



SUSTAINING CAPITALISM

A series focused on nonpartisan reasoned solutions in the nation's interest to the central challenges we face in order to provide prosperity for all Americans.

The 2024 Election

Rebuilding Trust

Elections serve as the cornerstone of democracy, and the trust of the American people in this fundamental aspect of the democratic process is essential to the functioning of our democratic institutions and the long-term strength of our nation's economy. Business leaders as trusted employers and important members of their communities have a unique role and responsibility to ensure safe, secure, and accessible election processes. Some of the key insights from the 2022 midterm elections and other recent trends in voting and election administration can help inform election officials and leaders in the public and private sectors on how we should be preparing now for the 2024 presidential election.

Trusted Insights for What's Ahead™

- Although polling from the 2022 midterms demonstrate that Americans' confidence in our elections is slowly recovering from the lows of 2020, more needs to be done to strengthen the American public's trust in the election process. As the 2024 presidential election approaches, it is imperative to build strong public-private partnerships to improve trust in our election administration through collaborative efforts to strengthen resilience against disinformation, increase confidence in the vote count, ensure voter access for all eligible voters, and maintain secure election infrastructure in the face of significant challenges.
- In the 2022 midterm election, mail and early voting rates remained higher than prepandemic. During the 2020 presidential elections, jurisdictions across the country took measures to protect the electorate during the height of the

COVID-19 pandemic. A record number of voters cast their ballots by mail or voted early. The convenience and acceptability of these changes are here to stay, and we need best practices to ensure fairness, accessibility, and reliability.

- **The 2024 presidential election campaign season will be the first in which rapidly advancing AI technology is widely available.** The deliberate spread of false information and the ability to intensify the quantity and specific targeting of disinformation poses a significant threat to Americans' confidence in election administration and government as a whole.
- **Cybersecurity risks are heightened by advancing technology and aging voting systems and software.** Millions of voters still live in jurisdictions where voting machines do not produce an auditable paper trail.¹ Aging software is risky and susceptible to attacks, which are increasing exponentially as AI technology develops.
- **Intimidation of election officials is pushing many to leave the field.** An April 2023 survey revealed that nearly three-quarters of local election officials believe that threats have increased in recent years, and 1 in 3 have experienced threats, harassment, or abuse.² Safety concerns are driving administrators and experienced staff away from the job and threatening future recruitment.
- **Accurate voter registration records protect against fraud and allow for effective resource planning.** Every year, election officials identify inaccurate voter registrations from duplicate reporting, individuals moving within state or out of state, and deaths. Accurate voter registration records are one of the strongest defenses against voter fraud, as they ensure that only eligible voters can cast a ballot. Additionally, accurate lists serve to inform Election Day planning by helping budget resources including voting machines, polling places, and poll workers accurately.

This Solutions Brief outlines the steps necessary to ensure a secure, accessible, and credible 2024 presidential election by examining lessons learned from the 2022 midterm elections and other recent trends in voting and election administration. It examines: 1) the need to continue to require adequate time for early in-person voting and encourage voting by mail to ensure access to the polls and promote access to early voting; 2) trends in diminishing public trust in voting and ways to increase voter confidence; 3) measures to protect voting infrastructure from increasing cybersecurity threats, including from AI; and 4) the role of the business community in building trust and countering disinformation.

Recommendations

1 Secure Elections

- All voting machines should be required to produce a paper record to give voters confidence that the vote they cast is the vote recorded.
- Federal funding for election security should be robust and keep pace with national security threat levels. Congress should quickly appropriate funding for the US Election Assistance Commission (EAC) so election administrators can receive these funds early, allowing for adequate resource planning.
- Election administrators should rigorously test voting equipment for security risks, and they should publicize the election security measures they undertake in order to build public trust and provide best practices for states to adopt.
- All election stakeholders, including election administrators, should use the Cybersecurity & Infrastructure Security Agency's (CISA) cybersecurity tool kit to understand the range of risks they face and learn how to prioritize mitigation efforts.
- Administrators should ensure that all wireless components are prohibited in voting systems.
- States must be held accountable for maintaining voter registration lists and consider implementing automatically changing registrations when voters move.

