

Testimony in Opposition to 26-H 7007—An Act Relating to Elections—Mail Ballots

H 7007 would allow eligible voters, including military and overseas voters and eligible disabled voters, to electronically receive *and return* a voted ballot. Common Cause Rhode Island opposes the electronic *return* of voted ballots.

We recognize that H 7007 reauthorizes a statute that sunset at the beginning of 2026 and that Rhode Island has allowed the electronic return of ballots since 2022. While there have been no known problems with electronic ballot return in Rhode Island in that time, that does not mean electronic ballot return is secure. Common Cause Rhode Island opposes this legislation for the same reasons we opposed the original authorization of electronic return of ballots in 2022—it puts our voting system at risk.

Rhode Island's voting system should provide all voters, including those in the military, those living overseas, and those with disabilities, with safe and secure voting options. Unfortunately, online voting is not yet secure. In 2020 the Election Assistance Commission (EAC), Federal Bureau of Investigation (FBI), National Institute of Standards and Technology (NIST), and Department of Homeland Security (DHS) published a joint document that states, "Electronic ballot return faces significant security risks to the confidentiality, integrity, and availability of voted ballots. These risks can ultimately affect the tabulation and results and can occur at scale."¹ Subsequently numerous other bodies including the Department of Defense, the Department of Homeland Security, and the U.S. Senate Select Commission on Intelligence have all warned against the use of electronic ballot return.

The threat to the individual voter is that their ballot will not be counted as cast and there is no way for the voter to verify that while also respecting the privacy of the ballot. The threat to the voting system is that the results of the election could be manipulated at scale and there is no way to detect whether that has happened. The use of electronic return also undermines our ability to effectively audit our election results.

We urge the Committee to reject H 7007.

¹ See: https://www.cisa.gov/sites/default/files/2024-02/Final_%20Risk_Management_for_Electronic-Ballot_05082020_508c.pdf

