

Senator Susan Collins

Floor Statement

Securing America's Voting Equipment Act of 2017 or the "SAVE Act"

November 2, 2017

Mr. President, today I rise with my colleague from New Mexico, Senator Heinrich, in discussing the Securing America's Voting Equipment Act of 2017 or the "SAVE Act," which we introduced earlier this week.

Mr. President, I know that you are well aware that the Senate Intelligence Committee has been conducting an in-depth investigation into attempts by the Russians to interfere with our elections last fall. What we have found is that the Russians' active measures proceeded last fall and they continue to this very day. We have an election coming up in November of this year and a major election next year, and both Senator Heinrich and I believe that it is so important that we act to assist states in protecting the integrity of their voting systems.

Our bill seeks to facilitate information sharing on the threats posed to state election systems by foreign adversaries, to provide guidance to states on how to protect their systems against nefarious activity, and, for states who choose to do so, to allow them to access some federal grant money to implement best practices to protect their systems.

Now Mr. President, let me be clear that I know of no evidence to date that actual vote tabulations were manipulated in any state in the elections last fall. Nevertheless, as early as the summer of 2016, the F.B.I. discovered that foreign-based hackers had gained access to voter registration databases in two states.

The Department of Homeland Security confirmed that Russia-linked actors attempted to access voter rolls and registration data in those two states. But more alarming is the fact that further investigation revealed that many more states than just two were ultimately found to have had their voting systems probed by the Russians. The Department of Homeland Security notified election officials in a total of 21 states that their election systems had been targeted by Russian government-linked hackers.

Mr. President, if voter rolls were altered or voting equipment tampered with, a compromise of these systems could open the door to voter disenfranchisement and would undermine public confidence in the integrity of our free and fair elections, a bedrock principle of our democracy.

In response to these alarming threats, the SAVE Act would assist states in "hardening" their systems. It does not aim to tell states how to conduct their elections. The responsibility for conducting elections would remain with each state, as has been our country's tradition since its founding. State and local election officials alone, however, cannot be expected to defend against cyberattacks from foreign adversaries.

That is why our bill seeks to bring to bear the unique authorities, capabilities, and resources that the federal government can offer to state and local election officials. Let me just briefly describe the Heinrich-Collins bill.

First, our bill would codify a decision made by both Secretaries of Homeland Security Jeh Johnson and John Kelly to designate election systems as “critical infrastructure.”

This designation allows DHS to prioritize providing assistance to election jurisdictions and to establish formal mechanisms to enhance information sharing and collaboration within the electoral sector. More than 30 states took advantage of DHS’s offer of assistance last year.

Our bill also addresses a shortcoming that I raised during a hearing before the Senate Intelligence Committee in June regarding foreign efforts to compromise American voting systems.

During this hearing, Mr. President, we learned that not a single Secretary of State had been cleared to receive classified information before the 2016 election or in the six months since voting systems had been declared as critical infrastructure. This delay is truly inexplicable. We have to be able to share this critical information in order for state election officials to take the necessary steps to safeguard their systems.

Our bill addresses this limitation on information sharing by authorizing the Director of National Intelligence to provide security clearances to designated chief election officials in each state. That way, the Intelligence Community can share appropriate classified information with states regarding foreign threats targeting election systems.

Our bill also mandates that DHS conduct a threat assessment on physical and electronic risks to voting systems. Then, in collaboration with stakeholders, the Department will develop best practices to address those risks.

A few simple measures can make a big difference. Best practices like relying upon paper ballots – such as the State of Maine currently does -- and conducting post-election audits to ensure that the tabulation by vote counting machines matches the result of the paper ballots, can bolster both resilience and public confidence in the integrity of the voting process.

Finally, our bill creates a federal grant program available for states to upgrade and safeguard the integrity of their systems by implementing the best practices that have been identified.

Mr. President, last year, the Russian government sought to disrupt our democracy by threatening the integrity of our elections. It is incumbent upon Congress to assist the states and those charged with conducting elections at the local, state, and federal level to protect them from foreign interference. Our bill would do just that.