2 Access to Voting

- States should provide at least 10 days of early voting, including weekend and evening hours.
- States should use best practices regarding ballot and envelope design for mail-in and absentee ballots. They should establish and communicate clear guidelines for processing and counting ballots and handling errors, including allowing voters to correct a defect in their returned mail-in or absentee ballot if time permits or to vote in person.
- To ensure that mail-in ballots are received in time to be counted, USPS should continue to handle mailing and return of ballots at or above service levels for First Class Mail.
- Businesses could encourage employees to vote early or by mail-in and provide trusted instructions on how to facilitate those options.
- Election administrators should ensure an adequate number of convenient polling places for voters. To avoid closing polling places because of resource constraints, states should work to secure sufficient funding to support local election administration and look to promote alternatives through early and mail-in voting.

- To avoid poll worker shortages, administrators should recruit poll workers through initiatives such as Power the Polls, a nonpartisan coalition of businesses and nonprofits.
- Election administrators should establish consistent policies relating to access to polling locations throughout their jurisdictions.

3 Credible Elections/Tackling Disinformation

- Government and business leaders should collaborate to expand efforts to understand how the public interprets AI-generated media and methods to best identify deepfakes.
- Congress, working with business leaders, should take the necessary actions to enable voters to identify misinformation and disinformation.
- Businesses should communicate best practices in identifying synthetic media.
- To build resistance to deceptive practices, businesses should provide employees with trusted voting information resources as well as local voting policies, such as registration deadlines and opportunities for early voting; for instance, in an “election tool kit” containing links to local election policies and procedures.
- Election officials and federal, state, and local government agencies should undertake voter education efforts as a means to build resistance against election falsehoods and support public-private collaboration in using this funding.
- Ballots received by mail before Election Day should be counted before Election Day, with the results held confidential until polls on Election Day close, to speed the announcement of results. All ballots postmarked by the close of polls on Election Day should be counted.

4 Nonpartisan/Bipartisan Election Administrators and Volunteers

- Widespread poll monitoring on a bipartisan basis—with trained, partisan observers from both sides participating at the same polling locations—should be implemented; reasonable rules of decorum and prohibition of harassment should be established and enforced.
- Nonpartisan administration of elections promotes voter confidence that elections are fair; measures that increase partisan control should be opposed or reversed.
- States should expand protections for election administrators and increase penalties for those interfering with their duties.
- Government officials at all levels should provide information on how to report threats to election workers, and the FBI’s and CISA’s security resources on how to protect election workers should be made widely available to all election officials.
- Local governments should consider increasing funding for elections and applying for grants available for that purpose.

Credible Elections in the Era of AI: Counter Disinformation and Build Resilience Against False Election Claims

The deliberate spread of election falsehoods poses a major threat to US democracy. New digital tools and the rise of social media as a source of information makes it difficult for the public to identify misinformation and, at the same time, offers a platform for bad actors to spread disinformation, which differs from misinformation in that it is deliberately misleading with harmful intentions.

The 2024 presidential election campaign season will be the first in which generative artificial intelligence (AI) is widely available. Its impact could be transformational. Previously, drafting individualized messages for social media and altering images was very time consuming. Now, with the wide availability of generative AI, users can easily develop deepfakes—realistic yet fabricated images and videos using AI algorithms—to deceive voters in an already hyperpolarized environment.³ Experts warn that generative AI coupled with limited guardrails will accelerate disinformation, quickly spreading it to a wide audience and posing a massive threat to elections, including election security.⁴

Use of AI in campaigns

Political campaigns have made use of internet behavior manipulation and targeting techniques since the early 2000s,⁵ but rapidly advancing AI tools have the potential to dramatically increase the scale and effectiveness of such techniques. Harvard professors Archon Fung and Lawrence Lessig warn of a fictional campaign tool they coined “Clogger” which could forever change the face of elections.⁶ They suggest that such a system would use a language model, such as ChatGPT, to generate countless personally tailored messages via social media, email, and text. Further, Clogger would use reinforcement learning, a machine learning technique using trial and error, to generate a succession of messages that would become increasingly likely to alter an individual’s vote, taking into account the machine’s prior dispatches to become more effective over time.

