

**Jena Griswold**  
**Colorado Secretary of State**  
**Before the Subcommittee on Elections**  
**Committee on House Administration**  
**United States House of Representatives**  
**“Voting Rights and Election Administration: Combatting Misinformation in the 2020 Election”**  
**October 6, 2020**

Chairman Fudge, Ranking Member Davis, and members of the Subcommittee, thank you for your work on elections issues and for inviting me to this important hearing. My name is Jena Griswold and I am Colorado’s Secretary of State. I am responsible for overseeing and ensuring the integrity of our elections. I look forward to sharing my views on combatting misinformation in the 2020 election.

As Colorado’s top election official, it is my view that election security is one of our most significant national security issues. If foreign countries are able to interfere in our elections, it undermines faith in the entire electoral process. When voters doubt the process, they are less likely to participate, which weakens the very nature of our democracy. The biggest threat facing our democracy right now is Americans losing faith that it works.

Today, I would like to briefly discuss:

- The threats we are facing;
- What we are doing to combat them; and
- Proposals for Congressional action.

**Threat**

The Intelligence Community and bipartisan Senate Select Committee on Intelligence concluded that Russia interfered in the 2016 election. We know that foreign enemies, primarily Russia, are at it again, trying to influence how we vote and attempting to undermine confidence in our elections, based on reports from the Office of the Director of National Intelligence.

Just last week, the Federal Bureau of Investigation and the Cybersecurity and Infrastructure Security Agency provided the most pointed warnings to date, noting foreign actors may try to undermine confidence in election results by:

- Spreading disinformation about the hacking and leaking of U.S. voter registration data;
- Creating fake websites to post fake election results; and
- Altering existing, legitimate websites with false information or results

Foreign adversaries are right now, right this minute, meddling in our elections. We cannot allow this to continually happen.

### **Response**

In response, to ensure Colorado's election system remains secure and all Coloradans retain confidence in our process, I created the Rapid Response Election Security Cyber Unit, known as RESCU, to help combat disinformation and emerging cyber threats.

Academic studies and our allies' experiences demonstrate that mitigating foreign misinformation and disinformation requires ensuring citizens are aware of the threat, think critically about what they see on social media, and know where to find reliable information. That requires working with a range of partners in and outside of government.

As a result, the RESCU team is coordinating with partners across Colorado, increasing resilience to foreign mis and disinformation on the electoral process by:

- Implementing a public outreach effort to ensure Coloradans know to “ignore the noise” and seek reliable electoral process information from trusted sources;
- Ensuring my office can rapidly respond to foreign mis and disinformation on the electoral process by releasing accurate information; and
- Ensuring county and non-governmental partner share concerns information, and take steps to ensure Coloradans are equipped to correct information.

We are also working with other governmental partners such as the Department of Homeland Security and the Federal Bureau of Investigation on additional measures.

Following the election, the team will shift toward efforts to further increase our cybersecurity defenses. The team will also continue to increase our resilience to foreign influence and will stand up a cross-state initiative to advance legislative and policy initiatives to counter foreign mis and disinformation.

On this note, last winter, before COVID-19 shut down our state legislature, I proposed a legislative package designed to combat foreign disinformation in Colorado. The proposed legislative package, which I hope will be introduced:

- Strengthens requirements to ensure paid election messages are not coming from foreign sources;
- Stops campaign deep fake videos;
- Prohibits campaigns from coordinating with foreign governments; and
- Creates a private right of action to combat election disinformation close to the election.

We must ensure that foreign countries do not use social media platforms as a tool to perpetuate public falsehoods about candidates and elections in an attempt to suppress Americans' votes. We must stop this fraud on the electorate; we must stop those who are trying to steal or suppress votes through increasingly sophisticated technology. Colorado is prepared to lead on this. Our democracy demands it.

## **Proposals**

Enhancing election security requires working with key partners on a broad range of tools.

Congress has an important role to play, from overseeing law enforcement investigations to legislation, regulation, and warning the public about foreign adversaries' efforts. These actions are critical. State, local, and civil society partners must also play an important role.

To tackle this threat, I recommend the following congressional action:

1. Congress should establish a commission with bipartisan representatives from state governments to develop recommendations to ensure that what happened in 2016 - and is happening now - never happens again.
2. Congress should provide adequate funding to states for election cybersecurity, election emergency and counterterrorism response, and other security-related programs, with a goal of increasing resilience to foreign mis and disinformation.
3. Congress should require the intelligence community to rapidly declassify foreign mis and disinformation, and form a committee with bipartisan representatives from state and federal government tasked with providing recommendations on the best process to roll out this information to the American public. Our allies' experiences and academic studies show that "shedding light" on foreign mis and disinformation is critical to countering it.
4. Congress should consider legislation, like we are doing in Colorado, to combat deep fakes, election misinformation, and foreign coordination. To this end, I also call on Congress to act to remove the artificial protections afforded to social media companies by Section 230 of the 1996 Communications Decency Act. Social media companies are not neutral platforms and third-party content posted on their sites can promote ill-intentioned foreign activity. They should no longer be shielded from accountability. While social media can be a tool for good, adversaries can also use it to their advantage *with precision never seen before*.

## **Closing**

I am grateful for the opportunity to testify today.

I am optimistic that with your leadership and partnership, we can counter foreign mis and disinformation and ensure that every American is confident that their voice will be heard.

Thank you. I look forward to your questions.