Secure, Credible, Accessible Midterm Elections in 2022
The Time for Action is Now

Overview

The nation approaches the 2022 midterm elections in an uncertain state. Although there is little evidence that past election outcomes have been fraudulent, polls show that many Americans are losing confidence in the integrity of our elections. This loss of confidence, if left unaddressed by leaders in both the public and private sector, poses significant dangers to the fabric of American democracy.

The Committee for Economic Development, the public policy center of The Conference Board (CED), strongly believes that credible, secure, and accessible elections are fundamental to the confidence of US citizens in their government and its leadership, to the long-term health of the US economy, and to our leadership around the world.

Ensuring a credible election is a shared, bipartisan responsibility. Policymakers, election officials, and business leaders all have very important roles to play to promote confidence in the integrity of our electoral system and counting of votes, and to ensure that all qualified voters may participate easily and securely in our electoral process. Fortunately, there are steps that can be taken to promote confidence in the outcome of the midterm elections over the next couple of months. But adopting those solutions will take leadership, determination, and a spirit of bipartisan cooperation.
Recommendations for Secure, Credible, Accessible Midterm Elections

CED has a long history of promoting credible, accessible, transparent, secure and competitive elections. These principles are the foundation of our democracy and the pillars of CED’s recommendations over the years on election integrity. CED has long opposed the corrupting influence of money in politics and promotes non-partisan, independent commissions to restore competitive districts and replace partisan gerrymandering, which entrenches incumbents and diminishes the power of voters to choose their own representatives. There is still time to help ensure that this year’s midterm elections meet the necessary, trusted foundational standards. We urgently call on state and local officials, members of Congress, and business leaders to take the following steps to promote election integrity and security:

1. Secure ballots

- Require paper ballots to assist with audits and recounts and ensure that all voting machines produce a paper record of ballots cast
- Conduct rigorous testing, including for cyber security risks, of voting machines and other systems, before Election Day
- Prohibit wireless components in voting systems, which increase cybersecurity risk. At a minimum, for this election, all equipment in voting machines capable of connection to the internet should be disabled and rendered unusable, with a goal for 2024 that all wireless components should be prohibited in voting systems.
- Provide appropriate staffing and equipment for polling sites and training for poll workers
- Require rigorous audits and security for voter registration lists well before Election Day
- Require reporting of cyber security incidents to law enforcement, including attacks on voting infrastructure
- Conduct rigorous post-election audits of election systems on a nonpartisan basis

2. Access to the polls

- Provide at least 10 days early voting, including some evening and weekend hours
- Use best practices for absentee ballot design to avoid missing or misplaced signatures
- Provide that mail-in ballots received before Election Day be counted before Election Day to speed the announcement of results and that all ballots postmarked by the close of polls on Election Day shall be counted
- Establish and communicate clear guidelines regarding the processing and counting of absentee ballots and the handling of errors, including giving voters an opportunity to correct a defect in their returned absentee ballot if time permits and offer the opportunity to vote in person
• Establish a sufficient number of polling places and voting machines within these polling places so that voters do not have to wait in long lines and can reach the polls easily; ensure that voters have ample notice of any change in polling places
• Ensure a sufficient number of provisional ballots are available at all precincts in case of challenges to a voter’s registration

3. Administration of elections

• 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
• Take steps to ensure that electoral administration remains non-partisan. Even in states where certain election supervisory positions are elected, non-partisan staffing and standards must remain in place; where changes have been made that increase partisan control of election administration, they should be reversed
• Take steps to ensure that election administrators can conduct their jobs fairly, and securely without harassment and that Federal laws against voter intimidation are enforced
• Promote grants to local election boards where necessary to help conduct elections and guarantee a sufficient number of polling places
• Plan for the provision of sufficient physical and cyber security of election sites and infrastructure

4. In addition, Congress should

• Provide resources for state and local governments to strengthen both physical security of election sites and infrastructure and cybersecurity of election systems
• Modernize the Electoral Count Act to ensure a smooth counting of electoral votes after the next Presidential election and to ensure that voters decide who their state’s electors shall be
• Adopt a Federal standard that the US Postal Service should treat official Election Mail at or above standards for First-Class Mail