There is bipartisan consensus in Congress and the administration on the need for AI guardrails, and Congress is working to keep pace with the fast speed of AI advances through hearings, discussions, and meetings to assess appropriate response. Gaps in campaign rules allow the spread of AI-generated images and messages without repercussion.⁷ Congress has begun considering this topic; the proposed REAL Political Advertisements Act would require disclosures of AI-generated texts, images, video, and audio in political content.⁸ The Federal Election Commission in August began a process⁹ to potentially regulate the use of deepfakes in election ads, voting to advance a petition to initiate a rulemaking to clarify that the Federal Election Campaign Act (FECA) prohibits deceptive advertisements created by generative AI. Election researchers agree that setting up guardrails for use of the technology should be an urgent priority. The European Union is already moving in this direction; in May, the European Parliament revised its draft of its Artificial Intelligence Act to designate “AI systems to influence voters in political campaigns” as high risk.¹⁰

As the 2024 presidential election race kicks off, campaigns from both sides of the aisle are already using this technology. The Republican National Committee put out an AI-generated video featuring dystopian scenes of war, economic collapse, and a

worsening immigration crisis.¹¹ The 30-second video features a small disclaimer in the top-left corner noting that it was “built entirely with AI imagery.” During the Chicago mayoral race earlier this year, a digitally fabricated video of candidate Paul Vallas was posted to Twitter just before the four-way primary. Vallas was seen as the most moderate of the four candidates and was known as being “tough on crime,” and after an account—which was deleted the following day—posted the deepfake of him making light of police brutality, the tweet quickly went viral and Vallas lost the race to progressive Brandon Johnson.¹² The Democratic Party has begun experimenting with the use of AI in writing first drafts of fundraising messages and found that those written using generative AI perform better than those written entirely by humans.¹³

In such an environment, it is imperative that voters be able to identify misinformation and disinformation. Efforts are underway to better understand how the public interprets AI-generated media and methods to best identify deepfakes. Detect Fakes, an MIT Media Lab research project, is examining how humans distinguish authentic media from synthetic media on the internet.¹⁴ The project seeks to generate insights for how to distinguish between media created by generative AI and media produced by traditional means. Government should collaborate with research institutions to expand such initiatives, and businesses should communicate best practices in identifying synthetic media.

Push back on deceptive practices

Lies about how, when, and where to vote have long been used to trick Americans out of voting.¹⁵ These methods have ranged from phone calls to flyers and will likely become more sophisticated with the proliferation of generative AI. To build resistance to deceptive practices, business should communicate to employees local voting rules, such as registration deadlines and opportunities for early voting. The information can be easily distributed among the employee base as an “election tool kit” containing links to local election rules and procedures.

Build resistance to election falsehoods

Election officials and government agencies should use voter education as a means to build resistance against election falsehoods. This outreach should build public confidence in the election process and include the expected timeline of vote counting and the certification of election results, as well as voting system security measures in place. Business, an institution increasingly viewed as competent and ethical,¹⁶ should play a key role in confidence building by disseminating this information to employees.

To further build resistance against election falsehoods, states and election administrators should take measures to deliver accurate election results as soon as possible. Ballots received before Election Day should be counted, and in any case processed, before Election Day. Many states permit processing before the ballots are opened and counted. Currently, in 38 states, election officials are permitted to begin processing absentee and mail ballots prior to Election Day. In nine states and the District of Columbia, election officials may process ballots on Election Day before polls close. Only 10 states allow both processing and counting to begin before Election Day; 23 states allow counting on Election Day, while 16 states and the District of Columbia do not allow counting to begin until after the polls close.¹⁷

States should consider making these changes to their laws regarding processing and counting ballots before Election Day early in the 2024 legislative sessions so the changes can come into force for the 2024 presidential election, to deliver quicker results and build confidence in the election.

Business Leadership Is Needed

Business leaders should take concrete steps to provide trusted information and promote voting with their employees, customers, and communities, including:

- Providing a leadership voice focusing on the importance of voting in elections—in order to keep our democracy strong.
- Communicating any new voting rules, options, and procedures to employees and customers, including providing information and reminders to their employees on early voting, deadlines for registration and voting dates for primaries and general elections, and processes for absentee ballots.
- Making it easier or more affordable for employees to serve as poll workers by providing paid leave to facilitate safe voting and reduce crowding at the polls.
- Encouraging early voting and mail-in voting to avoid confusion about the location of polling places and lines at polling places on Election Day.

