

March 11, 2025

Oppose Dangerous Electronic Ballot Return Provision of Elections Legislation ID # 25-0242

Dear Chair Matt Birong and Members of the House Committee on Government Operations & Military:

I write today on behalf of Common Cause, a grassroots citizen advocacy organization dedicated to voting rights and to holding power accountable. Common Cause is a notational organization which is proud of its 6870 members in Vermont.

Thank you for your work to expand and enhance voting access for Vermont voters. Our organization is committed to ensuring that all voters—including those with disabilities and military and overseas voters—can exercise their right to vote.

However, we write to you with grave concerns about one provision of the elections omnibus bill before you today – **the provision that would allow voters to cast a digital ballot electronically over the internet**. If passed at this time, **this legislation will put the security of Vermont’s elections at high risk** for cyber incidents, and undermine public confidence in election results.

We concur with Secretary of State Copeland Hanzas that this provision of the bill should be opposed until we have full confidence in the security of ballots returned electronically. Currently, that is not the case.

In the spring of last year, four federal government agencies, Federal Bureau of Investigation (FBI), the Department of Homeland Security’s Cybersecurity Infrastructure Security Agency (CISA), the U.S. Elections Assistance Commission (EAC) and the National Institute for Standards and Technology (NIST) warned that electronic ballot return **“faces significant security risks to the confidentiality, integrity, and availability of voted ballots,”** and that these risks can **“ultimately affect the tabulation and results and can occur at scale.”**¹

As you may know, election offices faced multiple cyber-attacks in the past election cycle. Working with federal intelligence agencies, state election officials were able to thwart these attacks. However, as you also may know, since January 6 of this year, there have been [major cuts](#) to the work force at the Cybersecurity Infrastructure Security Agency the agency that works to help election officials secure elections. The FBI’s Foreign Influence Task Force has been [dismantled](#) and the Election Infrastructure Information and Sharing and Analysis Center –

¹ U.S. Cybersecurity and Infrastructure Security Agency, Federal Bureau of Investigation, National Institute of Standards and Technology and the U.S. Election Assistance Commission, *Risk Management for Electronic Ballot Delivery, Marking, and Return 1* (2020), available at https://s.wsj.net/public/resources/documents/Final_%20Risk_Management_for_ElectronicBallot_05082020.pdf?mod=article_inline.

which helped the intelligence community communicate threats to election officials and helped election officials prepare in advance of these attacks – [has been defunded](#) and won't be operative anymore.

In short, now is not the time for state and local election offices to take on extremely vulnerable forms of voting which four government agencies have determined are vulnerable to cyber-attacks.

The accessibility issues some voters, especially voters with disabilities, face are real.

However, we urge the legislature to invest resources in examining other methods that will improve access for voters with disabilities, *without returning ballots over the internet*. Technologies are being developed and piloted that may be able to help address these challenges—and their promise is very exciting, but today these technologies are in their infancy.

We are very interested in working collaboratively and creatively with you to improve voting accessibility in ways that do not create risk to our elections.

We would welcome the opportunity to provide you—or other lawmakers—further information about the technical aspects and unavoidable and severe inherent risks of electronic ballot return. We would also welcome the opportunity to collaborate with you to implement accessibility improvements that do not present security risks.

Again, we urge you to remove the electronic ballot return provisions from this this Miscellaneous Election Bill ID # 25-0242 and reject any other proposal that includes electronic return of voted ballots.

Respectfully submitted,

Susannah Goodman
Director of Election Security
Common Cause