5. Finally, we believe business leaders should take concrete steps to 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 for voting, and voting 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 election, and processes for absentee ballots
• Donating supplies, services, and support to elections operations, where consistent with local law
• Making it easier or more affordable for employees to serve as poll workers
• Providing paid leave to facilitate safe voting and reduced crowding at the polls
Many states have policies in place to reduce crowding at polls on Election Day

**Early in-person voting**

- At least **10 days** guaranteed in all locations*
- **Some weekend hours** guaranteed in all locations*
- **Some evening hours** (until at least 7pm) guaranteed in all locations*

26 states
AK, AR, AZ, CA, GA, ID, IL, IN, IA, ME, MI, MN, MT, NE, NM, NC, ND, OH, PA, RI, SC, SD, TN, TX, VA, WY

17 states
DE, DC, GA, IL, IN, LA, MD, MI, MA, MN, NJ, NY, OH, OK, TN, VA, WV

8 states
DE, DC, IL, MD, NJ, NY, OH, TN

**Absentee voting**

- **Ballots mailed** to all registered or active voters
- **No excuse required** for absentee voting

8 states
CA**, CO, HI, NV, OR, UT, VT**, WA

36 states
AK, AZ, CA, CO, DC, FL, GA, HI, ID, IL, IA, KS, ME, MD, MA, MI, MN, MT, NE, NV, NJ, NM, NC, ND, OH, OK, OR, PA, RI, SD, UT, VT, VA, WA, WI, WY

*Does not include the vote-by-mail states of CO, HI, NV, OR, UT, WA.
**General election only.

Source: National Conference of State Legislatures; secretaries of state
Securing Ballots and Elections

Although there is little evidence that past election outcomes have been fraudulent, polls show that many Americans are losing confidence in elections. One survey revealed that only 16 percent of Americans are very confident in our election processes, while 42 percent have some confidence, with sharp divisions by party affiliation on the issue. Even more shockingly, in that poll, 48 percent of Americans said it is at least somewhat likely that some elected officials will succeed in overturning an election their party did not win.  

Another poll gave similar numbers, with 20 percent “very confident” in the integrity of the US election system and 39 percent “somewhat confident.”

Restoring Americans’ confidence in the integrity and security of our elections is an urgent task. The use of paper ballots or other methods to produce a voter-verified paper audit trail (VVPAT) will go far towards restoring confidence – because voters themselves will review the votes that election systems record before they leave the voting booth, and the audit trail will give assurance that any recounts will deliver the correct result, the one the people chose.

All machines should produce a paper record of ballots cast. DRE (“direct recording electronic”) voting machines that record votes directly to a computer’s memory, still used in 16 states with nearly 26 million registered voters, may or may not produce a paper record. In sharp contrast, systems with VVPAT make post-election recounts and regular audits easier – raising confidence in elections.

Over the years, many jurisdictions have underinvested in election equipment. Today, 24 states with over 41 million registered voters use machines that are over a decade old. A study found that “the principal voting equipment in 23 states with nearly 21 million registered voters is no longer manufactured,” raising the possibility of broken machines, long lines, and closed precincts on Election Day. The problem is particularly acute for voters with disabilities, as many systems for assistive voting equipment, which the Help America Vote Act (HAVA) required states to use, are no longer manufactured, a problem affecting 26 states.