Changes in the Modes of Voting

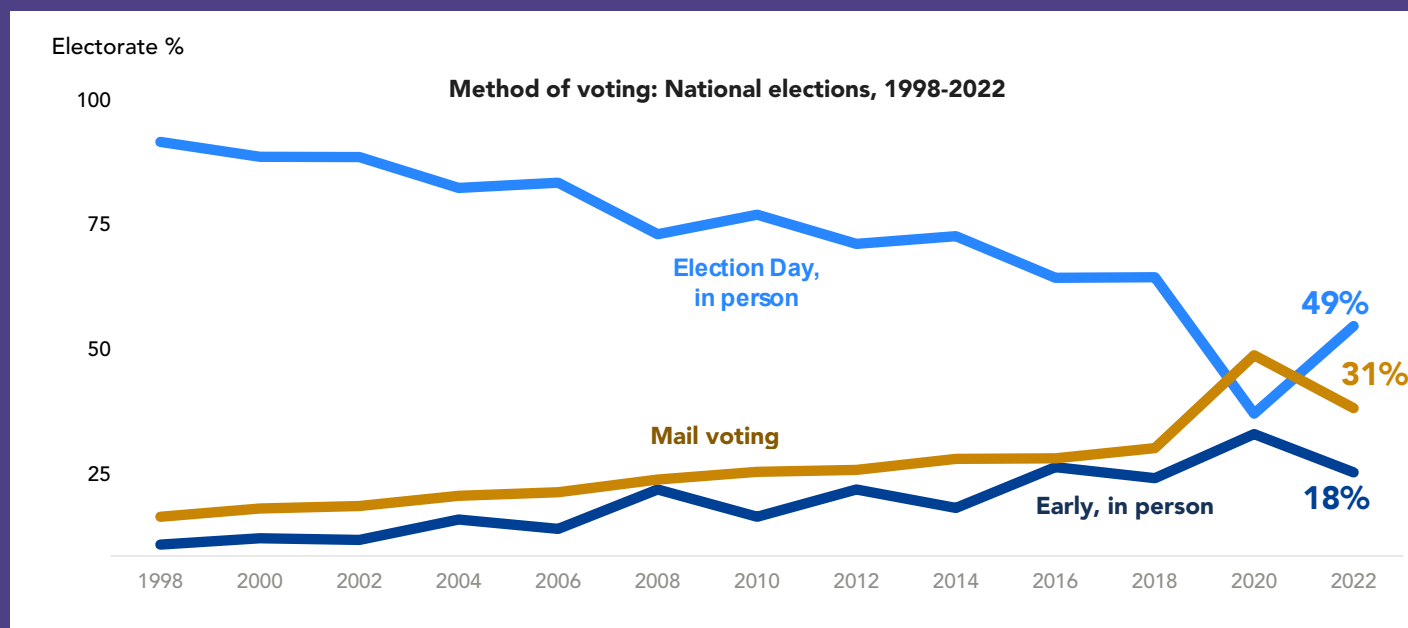
The rapid increases in AI's capacity and its potentially large impact on the credibility of elections makes the following reforms that much more important for election administrators to implement broadly and quickly.

The COVID-19 pandemic changed the way Americans vote, accelerating changes that were already apparent. Jurisdictions across the country took measures to expand access and make voting safer during the first year of the pandemic. A record number of people voted—the highest in our history—and of those, a record number voted early, with many casting their ballots by mail. According to the University of Florida's US Elections Project, a total of 101,453,111 people voted early in 2020,¹⁸ compared to the approximately 58 million who cast ballots through the mail or at in-person early voting sites in 2016.¹⁹

While voter turnout decreased by 5 percent compared to the last midterm election, the 2022 midterm elections made clear that these changes in the mode of voting are here to stay. According to a report by the EAC, mail voting rates in the US remained high during the 2022 midterms; over 35 million mail ballots were cast and counted.²⁰ In 2022, 31.9 percent of voters cast ballots by mail, a decrease from 2020 when that figure stood at 43 percent during the peak of the pandemic; however, 2022 saw a greater share of votes cast by mail compared to the 25.6 percent in the 2018 midterm elections.

Figure 1

Early, in-person and mail voting remain above prepandemic levels



Source: US Census Bureau

Secure Ballots and Elections

Despite little evidence that past election outcomes have been fraudulent, polls show declining confidence in the administration of US elections. One survey revealed higher confidence in election administration ahead of the 2022 midterm elections compared to the run-up to the 2020 presidential election, though it remained lower than prior to the 2018 midterm elections.²¹ In 2022, 70 percent of voters reported that they thought the elections would be run and administered at least “somewhat well” compared to 62 percent in 2020 and 81 percent in 2018. But perhaps most significant and threatening to the trust in the country’s democratic systems is the broadening partisan gap in confidence. According to Gallup, the current 45 percentage points that separate Republicans’ (40 percent) and Democrats’ (85 percent) confidence represents the largest gap Gallup has recorded on this measure since 2004. The prior high was 32 points in 2020.²²

Beyond this, many Americans are losing confidence in our nation’s democracy as a whole. According to a recent poll, half of Americans believe democracy in the US is functioning poorly, and most feel their interests are not represented well by government.²³ In a political climate characterized by heightened polarization, it is no surprise that public opinion differs along party lines. Elections are an opportunity for Americans to choose who will represent them in our government and ensuring that elections are free and fair is essential to the health of our democracy. Now more than ever, it is imperative that we restore trust in our most fundamental democratic process.

