For the time period November 1, 2020, to the present, all documents and communications concerning any after action, mission assurance inquiries, or post action reports concerning the events of January 6, 2021, and events leading up to that day.

The Secret Service is providing after action reports, a timeline, and policy updates made in response to post-incident reviews. The reports are from several Secret Service operational directorates and divisions. For comparison purposes, we have included in this production copies of both the revised policies and those that were in effect on January 6, 2021.

Additionally, we note that the Office of Protective Operations classified the relocation of Vice President Pence while at the Capitol as an Unusual Protective Event (UPE). An official message identifying the UPE and the actual UPE document are included in this production.

The Strategic Intelligence and Information directorate authored post-event summaries of demonstrations in support of former President Trump in November and December of 2020, as well as a Protective Intelligence Brief titled "March for Trump." The Countersurveillance Division conducted after action reports of operations on January 6, 2021. These reports are also included.

5. To the extent not covered by the above requests, for the time period November 1, 2020, to the present, all documents and communications whenever dated provided to or received from any other investigatory bodies, including, but not limited to, Senate or House Committees, the Government Accountability Office, or any law enforcement agency, related to the facts and circumstances of the topics that are the subject of any of the above requests.

The Secret Service has disclosed voluminous amounts of agency records and information in response to Department of Homeland Security's Office of Inspector General (DHS OIG) requests. These included, among other things, hundreds of thousands of disclosures of agency documents, policies, radio communications, emails, briefings and interviews.

On June 11, 2021, DHS OIG specifically requested text messages sent or received by 24 Secret Service personnel during the period of December 7, 2020, through January 8, 2021. The Secret Service submitted the responsive records it identified, namely, a text message conversation from former U.S. Capitol Police Chief Steven Sund to former Secret Service Uniformed Division Chief Thomas Sullivan requesting assistance on January 6, 2021, and advised that the agency did not have any further records responsive to DHS OIG's request for text messages. As set forth in item one above, the Secret Service is further researching whether any relevant text messages sent or received by the 24 identified individuals were lost due to the Intune migration and, if so, whether such texts are recoverable.

Please be advised that the agency is providing the attached materials without redaction in an effort to be as responsive as possible as quickly as possible. Some of the information contained in these materials is law enforcement sensitive as it reflects Secret Service protective techniques and protocols. Accordingly, we ask that the Select Committee consult with us prior to disclosing the attached agency information to third parties or the public.

As described above, we will continue working closely with you to fully support your investigation and remain deeply committed to ensuring you have access to all relevant information needed to continue your work. We will make additional information available to you as expeditiously as possible and remain committed to making all relevant subject matter experts available for further briefings with the Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Rowe, Jr.', with a long horizontal flourish extending to the right.

Ronald L. Rowe, Jr.

Assistant Director

Office of Intergovernmental Affairs and Legislative Affairs

Attachments