



Testimony submitted to the Joint Committee on Election Laws
In Opposition to H.704 An Act relative to voting overseas and
H.709 An Act relative to UOCAVA voting
By Linda Freedman, LWVMA Specialist on Elections and Voting
June 20, 2019

The League of Women Voters of Massachusetts opposes the transmission by internet of completed absentee ballots by overseas voters as defined in the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVO). The League accepts sending official blank ballots and other election-related documents to overseas voters electronically. But completed ballots should not be transmitted electronically.

The League opposes H.704 and H.709, which would authorize changes in the rules and processes for UOCAVO internet and fax voting. If adopted, either of these bills could encourage greater use of the internet for voting by qualified overseas residents from Massachusetts.

Electronic ballots are targets for hackers who can change the results of an election by altering and deleting votes. With so much at stake in elections, we should not underestimate the sophistication and tenacity of determined hackers to penetrate and manipulate electronic ballots. Foreign governments, other entities such as ISIS, and special interests and candidates or parties could attack secure websites and emails with attached marked ballots. Successful penetrations can be difficult to locate and may escape detection.

Electronic voting for overseas voters is a serious cybersecurity threat to the integrity of our elections. In Massachusetts, it was included in an omnibus veteran's bill without adequate consideration of risks. It was intended both for the convenience of the voter and for shorter delivery time of ballots from overseas civilian and military voters.

Since Massachusetts and other states enable internet voting for qualified overseas citizens, the security and secrecy of the ballot is sacrificed at the altar of convenience and speed. The required waiver of secret ballot can expose these voters to intimidation, manipulation, and vote buying. There is no paper trail for these ballots.

There is scant evidence that an electronic option is needed for sending marked absentee ballots to election offices. The Military and Overseas Voter Act, the MOVE act of 2009, requires the rapid delivery of blank ballots electronically 45 days before a federal election. This provides adequate time to receive and return ballots from remote locations. UOCAVO voters may request and receive voter registration and absentee ballots electronically. The MOVE Act designates the U.S. Post Office for collection and expedited delivery of marked absentee ballots from uniformed overseas voters for federal elections. The expedited service is free for overseas military voters. <https://www.fvap.gov/uploads/FVAP/Policies/moveact.pdf>

The Military Postal Service Agency analyzed the delivery of ballots in the 2010 general election. The overall transit time was 5.2 days. According to the report, 92% of absentee ballots posted in military post offices reached election offices within 7 days. All but 118 marked ballots were delivered 20 days after posting while 23,782 arrived earlier. These 118 ballots were likely to have come from Iraq and Afghanistan when troop levels were higher than today. In Broken Ballots, Will your Vote Count, recognized computer scientists Dr. Barbara Simons and Dr. Douglas Jones warned that an insecure system is not a solution and is a "major disservice to the people it is intended to help."

Dr. David Dill, a Stanford computer scientist and voting technology expert, believes internet voting would be "a complete disaster." Dill's article, "Why Online Voting Is a Danger to Democracy," asserts "... online voting is such a dangerous idea that computer scientists and security experts are nearly unanimous in opposition to it."

90 Canal Street, Suite 414, Boston, MA 02114
TEL: 857-452-1717 E-MAIL: lwwma@lwwma.org



<https://engineering.stanford.edu/magazine/article/david-dill-why-online-voting-danger-democracy>

We should not assume that technology will solve the myriad security and privacy issues that are unique to voting by internet at reasonable costs. Banks, government agencies, and other institutions are constantly trying to repel attacks. Yet successful penetrations continue with large-scale losses of valuable data. Despite elaborate security measures, banks have heavy losses from customer accounts. However, on-line banking continues because it lowers the cost of doing business. The savings offset the losses.

Resolutions requiring paper ballots were adopted at LWVUS conventions in 2004 and 2006. The League in the "The Citizens' Right to Vote" affirms the need for "a voter-verifiable paper ballot or other paper record, said paper being the official record of the voter's intent."

The League is dedicated to improving voter participation and supports accessibility to the polls and equal treatment of voters but not at the expense of security, accuracy, and secrecy of the ballot.

The League of Women Voters of Massachusetts, representing 47 local Leagues from Cape Cod to the Berkshires, strongly urges the Joint Committee on Election Laws to oppose H.704 and H.709

Thank you for your consideration.