Voting practices to address diminishing public trust

The MIT Election Lab recently released a report highlighting the findings of a 2022 YouGov survey. Among 10,200 registered voters, respondents stated that the measures that would give them the greatest assurance about the security and integrity of elections were logic-and-accuracy testing (preelection procedures that ensure election infrastructure and ballots are performing as expected and accurately count votes as marked) (74 percent), securing paper ballots (74 percent), and postelection audits (72 percent).²⁴ Although time consuming for election administrators, postelection audits can inform election officials of errors in voting systems and can increase confidence in election results. However, in this survey, one-third of respondents stated that election officials used none of these measures,²⁵ which makes it important for election administrators to publicly report these efforts.

Despite this perception, according to the EAC's 2022 Election Administration Survey, nearly all states reported that they perform logic-and-accuracy testing. Most states also reported conducting some form of postelection tabulation audits, which is when a sample of ballots are selected and retabulated and the results are compared to the originally reported vote totals. It is incumbent upon election officials and public policy leaders to tell the American public which procedures are being undertaken to secure the vote.

All voting machines should produce a paper record of ballots cast. The use of paper ballots and other methods for postelection audits ensure that the equipment and procedures used to count votes are working properly and give voters confidence that the vote they cast is the vote recorded. In the mid-2000s, the use of direct recording electronic (DRE) machines, which may or may not produce a paper trail of the vote cast, surged. In 2016, 22 percent of registered voters lived in jurisdictions that used DRE machines without paper trails.²⁶ By 2020, that figure was down to 9 percent, reflecting election officials' growing concerns about DRE equipment.

Counties throughout six states still use paperless voting machines, most in solidly Republican or Democratic congressional districts. However, six districts are considered swing districts, raising the likelihood of a contested election: the second, third, fifth, and seventh districts in New Jersey; Indiana's first district; and Texas's 15th district.²⁷ New Jersey law has required paper voting systems for more than a decade, but because of lack of funding, the law has gone unenforced.²⁸ Since 2020, Indiana, Mississippi, Tennessee, and Texas have all either passed laws requiring voting systems to produce a paper record of every vote or moved up the deadline for doing so.²⁹

Addressing cyber vulnerabilities to protect against bad actors

Unchecked, aging infrastructure leaves our elections vulnerable to bad actors. The war in Ukraine and other geopolitical flash points have increased the motives for US adversaries to interfere in future elections. According to the Annual Threat Assessment of the Office of the Director of National Intelligence, Moscow views US elections as opportunities for malign influence as part of its larger foreign policy strategy.³⁰ In October 2022, the United Kingdom's Electoral Commission suffered a security breach involving the personal data of 40 million voters.³¹ The attackers were able to access full copies of the electoral registers, and the Commission's email system was also accessible during the attack.

The Department of Homeland Security (DHS) in February 2023 announced \$2 billion in funding for eight preparedness grant programs against acts of terrorism in six priority areas, including election security.³² DHS requires that State Homeland Security Program and Urban Area Security grant recipients dedicate at least 3 percent of their awards to election security for enhancing both physical election security and cyber election security.

While the DHS grant program acknowledges the value of secure elections to our national security, election administration is underfunded throughout much of the country. Despite the 2017 designation of election infrastructure as critical infrastructure, federal funding remains irregular and unpredictable.³³ Financial support for election administration has traditionally been considered a province of state and local governments. However, funding under the Help America Vote Act of 2002 (HAVA) provides states with funds to improve the administration of elections and upgrade voting systems.³⁴ Federal funding for election security should be robust and keep pace with national security threat levels. Additionally, Congress should appropriate HAVA funding for the EAC as soon as possible so that funds can be awarded to election administrators early, allowing for sufficient resource planning.

Election administrators should conduct rigorous testing of voting equipment for cybersecurity risks. They should also publicize election security measures undertaken to build public trust and encourage other states to adopt strong practices.

