

3. I am an expert on cybersecurity and counterterrorism law, policy, and operations. I am currently employed as the founding Executive Director of the Institute for Constitutional Advocacy and Protection at Georgetown University Law Center. I also serve as a Visiting Professor of Law at Georgetown and as an ASU Future of War Fellow at New America.

4. Previously, I served in a series of positions in the United States Government focused on national security. From 2015 to 2017, I served as Senior Director for Counterterrorism at the National Security Council. Before that, I served as Deputy Legal Advisor to the National Security Council and as Counsel to the Assistant Attorney General for National Security at the Department of Justice. In each of these roles, and especially in the latter two, my responsibilities included legal and policy issues associated with cybersecurity and the protection of sensitive information on computer networks. A true and correct copy of my curriculum vitae is attached hereto as Exhibit A.

5. I have not independently examined Georgia's voter database but have read media reports regarding that database and regarding concerns about the cybersecurity of the database.

6. In my opinion and based on what I have read, there are credible grounds for cybersecurity concerns with respect to Georgia's voter database.

Those concerns are grounded, in part, on media reports and U.S. Government statements that, before the November 2016 election, Russian actors penetrated U.S. voter databases. *See, e.g.*, Cynthia McFadden, William M. Arkin, & Kevin Monahan, “Russians Penetrated U.S. Voter Systems, Top U.S. Officials Says,” *NBCNews.com*, Feb. 7, 2018, <https://www.nbcnews.com/politics/elections/russians-penetrated-u-s-voter-systems-says-top-u-s-n845721>.

7. It is my opinion that, despite these reports, states like Georgia have not taken sufficient steps to safeguard their voter databases so as to eliminate or even adequately mitigate cybersecurity concerns about those databases. To the contrary, those continuing concerns reflect both past penetrations and the more recent exposure of vulnerabilities associated with voter databases. *See, e.g.*, Associated Press, “Security Experts Say Georgia’s Voter Database Vulnerable to Hackers,” *NBCNews.com*, Nov. 5, 2018, <https://www.nbcnews.com/politics/elections/security-experts-say-georgia-s-voter-database-vulnerable-hackers-n931266>.

8. In my opinion, this combination of past threats and continuing vulnerabilities means that the threat of cyber-based manipulation of Georgia’s voter database is credible.

9. Additionally, the publicity associated with the vulnerabilities of Georgia's voter database may, itself, have increased the threat to that database of cyber-based manipulation. Many malicious cyber actors, in my experience, follow closely public reports of possible vulnerabilities and at least consider attempting to exploit those vulnerabilities.

10. In my opinion, Georgia officials should take very seriously the possibility that the state's voter database has been breached via cyber intrusion and, in turn, avoid if feasible relying exclusively on that database in evaluating the validity of votes cast.

11. I would do my best to make myself available to the Court and the parties in the case to elaborate on the opinions stated herein.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 8th day of November 2018 in Washington, D.C.


Joshua A. Geltzer