Among the dangers of using older equipment is heightened cybersecurity risk. Election systems should have no wireless components, which open the possibility that hackers might access them and expose the machines to the internet. Despite a recommendation from the National Institute of Standards and Technology that voting machines not have wireless connections, in 2021, the US Election Assistance Commission required only that wireless equipment in voting systems be rendered “disabled.” Far better to have a clean rule that prohibits wireless components entirely in voting systems as the proposed No WIFI Act provides – and thereby also encourages jurisdictions to purchase the most modern equipment, capable of producing a voter-verified paper audit trial. For similar reasons, election administrators should be required to report both attempted and successful cyberattacks of which they become aware. At a minimum, for this election, all equipment in voting machines capable of connection to the internet should be disabled and rendered unusable, with a goal for 2024 that all wireless components should be prohibited in voting systems.
Election equipment should be easy for voters to use, but it requires trained poll workers to know how to activate the system and keep it running smoothly. Election administrators should make it a priority to provide appropriate staffing and equipment for polling sites and training for poll workers as well as rigorous testing, including for cybersecurity risks, well before Election Day. Trained observers, including partisan observers, should be encouraged to bolster confidence in the security and integrity of elections.

Among the most important responsibilities of election administrators is maintaining accurate voter registration lists. In 44 states, the National Voter Registration Act (the “motor voter law”) encourages easy registration of voters, a worthy objective but one that demands greater supervision from election officials charged with maintaining accurate lists. The law prohibits verification of lists (including purging of names) within 90 days of an election; this provision means that election administrators should audit their lists rigorously well before Election Day to ensure that only qualified registered voters can cast ballots.

Rigorous, nonpartisan post-election audits are also an indispensable tool in ensuring the accuracy of our elections and building confidence. Many states require these, and the effort is worth it. In Virginia, for instance, the 2021 audit “indicated that there was a .00256293556 percent chance that the outcome of the 75 District race was inaccurate; this means that election officials are over 99.743 percent confident in the reported outcome of this contest.” For the 13 District race, the similar figures were .002854934 percent and over 99.715 percent confidence that the results “accurately portrayed the winners of these elections.” Statistics like these and annual audits, from a state in which political control is divided between the parties, do much to assure Americans that they can be confident in our elections and should be widely publicized. Texas and Michigan have recently conducted audits that give comfort in highly contested races and offer suggestions for improvement in voting processes. Other states, like Colorado, are considering adopting similar or even broader audit provisions.

**Access to the Polls**

In recent years, trends towards early voting have made it more convenient for voters to vote. In 2020, CED recommended that states provide at least 10 days early voting, including some evening and weekend hours. That recommendation was specifically related to the added challenges of conducting a national election safely during a pandemic, but it remains a good guide to the types of steps states should take or maintain to encourage access to voting. It is also true that expanded early voting also allows detection and correction of registration errors before Election Day. Many states offer postage-paid “no excuse” absentee voting; those that do should use best practices for absentee ballot design to avoid missing or misplaced signatures.

To bolster confidence in elections and deliver results more quickly, states should also provide that mail-in ballots received before Election Day (and other absentee ballots) should be counted (but the results not publicly disclosed) before Election Day and to ensure that all voters who choose to vote have their ballots counted, states should provide that all ballots postmarked by the close of polls on Election Day shall be counted.
Most basically, absentee ballots (of whatever type) must be processed first before counting can begin. State laws differ on what constitutes “processing” (for instance, signature verification on the outside envelope of a returned ballot), but the process is both necessary and often time-consuming, which can delay results if processing does not begin before Election Day. Currently, 38 states and the Virgin Island allow processing of ballots prior to an election; an additional nine states and the District of Columbia permit processing to begin on Election Day itself.\(^{16}\)

A recent primary election in Maryland, which does not permit the processing of any absentee ballots until the Thursday after an election, shows the dangers of not permitting early processing. One week after the election, the state had not determined some results.\(^{17}\)

Counting – the actual counting of ballots – should also begin on Election Day if not before. Currently, ten states (including some vote by mail states) permit counting of absentee ballots before Election Day and 23 states permit counting on Election Day itself before the close of polls, while 16 states and the District of Columbia do not permit counting until after the polls close.\(^{18}\) Processing and counting as early as possible delivers results more quickly and thus boosts confidence in elections.

Further, local officials should establish and communicate clear guidelines regarding the processing and counting of absentee ballots and the handling of errors, including giving voters an opportunity to correct a defect in their returned absentee ballot if time permits and offer the opportunity to vote in person.