CISA, the lead federal agency responsible for national election security, works collaboratively with state and local governments, election officials, federal partners, and private sector partners to manage risks to election infrastructure.³⁵ CISA established the Joint Cyber Defense Collaborative (JCDC) to unify cyber defenders worldwide and create public-private partnerships to drive collective action across the cybersecurity community.³⁶ JCDC compiled a tool kit of free services and tools to help state and local government officials, election officials, and vendors enhance cybersecurity.³⁷ All election stakeholders should use this tool kit to understand the range of risks they face and learn how to prioritize their mitigation efforts.

Voting machines with wireless components capable of connecting to the internet are susceptible to cybersecurity threats. In 2021, the EAC required that wireless equipment in voting systems be rendered “disabled.”³⁸ However, according to the National Institute of Standards and Technology (NIST), there is a false perception that a vote counting or tabulating system must be continually connected to the internet to expose it to a bad actor, or that the system must be connected to the internet at the time of vote tabulation for an attack to be successful.³⁹ For instance, it may be assumed that a computer hosting an Election Management System (EMS) can be kept offline and networked to the local county network safely, but every device on the local county network that is connected to the internet adds an exploitable internet connection that can compromise the security of the EMS. For the 2024 election, all administrators should move beyond the EAC’s voluntary guideline to ensure that all wireless components are prohibited in voting systems.

Maintain accurate voter registration lists

Accurate voter registration records are one of the strongest defenses against voter fraud as they ensure that only eligible voters can cast a ballot. Additionally, accurate lists serve to inform Election Day planning by helping budget resources including voting machines, polling places, and poll workers accurately. The National Voter Registration Act of 1993 (NVRA) requires that states protect the integrity of the electoral process by assuring an accurate and current voter registration roll for federal elections.⁴⁰ The NVRA does not outline specific procedures for removing voters but instead sets a regulatory floor. HAVA requires states to develop a computerized, statewide list for voter registration and to coordinate voter records with records from state departments of vital statistics, corrections, and other state agencies.⁴¹ Cybersecurity in this effort is vitally important.

A 2012 study by Pew found that approximately 1 in every 8 voter registrations in the US is no longer valid or is significantly inaccurate.⁴² That same year, seven states set out to change this. Believing that state-of-the-art data matching technology, a robust data sharing program built on widely accepted security standards, and a commitment to cooperation would vastly improve the ability to maintain voter rolls, these states founded the Electronic Registration Information Center (ERIC).⁴³ The nonprofit, nonpartisan membership organization is funded and governed by its 26 member states and the District of Columbia. The ERIC system does not connect directly to state voter registration systems, and outside groups cannot access personally identifiable information.

ERIC members routinely submit their voter registration data and licensing and identification data from motor vehicle departments to ERIC through a secure process. ERIC also uses official death records from the Social Security Administration and change of address records from the US Postal Service.

Once considered a bipartisan effort, ERIC is under attack.⁴⁴ In early March, Florida, Missouri, and West Virginia together announced plans to pull out of ERIC, claiming concerns about data security and ERIC's "partisan tendencies";⁴⁵ just over a week later, following a meeting⁴⁶ of ERIC representatives to discuss changes to the system requested by several states, Ohio pulled out as well.⁴⁷ Iowa departed from ERIC in June.⁴⁸ Virginia also left the system in August.⁴⁹ These six states followed Louisiana and Alabama.⁵⁰

States must be held accountable for maintaining voter registration lists, and states not participating in ERIC must reach the same standard of voter registration list maintenance. Only accurate lists give confidence that exclusively eligible voters cast ballots and thus that the results reflect the will of eligible voters.

Access to Voting

Early voting

In 2020, CED recommended that states provide at least 10 days of early voting, including weekend and evening hours.⁵¹ The recommendation responded to measures necessary to conduct a presidential election safely during a pandemic but remains a good guide to providing more access to the polls for all citizens in response to popular demand. The 2022 midterm elections showed that Americans are continuing to vote early at rates

higher than those before the pandemic. Georgia, for instance, saw record-breaking early voting turnout and voting by mail.⁵² More than 131,000 Georgia voters cast ballots on the first day of early voting, an 85 percent increase from the 2018 midterms.⁵³ Early turnout in Georgia was especially high among Black voters, who made up a larger share of early voters in the 2022 midterms than in the 2020 presidential election.⁵⁴

