



**Testimony submitted to the Joint Committee on Election Laws
In Opposition to**

**H.780 An Act relative to Uniformed and Overseas Citizens Absentee Voting (UOCAVA)
and H.824 An Act relative to voting overseas**

**By Linda Freedman, LWVMA Election and Voting Legislative Specialist
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The League of Women Voters of Massachusetts opposes the transmission by electronic mail, website or facsimile of completed absentee ballots by overseas voters (UOCAVO). The League accepts sending official blank ballots and other election-related documents to overseas voters electronically. The League opposes H.780 and H.824, which would authorize changes in the rules and processes for UOCAVO. If adopted, these bills would encourage greater use of the internet for voting by qualified overseas residents from Massachusetts.

Electronic ballots are targets for cyber criminals who could change the results of an election by altering and deleting votes. Attempts to penetrate elections were detected in several states in prior federal elections. With so much at stake, we should not underestimate the sophistication and tenacity of determined hackers to manipulate ballots in future elections. Penetrations can be difficult to locate and may escape detection. The best defense is completed paper ballots that are not delivered electronically.

Electronic and fax voting for overseas voters is a serious cyber security threat to the integrity of our elections. In Massachusetts, this practice 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.

Because 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 a secret ballot can expose these voters to intimidation, manipulation and vote buying. There is scant evidence that it is needed for sending marked absentee ballots to election offices.

The Military and Overseas Voter Act, known as 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.

An expert from Verified Voting urged rejection of a different bill on the feasibility of mobile voting for voters with disabilities and overseas military. Here is relevant written testimony submitted to a recent hearing of the Joint Committee on Election Laws:

“Multiple cybersecurity experts have concluded that internet voting is insecure. The National Academies of Sciences, Engineering and Medicine released a report in 2018 stating that the technology to return marked ballots securely and anonymously over the internet does not exist.



Additionally, in the lead up to the 2020 General Election, the Department of Homeland Security, the Election Assistance Commission, the Federal Bureau of Investigation, and the National Institute of Standards and Technology told states and election officials that electronic ballot return ‘creates significant security risks to the confidentiality of ballot and voter data (e.g., voter privacy and ballot secrecy), integrity of the voted ballot, and availability of the system. We view electronic ballot return as high risk. **Securing the return of voted ballots via the internet while ensuring ballot integrity and maintaining voter privacy is difficult, if not impossible, at this time** [emphasis added].’ Nothing has changed; no new internet technology has been created to mitigate this risk.”

The federal MOVE Act designates the US 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>

Resolutions requiring paper ballots were adopted at LWVUS conventions in 2004 and 2006. The League in the “The Citizens’ Right to Vote” affirms “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.780 and H.824.

Thank you for your consideration.