

20250310. Written testimony on Electronic Ballot Return and Ranked Choice Voting  
Draft Committee Bill 25-0242 – An act relating to miscellaneous changes to election law

Thank you, Chair, Vice Chair, and Committee members, for your thoughtful attention in reading this testimony from the League of Women Voters of Vermont (LWVVT) regarding the Draft Committee Bill 25-0242 – An act relating to miscellaneous changes to election law.

The League of Women Voters (LWV), founded 105 years ago, empowers citizens through voter education and participation. Originally established to support women in becoming active voters, the League has since expanded to promote democratic engagement for all. The League is organized in all 50 states, and welcomes members regardless of gender. Many cities and counties have their own local leagues, but because of its rural nature, Vermont has a single league.

The League takes a measured approach to studying issues, holding them up to our non-partisan standards and coming to consensus before forming new positions.

Today I want to highlight two key concerns in this draft committee bill on which LWVVT has taken a position.

### **ELECTRONIC BALLOT RETURN P. 21 - 23; Section 2542, 2543**

The League supports Vermont's current system of electronically transmitting ballots for voters to print, complete, and return by mail. With a voter-verified ballot, this process ensures an accurate paper trail while maintaining transparency and security.

However, electronic ballot return—submitting ballots online—fails critical election security standards. While it improves **access**, it compromises:

- **Security** – Interrupts the ballot's chain of custody
- **Accuracy** – Voters cannot verify that their selections are recorded and transmitted correctly
- **Transparency** – No way to confirm that what election officials receive matches the voter's intent
- **Auditability** – Electronic returns prevent reliable recounts and audits

In 2024, because states across the country have been considering electronic options for voting, LWV reviewed the options and determined that electronic ballot return or "internet voting" still does not comply with these standards. (P. 33, [LWV Impact on Issues 2024-2026](#))

Public distrust in election integrity is already high. However, with very recent developments of unauthorized computer technologists seeking and/or being given access to our most private data without protections - Social Security numbers, health records (Medicare and Medicaid billing data), financial records (school and other loans, income tax data), employment records (federal employees) - the concern about privacy of electronic transmissions is at an all-time high.

Voter mistrust of the security is enough to cause damage to our election integrity. However, there is also valid concern that we do not have adequate safeguards to be able to ensure that the system has not been and could not be compromised. The United States Department of Defense continues to recommend against any online voting for any level of government.

Below, please find references that I provided to the Senate Committee on Government Operations in 2023 as well as two updates that continue to warn against using electronic ballot returns. Highlighted in yellow is a reference I particularly want to bring to your attention.

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<https://www.aaas.org/epi-center/internet-online-voting>

<https://verifiedvoting.org/publication/electronic-ballot-return-2023/>

National Academies of Sciences, Engineering, and Medicine, Securing the Vote: Protecting American Democracy, September 2018, The National Academies Press, <https://nap.nationalacademies.org/catalog/25120/securing-the-vote-protecting-american-democracy>

<https://csp.berkeley.edu/2022/12/14/csp-working-group-releases-statement-on-developing-standards-for-internet-ballot-return/>

The 2020 guidance distributed by the Cybersecurity and Infrastructure Security Agency (CISA), U.S. Election Assistance Commission (EAC), Federal Bureau of Investigation (FBI), and National Institute of Standards and Technology (NIST) was reviewed for accuracy and redistributed as guidance for 2024:

[https://www.cisa.gov/sites/default/files/2024-02/Final\\_%20Risk\\_Management\\_for\\_Electronic-Ballot\\_05082020\\_508c.pdf](https://www.cisa.gov/sites/default/files/2024-02/Final_%20Risk_Management_for_Electronic-Ballot_05082020_508c.pdf)

In addition to being vulnerable to vote manipulation, electronic ballot return also lays users vulnerable to compromise of their personal information, and potentially to their geographic locations, which could endanger them and their peers in military settings.

I can appreciate that some constituents might urge the improved access or think we might engage more young voters if we move toward internet voting. **The League of Women Voters believes that no state legislature should adopt a system that contradicts the recommendations of the country's top security experts.**

The League of Women Voters of Vermont asks your committee to vote to remove electronic ballot return from this bill.

#### **RANKED CHOICE VOTING P. 6 - 13, Section 2705 - 2710**

In 2019, a LWVVT study group reviewed our 1999 position on elections and reassessed alternative voting methods, including approval voting, score voting, Ranked Choice Voting (RCV), and the Condorcet method. We concluded that no method is perfect, but RCV provided the best combination of strong representation while minimizing strategic voting, and is far better than plurality elections, our current method for elections.

The League of Women Voters of Vermont supports Ranked Choice Voting (RCV) as a method of voting that provides more choices for voters and allows them to vote first for who they think is the best candidate, rather than feeling compelled to vote for who they think has the best chance of beating their least favorite candidate.

It is essential that voters who fulfill their civic duty by voting by mail have their ballots counted. In presidential primaries, voters choose delegates who pledge to support a candidate at the party convention. However, under the current system, if a candidate withdraws before primary day—a frequent issue in Vermont—early voters lose their say in delegate selection.

This House committee bill on miscellaneous elections provides the benefits of RCV for ALL voters:

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- Military and overseas voters,
- Vermonters who are out-of-state attending college, or out-of-state seasonally,
- Busy people who vote early rather than risk not being able to vote on election day,
- **But also for same day, in-person voters.**

Right now, if the candidate chosen by a voter doesn't have enough votes to qualify for a delegate, the voter has no one representing them at the party convention.

How do RCV ballots benefit even same-day voters?

If Voter A's first choice candidate doesn't garner enough votes to pass the threshold for acquiring delegates, there are two ways Voter A might still have a voice at the convention.

- If other candidates receive fewer votes than Voter A's first choice, when those other candidates are eliminated, the voters who had voted for the eliminated candidates might have listed Voter A's first choice candidate as their second choice. If enough voters selected Voter A's first choice candidate as their second (or third) choice, Voter A's first choice may qualify for receiving delegates.
- Alternatively, if Voter A's first choice candidate is eliminated, their vote will be transferred to their second choice, and so on, so they still have a chance to be represented by a delegate at the convention.

We agree with the Secretary of State that it would be best to pass this committee elections bill with RCV in it this year, to allow more time for educating voters, rather than postponing until next year.

Like the Secretary of State, LWVVT is strongly opposed to including a sunset for RCV. We support improvements when they have been carefully considered, as RCV has been, and then approaching voters with confidence in the policy and in voters' capacity.

### **Conclusion**

The League of Women Voters of Vermont urges the committee to:

1. **Remove electronic ballot return from the bill** to protect election integrity and security.
2. **Pass this bill with Ranked Choice Voting included and without a sunset clause** to ensure all voters have equal representation in primary elections.

Thank you for your time and consideration. I welcome any questions.

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