Voters in Michigan and Connecticut passed early voting measures through ballot initiatives in 2022. Michigan adopted Proposal 2 by a 20 percent margin; this constitutional amendment establishes nine days of early voting, gives registered voters without a state ID an alternative means to verify their identity, and improves access to ballot drop boxes.⁵⁵ In Connecticut, previously one of only a handful of states that did not allow early voting, voters amended the state constitution to permit it.⁵⁶

Vote by mail/absentee voting

Vote by mail is another measure to increase access to voting. Currently, 27 states and the District of Columbia offer “no-excuse” absentee voting; any voter can request an absentee/mail ballot for any reason.⁵⁷ Eight states conduct elections entirely by mail; all registered voters automatically receive a mail ballot. The remaining 15 states only allow certain voters to vote absentee by mail by providing a qualifying excuse.⁵⁸

Pennsylvania’s no-excuse voting-by-mail law, Act 77,⁵⁹ passed in 2019 with bipartisan support. The bill also permits voters to choose to join a permanent mail voting list, offers an extra 15 days to register to vote, and extends the deadline for returning mail ballots. The Pennsylvania Commonwealth Court moved to strike down the law in January 2022, claiming that any changes to mail voting laws require a constitutional amendment.⁶⁰ In August 2022, however, the Pennsylvania Supreme Court upheld the law ahead of the midterm election.⁶¹ In that election, 1,230,630 million Pennsylvania voters cast their ballot early, an enormous increase from the 163,620 who voted early in 2018.⁶² Following a second appeal in June 2023, in a unanimous decision, the Pennsylvania Commonwealth Court again upheld Act 77, rejecting arguments that recent court decisions over whether to count ballots with missing or incorrect dates rendered the broader statute invalid.⁶³

In other recent state-level mail-in voting developments, all registered voters in Nevada will receive a ballot by mail, following passage of Assembly Bill 321 during the 2021 Legislative Session.⁶⁴ Connecticut voters in 2024 will vote on a no-excuse absentee voting amendment.⁶⁵

Given the increased prevalence of mail and absentee voting, it is imperative that states use best practices regarding ballot and envelope design, as well as develop clear guidelines on handling ballots that must be returned because of errors, so that voters have an opportunity to correct them.

To ensure that mail-in ballots are received in time to be counted, USPS should continue to handle mailing and return of ballots at or above service levels for First Class Mail. In 2022, USPS processed, transported, and delivered a total of 105.4 million ballots—51 million in the primaries and 54.4 million in the November midterms (including the December 6 run-off election in Georgia). USPS’s 2022 Post-Election Analysis found that 99.93 percent of ballots were delivered from voters to election officials within seven days, with 98.96

percent delivered within three days,⁶⁶ showing that USPS is generally strongly fulfilling its commitment. This commitment must continue, even as USPS continues its reorganization designed to cut costs, which will affect sorting and delivery practices and could reduce service levels.⁶⁷

Polling place closures

Ensuring an adequate number of polling places will prevent both low voter turnout due to travel distance and long lines. Research suggests that consolidating polling places and providing fewer places to vote increases the distance traveled, making it harder for communities of color to vote.⁶⁸ One report shows⁶⁹ that polling place closures have become much more common following the Supreme Court's 2012 *Shelby County v. Holder* decision, which struck down Section 5 of the Voting Rights Act's preclearance provision. The report found 1,688 polling place closures in places once covered by Section 5. Of the 757 counties studied, 298 reduced the number of polling places between 2012 and 2018.

To the extent that polling place closures result from resource constraints, states should work to secure sufficient funding to support local election administrations and also look to the alternatives of mail-in and early voting. To avoid poll worker shortages, election administrators should recruit poll workers through initiatives such as Power the Polls, a nonpartisan initiative launched in June 2020 by a coalition of businesses and nonprofits.⁷⁰ Power the Polls acts as a centralized hub for localized poll worker information.

Administration of Elections

Reaffirm commitment to nonpartisan/bipartisan administration

The US is one of few democracies in which most senior election officials come to their posts through partisan processes. Secretaries of State and county or city officials are either elected or appointed by elected local officials. However, the US has a strong tradition of administering elections in a spirit of nonpartisanship. These officials turn their backs on party politics and render impartial service in registering voters, supervising polls, and counting votes.⁷¹ While this impartiality is becoming more and more difficult to maintain as US politics becomes hyperpolarized, reaffirming this standard of nonpartisan administration is essential to voter confidence in fair elections.

