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Defending Elections

Federal Funding Needs for State Election Security

Since the "sweeping and systematic" efforts to interfere in the 2016 presidential election, Russia and other authoritarian actors like China are continuing to undermine American democracy through a variety of tools and tactics.[1] Senior members of the Trump administration have warned that these regimes will again seek to interfere in U.S. elections using cyberattacks and information operations.[2] Securing the integrity of the electoral process will therefore continue to be a critical component of a governmental strategy to deter foreign attacks against our democracy.

State and local election officials in recent years have faced sophisticated cyberthreats from rival nation-states and others seeking to undermine our democracy. In 2016, Russian hackers penetrated election computer networks in two Florida counties[3] and successfully accessed Illinois's voter registration database[4], yet their ambitions ranged even wider: a recent Department of Homeland Security report concluded that "Russian government cyber actors probably conducted research and reconnaissance against all US states' election networks."[5] Thankfully, officials "have not seen any evidence" that hackers changed vote tallies or manipulated voter information during the last presidential election[6]; but the threat that someone might try to do so in the future remains.

The United States has made important progress in securing our elections over the past few years. In 2018, Congress appropriated $380 million in Help America Vote Act ("HAVA") grants to bolster state election security efforts. States have allocated the vast majority of those funds to strengthen cybersecurity defenses, purchase new voting equipment, and improve post-election audits.[7] According to the Election Assistance Commission, 85% of this money will be spent by the 2020 presidential election.[8]

But even after these funds have been spent, many election security needs will remain unmet at the state and local level. Most states are using voting machines that are over a decade old and have not been certified to current security standards.[9] This includes eleven states that still use paperless voting machines, which are vulnerable to hacking and fail to provide a paper record officials can use to detect and recover from a cyberattack.[10] More than half of states do not require post-election audits of all votes before certification of election results, a key security recommendation from experts.[11] And many election officials have stated that they need to upgrade or replace anti-

quated state and local voter registration databases as well; as of May 2017, 41 states were still using systems created over a decade ago.[12] Malicious actors could manipulate vulnerable registration databases to interfere with the ability of voters to cast ballots on Election Day, leading to chaos at polling places and degrading confidence in the integrity of election results.

The accompanying report, which represents the consensus of members from a bipartisan group of organizations (the Alliance for Securing Democracy, the Brennan Center, Pitt Cyber and R Street Institute), details how six states – Alabama, Arizona, Illinois, Louisiana, Oklahoma, and Pennsylvania – are spending their portions of the $380 million HAVA appropriation and the unfunded security needs that remain. Taken together, these six case studies provide a broad range of the ongoing election security challenges faced by jurisdictions nationwide.

Endnotes

1 Alyza Sebenius, "U.S. sees Russia, China, Iran trying to Influence 2020 Elections," Bloomberg, June 24, 2019, https://www.bloomberg.com/news/articles/2019-06-24/u-s-sees-russia-china-iran-trying-to-influence-2020-elections; Jordan Fabian, "U.S. Warns of 'Ongoing' Election Interference by Russia, China, Iran" *The Hill*, October 19, 2018, https://thehill.com/policy/national-security/412292-us-warns-of-ongoing-election-interference-by-russia-china-iran

2 Martin Matishak, "Intelligence heads warn of more aggressive election meddling in 2020," *Politico*, January 29, 2019, https://www.politico.com/story/2019/01/29/dan-coats-2020-election-foreign-interference-1126077; Daniel Chaitin, "Top DHS official: hackers using midterms as 'warm up' for 'big game' in 2020," October 18, 2018,https://www.washingtonexaminer.com/news/top-dhs-official-hackers-using-midterm-elections-as-warm-up-for-big-game-in-2020.

3 Pam Fessler, "Mueller Report Raises New Questions About Russia's Hacking Targets in 2016," *NPR*, April 19, 2019, https://www.npr.org/2019/04/19/714890832/mueller-report-raises-new-questions-about-russias-hacking-targets-in-2016.

4 Lynn Sweet, "Mueller report confirms Russians 'compromised' Illinois State Board of Elections," *Chicago Sun-Times*, April 18, 2019, https://chicago.suntimes.com/news/2019/4/18/18619441/mueller-report-confirms-russians-compromised-illinois-state-board-of-elections.

5 Sean Gallagher, "DHS, FBI say election systems in all 50 states were targeted in 2016," *Ars Technica*, April 10, 2019, https://arstechnica.com/information-technology/2019/04/dhs-fbi-say-election-systems-in-50-states-were-targeted-in-2016/.

6 Erin Kelly, "Senate report: No evidence that Russians changed vote tallies in 2016," *USA Today*, May 8, 2018, https://www.usatoday.com/story/news/politics/2018/05/08/senate-report-no-evidence-russians-changed-vote-tallies-2016/592978002/.

7 *Grant Expenditure Report, Fiscal Year 2018*, The U.S. Election Assistance Commission, April 4, 2019, https://www.eac.gov/assets/1/6/FY2018HAVAGrantsExpenditureReport.pdf.

8 *Oversight of the U.S. Election Assistance Commission Hearing, Sen. Comm. on Rules* (Christy McCormick, Chair, U.S. Election Assistance Commission).

9 Lawrence Norden & Andrea Cordova, "Voting Machines at Risk: Where We Stand Today," Brennan Center for Justice, March 5, 2019, https://www.brennancenter.org/analysis/voting-machines-risk-where-we-stand-today.

10 "The Verifier — Polling Place Equipment — November 2018," Verified Voting, accessed June 28, 2019, https://www.verifiedvoting.org/verifier/; Delaware rolled out new machines with paper backups on May 14 of this year. See Amy Cherry, "Delawareans to get 1st look at new voting machines in upcoming school board elections," WDEL, May 6, 2019, https://www.wdel.com/news/video-delawareans-to-get-st-look-at-newvotingmachines/article_7d625346-6ddd-11e9-a2c7-4f6dfafa74af.html.

11 Norden & Cordova, "Voting Machines at Risk: Where We Stand Today."

12 Lawrence Norden and Ian Vandewalker, *Securing Elections From Foreign Interference*, Brennan Center for Justice, 2017, https://www.brennancenter.org/publication/securing-elections-foreign-interference.