It is also incumbent on state and local election officials to establish a sufficient number of precincts and voting machines within each polling location so that voters do not have to wait in long lines and can reach their polling place easily. Here, the recent record is not good. In 2020, nearly 21,000 polling places were eliminated across the country\(^{19}\) (18 percent fewer than the base of 116,990 in the 2016 election\(^{20}\)), sometimes from a shortage of poll workers. In some areas, these cutbacks have fallen disproportionately on voters of color and disadvantaged communities, leading to lines that last hours.\(^{21}\) This leads to charges that reductions in polling places are the result of political interference or active discrimination\(^{22}\) – charges that, whether true or not, weaken confidence in our elections, raise the specter of continued discrimination, and sow distrust among Americans.

Quite simply, long polling lines discourage turnout. In the 2018 midterm elections, six percent of voters reported waiting in line at least 30 minutes, and the problem arose in about five percent of all precincts.\(^{23}\)

In all events, the trend of polling place closures tends to lessen turnout and weaken participation as voters face greater distances to reach the polls and long lines once there. Neither is healthy for democracy.\(^{24}\) This is particularly so as many states have enacted new laws on voting in the wake of the 2020 election, some of which effectively reduce access to polling places or impose other restrictions on voting.\(^{25}\) To the extent closures are the result of resource constraints, grants to local election administrations can help increase the number of precincts.
One step to increase access to the polls is to permit and encourage early voting. Currently, 27 states and the District of Columbia provide for the broadest policy: “no excuse” absentee voting (often including requesting to vote by mail26 rather than requiring a specified reason to request an absentee ballot); ten states permit absentee voting as a right when a voter’s work shift covers all voting hours.27 States can take steps help voters register and request an absentee ballot without requiring trips to election offices or notaries, which will increase turnout.

In 2020, the “pandemic election,” one study showed that 46 percent of voters voted by mail or absentee and 26 percent voted early in person, leaving only 28 percent who voted in person on Election Day itself.28 That 46 percent was over double the 21 percent who voted by mail or absentee in 2016. Sharp changes in preferences for how to vote are not easily changed back; attempts to restrict early or absentee voting, therefore, run the serious risk of diminishing turnout or angering voters. Even absent a pandemic, more voters have become used to – and prefer – the convenience of early and absentee voting.29 States should seek to promote ways to expand voters’ access to different methods of secure voting.

Given the increased prominence of absentee voting, it is essential for states to establish clear guidelines regarding the processing and counting of absentee ballots, and the handling of ballots that are returned with errors or deficiencies (for instance, ballots that are signed but not dated.)

Eight states have switched or are switching to vote by mail (VBM) systems (California, Colorado, Hawaii, Nevada, Oregon, Utah, Vermont, and Washington, with California and Vermont making the change to this format since 2020). Fifteen other states either permit counties to opt-in to VBM or permit certain elections to be conducted in this format or for all elections in certain jurisdictions.30 For those states that have chosen this format, and for other states that permit absentee voters to return a postal ballot VBM has proven safe and secure31 and gives voters increased opportunities to vote.

At polling places, it is important to ensure that a sufficient number of provisional ballots are available at all precincts. Americans move frequently, and challenges to registration on various grounds have become common. Section 15482 of the Help America Vote Act required jurisdictions to offer provisional ballots and provides clear grounds on which they must be issued if a voter declares eligibility to vote in that precinct.32 Nearly 1.5 million provisional ballots were cast in the 2018 midterm elections and 2.4 million in the 2016 Presidential election.33 (In California, provisional ballots accounted for 9 percent of all ballots that year.)

In the face of increased reliance on provisional ballots, the US Election Assistance Commission has offered a number of recommendations for states to ensure transparency and accountability, including the posting of clear rules on provisional ballots and methods to ensure voters know in what precinct they are supposed to vote.34 While challenges to provisional ballots are concentrated in a few states, all states should take steps to ensure that the provisional voting process is clear, smooth, and impartially administered. In the meantime, the rates of provisional ballots have averaged 1.8 percent in more popular
Presidential election years and 1.1 percent in off-year elections. Based on those figures, for most jurisdictions, availability of provisional ballots equal to 2-3 percent of total registration should be sufficient and cover cases of exceptionally large turnout, such as the Presidential election of 2008.

