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February 6, 2020

The Honorable Bev Clarno
Secretary of State
900 Court Street NE
Capitol Room 136
Salem, OR 97310-0722

Dear Secretary Clarno:

I write to express concern about insecure voting technology that could allow hackers, including foreign governments, to manipulate the votes of servicemembers and other Oregonians living overseas.

Election security experts have uniformly warned against the practice of voting over the internet and have instead urged the use of hand-marked paper ballots. A chorus of cybersecurity experts laid out these concerns in a 2018 National Academy of Sciences Report:

At the present time, the Internet (or any network connected to the Internet) should not be used for the return of marked ballots. Further, Internet voting should not be used in the future until and unless very robust guarantees of security and verifiability are developed and in place, as no known technology guarantees the secrecy, security, and verifiability of a marked ballot transmitted over the Internet.

Last year, voting officials in Jackson and Umatilla counties, concerned about the impact on overseas and military voters of President Trump's planned withdrawal from the Universal Postal Union, approached your office for advice on whether they could use Voatz, a smartphone app that allows people to vote over the internet.

In an October 23, 2019, telephone call with my office to discuss my cybersecurity concerns, then-Deputy Secretary Rich Vial confirmed that he had advised county officials that they could lawfully use Voatz for overseas and military voters. Mr. Vial also stood by his public statement to the press that Voatz was "more secure" than alternative methods of overseas voting but acknowledged that he had not sought advice or an evaluation of Voatz from the federal government or any independent security experts. Instead, Mr. Vial cited West Virginia's use of Voatz and the determination by West Virginia's Secretary of State that Voatz is secure.

We share a common goal of making it easier for Oregonians serving in the military or otherwise living overseas to vote. I look forward to working with you to explore ways to do so, including, if appropriate, introducing federal legislation to provide states with additional resources. However, the security and integrity of Oregon's elections must always come first.

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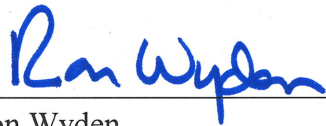
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I've met with county clerks across our state and they are doing an incredible job with limited resources. The hard work of our local and state election officials, coupled with our vote-by-mail system, has enabled Oregon to avoid serious election security and integrity problems faced by many other states that use paperless, insecure voting machines. As a result, Oregon conducts some of the most secure and accessible elections in the United States. However, our elections can be made even more secure. Oregon is one of 24 states that currently permit overseas and military voters to return their marked ballots over the internet. While the cybersecurity risks may have been less clear in 2011 when Oregon's legislature first permitted the return of marked ballots by email, they are crystal clear today.

Local election officials, the state legislature, and Oregonians look to you and your office for advice and leadership on the important issue of election security. To that end, I urge you to distribute to local officials across the state the 2018 National Academy of Sciences report on election security. I also look forward to working with you and the state legislature to address the ongoing threat posed by email, fax, apps like Voatz, and other insecure electronic methods of voting. Russia's 2016 campaign to meddle in our elections, demonstrated the urgency of states doing everything in their power to secure Americans' votes from hacking. Continuing to permit the use of internet voting — against the advice of cybersecurity experts — is simply asking for trouble.

Thank you for your attention to this important matter. If you have any questions about this request, please contact Chris Soghoian in my office.

Sincerely,



Ron Wyden
United States Senator