Following the 2020 presidential election, some state legislatures began to introduce and enact legislation interfering with nonpartisan election administration.⁷² These proposals include bills that shift the power to oversee elections to partisan actors and provide for partisan-motivated reviews of votes. Election officials remain the target of much of the legislation. In the first quarter of 2023, 66 percent of the 102 election interference bills included at least one provision that would interfere with, penalize, unjustly burden, or usurp the roles of election officials.⁷³ North Carolina's House Bill 772⁷⁴ would allow observers appointed by county political parties to move freely around polling locations, record election officials, and stand as close as five feet away as voters cast their ballots. Any election official who restricts or denies access to an observer could be charged with

a misdemeanor. Measures that increase partisan control of election administration should be opposed or reversed.

Protect election administrators

All who assist in the administration of elections have the right to perform their duties safely and without fear of harassment, intimidation, or violence. Yet according to a Brennan Center survey of local election officials conducted in March-April 2023, nearly 1 in 3 experienced threats, harassment, or abuse; more than half of those threatened were menaced in person.⁷⁵

Following the 2020 election, battleground states saw a dramatic jump in election official turnover.⁷⁶ An analysis of six key battleground states (Arizona, Georgia, Massachusetts, Michigan, Pennsylvania, and Wisconsin) found that between the 2016 presidential election and the 2018 midterms, 18 percent of top election officials left the job. In the two years following the 2020 presidential election, that jumped to 30 percent. (These figures do not include turnover among lower-ranking election administrators, which is likely much higher.) Ahead of the 2024 presidential elections, states should expand protections for election administrators and increase penalties for those interfering with their duties.

In May, Nevada became the latest state to enact a bill protecting election workers.⁷⁷ The bipartisan bill is meant to deter attacks against election workers, who are facing increased scrutiny for their jobs, and makes it a felony to “doxx” (maliciously publish personal information about) election workers.

Several US senators recently reintroduced a bill to provide states with resources to recruit and train election workers and ensure these workers’ safety. The Election Workers Protection Act of 2023⁷⁸ would make it a federal crime to threaten, intimidate, or coerce election workers; provide grants to support state programs protecting election workers’ personally identifiable information; and extend the federal prohibition on doxxing to include election workers, among other protective measures.

HAVA established a program to provide federal funds to states and territories to upgrade voting systems and improve the administration of federal elections (any election with candidates for federal office, such as Congress), with the EAC administering two types of grants: formula and discretionary.⁷⁹ Formula grants go directly to states and US territories to support the administration of federal elections and improvements to voting and election systems and are distributed based on predetermined formulas and eligibility requirements. Discretionary grants are awarded on a competitive basis with eligibility and program requirements published via a Notice of Funding Opportunity. The Help America Vote College Program is one major discretionary grant program that encourages state and local governments to alleviate poll worker shortages by using students as poll workers, encourages students to participate as poll workers or assistants, and fosters student interest in the elections process.⁸⁰

Expand civics education

While the federal government does not set curricula, it plays a crucial role in supporting state and local efforts to prepare young people to become responsible participants in democracy. According to CivXNow, a national cross-partisan coalition focused on

improving K-12 civic education, only seven states—Idaho, Louisiana, Maryland, Nevada, North Carolina, Virginia, and Washington—require one year of civics or government studies in high school.⁸¹ Congress recently appropriated \$23 million to improve civics and history education as part of the 2023 Omnibus Appropriations Act, including a competitive grant program for universities and nonprofits committed to improving the quality of education in the subjects of civics, government, and American history.⁸²

It is in the interest of business to invest in educating and engaging the younger generation to become civic leaders.⁸³ Civic illiteracy not only diminishes trust in government and heightens polarization, but it threatens the economy as well; an informed and active citizenry makes for a strong economy and a strong workforce. Business has an important role to play as communities search for best practices in educating and engaging the younger generation in civic life. Public funding alone is insufficient in addressing our nation's challenge of educating the younger generation; public-private collaboration is essential to make the most out of funds for civic education.

Conclusion

Transparent, secure, fair, and accessible elections are fundamental to the confidence of US citizens in their government. Currently, a hyperpolarized environment, diminished trust in our nation's leaders, and rapid advancement in AI technology present us with new challenges ahead of November 2024. States and local election administrators can take many actions between now and the presidential election to bolster secure, credible, and accessible elections. However, business has a key role to play as a trustworthy source for guidance on election processes and building resilience to disinformation.

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