Administration of Elections

There is a long and honorable tradition that the administration of elections in the US is nonpartisan in spirit, even if certain officials who supervise elections, such as Secretaries of State or county or city officials, are elected or appointed by elected local officials. Reaffirming this standard, with practical steps, is essential to restore confidence in our elections and election systems. This includes matters related to the registration of voters, the supervision of polls, and the actual counting of votes. The practice of allowing partisan and third-party poll monitoring should be protected, and widespread poll monitoring on a bipartisan basis—with trained, partisan observers from both sides participating at the same polling locations—should be implemented. But, even in states where certain election supervisory positions are elected, nonpartisan staffing and standards should remain in place; where changes have been made that increase partisan control of election administration, they should be reversed.

Equally, all those who help administer elections, from precinct workers to state election officials, should have the right to perform their duties freely, without fear of harassment or intimidation. An investigation conducted by Reuters in 2021 found over 100 incidents of threats, including death threats, against election workers; the Department of Justice formed a task force to address the growing issue. At the time of the Reuters story, only four threats had resulted in arrests. A Justice Department task force is now working more closely with the FBI, which is a positive step, and the Department has made additional funds available to help protect election workers and the voting process. In addition, the US Election Assistance Commission has developed a helpful resource for election official security, including a checklist for personal security.

Steps Congress Can Take

In July 2019, the Senate Select Committee on Intelligence reported that elections-related systems in all 50 states were likely targeted with cyber-attacks during the 2016 election cycle; some attempts succeeded, including extraction of voter registration data. To address this ongoing cyber threat, Congress should to continue provide resources for state and local governments to strengthen security, including physical and cybersecurity of election systems, consistent with the Department of Homeland Security designation of election systems as critical infrastructure in January 2017.

As the Congressional Research Service has noted, “limited attacks on less well-defended jurisdictions might undermine voters’ confidence in the legitimacy of the election process or the winners it produces. In some cases, some have suggested, such small-scale attacks might also be capable of changing election outcomes.”
Funding under the Help America Vote Act is available to help states address cyber vulnerabilities in election systems, train election officials on cybersecurity, implement post-election audits, and replace paperless voting equipment. This includes $380 million made available in 2018, much of which has been spent on new voting equipment and strengthening cybersecurity. However, some experts suggest that additional funding is needed, with one analysis pegging the cost for nationwide implementation of basic security measures to protect against insider threats at $316 million over five years. In addition, access to election systems should be restricted to those who are performing official duties and management controls can be imposed to ensure physical security of voting equipment. Looking further ahead, the Defense Advanced Research Projects Agency “has provided funding to advance development of a secure, open-source voting system” – a project for the future of American voting.

The next urgent step, applicable to the 2024 election but requiring action now, is for Congress to modernize the Electoral Count Act of 1887 which governs the actual counting of electoral votes by the Vice President in Congress to ensure a smooth counting of electoral votes after the next Presidential election and to reaffirm that only a state’s voters decide who their state’s electors will be.

A bipartisan group of 16 Senators led by Joe Manchin (D-WV) and Susan Collins (R-ME) recently introduced a bill to reform the Electoral Count Act. Among other provisions, the bill would codify that the Vice President’s role in counting electoral votes is limited (confirming the interpretation that Vice President Pence gave on January 6, 2021), raises the threshold for objections to state-certified electors to one-fifth of each of the House and Senate (instead of the current one member of each body), provide that a state may send only one set of electors to Congress (submitted by the governor or another official previously designated by the state), and establish a three-judge appellate panel to hear cases concerning contested electors, with direct appeal to the Supreme Court. The Senators have also introduced a separate bill addressing the official Presidential transition process, doubling fines for those convicted of intimidating or threatening election workers, and clarifying how the US Postal Service handles official Election Mail (treating it at or above service levels associated with First-Class Mail to permit the return of as many ballots as possible before the close of polls on Election Day or other deadlines).

