June 10, 2020

The Honorable Marcia L. Fudge, Chairperson
House Administration Committee Subcommittee on Elections
1309 Longworth House Office Building
Washington, DC 20003

The Honorable Rodney Davis, Ranking Member
House Administration Committee Subcommittee on Elections
1309 Longworth House Office Building
Washington, DC 20003

Dear Chairperson Fudge, Ranking Member Davis and Members of the Subcommittee,

Verified Voting thanks you for the opportunity to submit a written statement and for this important hearing on the impact of COVID-19 on voting rights and election administration. The COVID-19 pandemic has impacted many aspects of American democracy. Primaries have been rescheduled, processes for absentee ballots changed, and polling sites relocated, often with less than 24 hours' notice. Through it all, election security and verification must continue to remain a priority as election officials and policymakers around the country respond and prepare for the 2020 general election.

Meeting the challenges presented by these threats requires immediate resources and planning because election officials are scrambling to run elections that are safe for voters and poll workers alike. While Congress included some initial funding in the CARES Act for election expenditures related to COVID-19, evidence from recent primaries makes it clear that additional funding is needed immediately to help election officials administer our elections safely and securely. Verified Voting urges Congress to appropriate additional funding that matches the predictions of $3-4 billion necessary to properly run elections amid COVID-19 – to bolster staffing, equipment, and other infrastructure desperately needed.[1]

This year, elections officials face a dual threat of the global pandemic and the cyber security threats that have not disappeared since the 2016 election.[2] The measure of a successful election is public confidence that the election was conducted fairly and that the results are accurate. Providing reassuring answers *after* the election requires careful planning *before* the election. Verified Voting applauds current provisions preventing federal funding from being spent on dangerously insecure online voting systems, but election officials need resources now to

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[1]Brennan Center for Justice, R Street institute, Alliance for Securing Democracy, University of Pittsburgh Institute for Cyber Law, Policy, and Security, "Ensuring Safe Elections," Brennan Center for Justice, April 30, 2020, available at https://www.brennancenter.org/our-work/research-reports/ensuring-safe-elections

[2] Select Committee on Intelligence, U.S Senate, "Report of the Select Committee on Intelligence United States Senate on Russian Active Measures Campaigns and Interference in the 2016 U.S Election. Volume 1: Russian Efforts Against Election Infrastructure with Additional Views" available at https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume1.pdf

implement election security best practices and further prevent jurisdictions from moving towards risky electronic "solutions" that would allow electronic transmission of voted ballots over the internet, e.g via mobile app, email or fax.

As Congress and state election officials prepare for the 2020 general election, several measures can be implemented to address the challenges of running a secure election in the midst of a pandemic. Verified Voting offers seven recommendations that center on election security and verification with any expansion of vote by mail:

1. **Ballot Tracking**: Many voters worry about their ballots being lost in the mail. To the extent feasible, states should adopt and publicize ballot tracking systems that allow voters to locate their ballot envelopes en route from and to election offices while maintaining anonymity of their ballot selections. E.g. the United States Postal Service (USPS) has a mail tracking system that improves mail ballot visibility. Some jurisdictions have already integrated these tools into their mail ballot processes. Voters also need to know what to do if their envelopes go astray in either direction.

2. **Signature Verification & Opportunity to Rectify**: Mail-in-ballots pose distinctive authentication challenges to prevent unauthorized or additional ballots being cast. Despite its limitations, signature verification is the best currently-available means to detect ballots cast under a false identity though it is complicated and fraught with error. Automated software can be used to match signatures, but must not be relied upon to reject ballots; rejection decisions should be made by bipartisan or multipartisan teams. Software matches and rejection decisions should be reviewed and analyzed for accuracy and voters whose ballots are rejected due to invalid signatures must have an opportunity to "cure" their ballots.

3. **Voter Verification of Ballots**: Some voters may be unfamiliar with hand-marked paper ballots or with mail ballots. The design of these ballots, and also of ballot envelopes, is critically important and should undergo usability review to minimize the chance of voter error. Voters who use ballot marking devices to mark their ballots should be reminded to check the paper ballots before casting them. Voting systems that do not yield a voter-verified paper ballot should not be used.

4. **Ballot Management & Chain-of-Custody Documentation**: Effective ballot management procedures for all voted ballots generally include using appropriate secure ballot containers, keeping track of the number of ballots in each container, using suitable tamper-evident seals and maintaining a log of seal IDs, and restricting and monitoring access to ballot containers. Best practices require both physical and digital documentation especially of the dates of mailing and dates of receipt where the deadline is based on receipt rather than postmark. Effective ballot management is essential in showing that people's votes are safely secured, especially if vote count reporting is delayed or voting occurs over multiple days.

5. **Post-Election Risk-Limiting Audits & other Tabulation Audits**: No matter what procedural safeguards are adopted to protect the counts, risk-limiting audits (RLAs) of the voted ballots can more directly demonstrate that the ballots support the official outcomes and the reported winners in fact received a majority of the votes. Short of RLAs, manual audits can provide substantial (and often very strong) evidence. Central-count scanners that tabulate mail ballots can facilitate more efficient and less labor-intensive audits than precinct or voting system-based audits. For an RLA to meaningfully support confidence in the reported election outcome, trustworthy paper records and best practices must be used.

6. **Avoid Remote Voting via Internet & Mobile App**: Some jurisdictions may be tempted to adopt internet voting "solutions." They should not. Mobile voting remains inherently insecure; voters are likely to distrust it, and rightly so, given the consensus of the intelligence community of evidence of interference in the 2016 election. Again, voting systems that do not produce a voter verifiable paper ballot should not be used.

7. **Extend Deadlines for Canvassing All Ballots**: With more voters expected to vote by mail this November, election officials will need more time to tabulate and report the initial election results and then conduct post-election audits to confirm the tabulated results. Voters need trustworthy information more than ever; setting realistic expectations and increasing transparency about how votes get counted and when the public will receive the complete, verified election results will help bolster voter confidence. Other measures that will assist in the reporting of results include allowing officials to start scanning mail in ballots up to 14 days before election day so that the volume of work for counting is spread over a longer period of time.

Keeping our democracy and its voters safe and healthy will require all of us to work together. There is much to be done in the months ahead, and states need resources to ensure the election proceeds safely and securely.

We thank you again for your work on this vital topic. Verified Voting is committed to supporting this task and looks forward to working with members of the Committee to support safe, secure and fair federal elections.

Respectfully submitted,

Marian K. Schneider, President
Verified Voting

About Verified Voting

Verified Voting's mission is to strengthen democracy by promoting the responsible use of technology in elections. Since our founding in 2004 by Stanford computer science professor David Dill, we have acted on the belief that the integrity and strength of our democracy relies on citizens' trust that each vote is counted as cast. We bring together policymakers and officials who are designing and implementing voting-related legislation and regulations with technology experts who comprehend the risks associated with election technology. We have provided direct assistance to election officials in implementing the most efficient post-election audits to verify election results.

Our board of directors and board of advisors include some of the top computer scientists, cyber security experts and statisticians working in the election administration arena as well as former and current elections officials. Verified Voting has no financial interest in the type of equipment used. Our goal is for every jurisdiction in the United States to have secure and verifiable elections.