Recently, former President Jimmy Carter and former Secretary of State James A. Baker III coauthored a Wall Street Journal opinion piece calling for reform of the Act, which they termed “an antiquated, muddled and potentially unconstitutional law that allows uncertainty during a critical step in the peaceful transfer of power.” They urged that “congressional objections [to a state’s electors] should be allowed only on the basis of clearly defined and narrow criteria, and prohibited when results are fully verified in accordance with the law. The reform could also clarify that Congress’s constitutional authority to set the time of presidential elections precludes state legislatures from changing the means for choosing electors after voting has begun.” Carter and Baker had earlier co-chaired the 2005 Commission on Federal Election Reform, noting that in that effort “the debate occasionally grew heated. But by listening to one another, we found agreement on tough issues. Lawmakers should be able to do the same.”
The new bill is a strong bipartisan effort to reinforce our system of electing a President – and to ensure a peaceful transition of power. Reform is both essential and urgent.\(^{50}\)

**The Role of the Business Community**

Government leaders at all levels have an indispensable role in the fair conduct of elections. But both public and private sector leaders have a strong and indispensable role as well in ensuring election integrity and promoting secure and credible elections.

In early 2022, the annual Edelman Trust Barometer, an important study across 28 countries measuring popular trust in institutions such as business, government, and the media, concluded that business emerged as the most trusted institution, with 61 percent in the US trusting business. Thus, business leadership can contribute to social stability as people increasingly trust those closest to them, which often includes coworkers and workplace or business leadership; the report found that 65 percent of US employees trust information in employee media - a high figure in an age of distrust.

Business has a strong interest in helping to eliminate the noise confusing the facts and to strengthen trust in the electoral system and confidence in elections and democracy.\(^{51}\) Business should not hesitate to use its comparative advantage in promoting trustworthy information.

Before the 2018 election, hundreds of companies participated in the effort by the Time to Vote coalition to encourage giving employees time off from work to vote.\(^{52}\) State laws differ widely in this area, but most states require either paid or unpaid leave of some length of time (at least an hour, particularly if voting hours coincide with working hours), and many companies offer time off above the state minimum.\(^{53}\) This has both civic and economic effects: a 2018 survey revealed that 81 percent of consumers were more likely to buy products or services from a company that supported democracy promotion, and 76 percent of workers were more likely to work for such a company.\(^{54}\)

Business leaders can take a number of steps to promote voting. Circumstances change in every election. The location of polling places; the boundaries of districts for local, state, and US House races; and criteria for absentee voting such as application deadlines, among other factors, can all change, leading to confusion among voters. Business can play a role in informing its employees of these changes and directing employees to accurate sources of information (for instance, local board of election websites) to help them prepare to vote. Clear and accurate information in these areas will help increase turnout and reinforce confidence in elections and in employees’ understanding of their employers’ commitment to voting as a civic duty. Even for companies, such as small businesses, that cannot provide time off for their employees to vote, making this type of logistical information available will encourage early or absentee voting.

Businesses can also, where consistent with local law, donate necessary supplies and services for elections and assist with technology implementation. For instance, the brewer Anheuser-Busch donated eight million ounces of hand sanitizer for use at polling places, where voters share use of pens, pencils, and voting equipment, as part of its “Brew
Democracy” initiative, working with Secretaries of State, state election directors, and the Department of Homeland Security.\textsuperscript{55} And at a time when poll workers are in high demand, business can also help make it easier or more affordable for employees to serve as nonpartisan poll workers. In 2020, retailer Old Navy gave a full day of paid leave to employees who served as poll workers,\textsuperscript{56} while other companies made Election Day a paid day off to encourage higher turnout.\textsuperscript{57} Companies that cannot offer paid leave for this purpose could offer unpaid leave. The needs are great: it takes up to 700,000 poll workers to fully staff elections across the country, and election officials expect a shortage of workers this year. Business is already partnering in this effort, notably through the “Power the Polls” initiative, but more can be done.\textsuperscript{58}

**Conclusion: The Time for Action is Now**

As noted above, former President Carter and former Secretary of State Baker have collaborated on issues relating to our electoral system. Less well known is their past direct rivalry: Baker got his start in national politics as National Chairman of the Ford-Dole campaign in 1976 running against Carter. That election was close: a switch of 9246 votes in two states would have given Ford victory in the Electoral College.\textsuperscript{59} But Election Day was fair, the count was quick (even if the election could not be called until Hawaii voted), no one questioned the outcome, and power was passed peacefully from the Ford Administration to the Carter Administration.

That is the spirit of our democracy. That experience can and must be recovered if we are to sustain the democratic institutions that have made us a beacon of hope to the people of the world for nearly 250 years. This legacy is too precious to squander, and the urgency of the task compels us to act. It starts with common sense reforms to make voting easier, fairer, and more secure for all voters.
Endnotes


9 US Department of Justice, “The National Voter Registration Act of 1993”

10 National Conference of State Legislatures, “Voter Registration List Maintenance.”


12 Alexa Ura and Allyson Waller, “First part of Texas’ 2020 election audit reveals few issues, echoes findings from review processes already in place,” Texas Tribune, December 31, 2021.


14 Colorado General Assembly, Second Regular Session, 73rd General Assembly, HB21-1088, “Annual Audit Statewide Voter Registration System” (proposing an annual audit of at least 20 percent of the active registered electors in each county).


16 National Conference of State Legislatures, “Table 16: When Absentee/Mail Ballot Processing and Counting Can Begin.”


18 National Conference of State Legislatures, “Table 16: When Absentee/Mail Ballot Processing and Counting Can Begin.”


National Conference of State Legislatures, “Table 1: States with No-Excuse Absentee Voting”

National Conference of State Legislatures, “Table 2: Excuse to Vote Absentee.”


In economics and psychology, loss aversion theory suggests that people respond more powerfully to the perception of loss (in this case, restriction of voting options) than to the perception of gain, if any, in a given situation. See Daniel Kahneman and Amos Tversky, “Prospect Theory: An Analysis of Decision under Risk,” Econometrica, 47 (4): 263-291 (1979)

National Conference of State Legislatures, “Table 18: States With All-Mail Elections.”


National Conference of State Legislatures, “Provisional Ballots.”

MIT Election Lab, “Provisional ballots.”

US Election Assistance Commission, “Provisional Voting” (noting that in 2016 “Seventy-five percent of all provisional ballots issued were issued in Arizona, California, New York and Ohio. California alone accounted for more than half of all provisional ballots issued nationwide.”).


“Electoral Count Reform Act of 2022.”


Lisa Nagelle-Piazza, “Many States Require Employees to Provide Time Off to Vote,” SHRM, October 7, 2020; “State Laws: Time Off to Vote (Primaries & Nov. 8),” SHRM.


Jordan Valinsky, “These companies are giving their employees the day off to vote,” CNN Business, August 18, 2020.


SUSTAINING CAPITALISM

Achieving prosperity for all Americans could not be more urgent. Although the United States remains the most prosperous nation on earth, millions of our citizens are losing faith in the American dream of upward mobility, and in American-style capitalism itself. This crisis of confidence has widened the divide afflicting American politics and cries out for reasoned solutions in the nation’s interest to provide prosperity for all Americans and make capitalism sustainable for generations to come. In 1942, the founders of the Committee for Economic Development (CED), our nation’s leading CEOs, took on the immense challenge of creating a rules-based postwar economic order. Their leadership and selfless efforts helped give the United States and the world the Marshall Plan, the Bretton Woods Agreement, and the Employment Act of 1946. The challenges to our economic principles and democratic institutions now are equally important. So, in the spirit of its founding, CED, the public policy center of The Conference Board, releases a series of CED Solutions Briefs throughout the year. These briefs address today’s critical issues, including health care, the future of work, education, technology and innovation, regulation, US global competitiveness, trade, infrastructure, inequality, climate, energy & the environment, and taxation.