



THE DANGERS OF MASS MAIL-IN VOTING

Mail-in, or absentee, voting is becoming an increasingly large part of how Americans cast their ballots to choose our elected leaders. While it is not a process without merit, it comes with many risks to election integrity, especially if no safeguards are in place to ensure its efficiency and security.

This type of voting should be an option for some who, for legitimate reasons, cannot vote in person on Election Day, but it should not be the default option. Republicans in Congress should ensure that to the extent mail-in voting is utilized, it is only for legitimate voting purposes.

BACKGROUND

History of Absentee Voting

Absentee mail-in voting with an excuse is a longstanding practice in the U.S., with the original examples dating back to soldiers in the Civil War casting ballots from their battlefield to be counted back at home.¹ Excuse-required absentee voting continued to the modern era and was generally allowed for those physically unable to vote due to their physical condition or proximity on election day.

In the 1980s, states like California began adopting policies that removed the need for any “excuse” for requesting absentee ballots, allowing all citizens to request one if they desired. By the end of 2023, twenty-eight states had “no-excuse” absentee voting.²

However, eight states (California, Colorado, Hawaii, Nevada, Oregon, Utah, Vermont, and Washington) and Washington, D.C. have gone even further and instituted “all-mail” voting for their elections, meaning every registered voter receives a ballot in the mail without needing to request one.³ This step brings about an inherent set of risks that jeopardize the integrity of American elections and create absurdities that dampen faith in our electoral system.

Risks to Integrity

- Before the 2020 election, the U.S. Cybersecurity & Infrastructure Security Agency (CISA) issued a report on the risks of mail-in voting.⁴ Some key findings were:
 - The risk of attacks on election integrity is comparatively higher in a mail-in voting environment than in an in-person voting environment, as the voter cannot “help to answer questions regarding their eligibility or identity verification.”
 - Inbound mail-in ballot processes and tabulation take longer than in-person processing, causing tabulation of results to occur more slowly, resulting in more ballots to tabulate on election night. Because of this, less comprehensive results are announced on election night, “which creates additional risk of electoral uncertainty and confidence in results.”
 - One reason why mail-in votes take so much longer to count is that they are supposed to go through a process called “pre-canvassing,” which includes checking voter signatures, opening the envelopes, taking out the ballots, flattening them, and then grouping them.⁵

- In the 2020 election, four states, including the swing states of Wisconsin and Pennsylvania, did not allow this process to begin until election day, significantly slowing down their tabulation.⁶
- Ballots mailed back early are typically stored in election offices and warehouses, creating a physical security risk as they must be securely stored for days or weeks to ensure their integrity.
- When a ballot is mailed, it may not reach the elections office by election closing time, if at all. This can cause delays in the vote-counting process, including ballot drops days after an election.
 - In 2020, more than 20 states accepted ballots after Election Day. Washington state allowed ballots to be received and counted up to 20 days after the election.⁷ This delays the announcement of an election's result and seriously undermines public confidence in the election outcome, particularly in close elections.
 - In California, for example, ballots can be accepted up to a week after election day if postmarked by election day. This expands the opportunity for fraud and lowers Americans' trust in the election's integrity.⁸ While statewide elections are usually determined on election night, local races, including those for U.S. House seats, are often much closer and can't be determined for days due to continuing to collect mail-in ballots.
- Most states allow non-profit organizations to register voters and manage election drop boxes. This invites oversight issues and disenfranchises rural voters who do not have the same access to these drop boxes as urban and suburban voters.⁹
 - In addition, there is reason to believe that the motives behind these efforts are very partisan. Billionaire Mark Zuckerberg provided hundreds of millions in funding through a non-profit for the 2020 election, such as for mail-in ballot drop-box placement, ballot curing, and ballot harvesting.¹⁰
 - These funds disproportionately went to Democrat party strongholds. For example, in Pennsylvania, more than 90 percent of the \$25 million in "Zuckerbucks" went to counties Joe Biden won. (For more on this, see the RPC guide entitled *Election Integrity is Fundamental to our Republic*.)¹¹
- Mass mail-in voting increases opportunities for error and fraud in states that do not maintain clean voter rolls. For instance, in the last two elections, there were reports from multiple states of individuals receiving multiple ballots at their address, ballots being delivered to addresses of people either deceased or no longer residing in the state, and to addresses of vacant houses or apartments.
 - Enforcement of federal law that requires states to make a reasonable effort to maintain clean voter rolls is up to the U.S. Department of Justice (DOJ). However, under Presidents like Obama and Biden, most of their enforcement and litigation is done by progressive staff who interfere with voter roll clean-up efforts.¹² (For more, see the RPC guide *Voter Registration List Integrity*.)¹³
 - In 2020, a study found that Michigan's voter registration rate was 105% of eligible voting-age citizens, and 16 counties had registration rates at about 110%.¹⁴
- Many first-world European and Asian countries have greatly restricted their absentee ballot process.
 - Some, like the Czech Republic and Israel, completely forbid absentee voting, while countries like France, Belgium, and Sweden only allow it for those living outside the country.¹⁵
 - France's heavy restrictions originate from a mail-in voting scandal in Corsica in 1975, where postal ballots were stolen, purchased, and used to cast votes for the deceased.¹⁶

POLICY SOLUTIONS

As long as mail-in voting exists, Congress must ensure election integrity is maintained. Several policies can be undertaken, both on the federal and state levels, to ensure fair mail-in voting.

To do this, Congress should pass legislation that:

- Requires a mail ballot for federal elections to include a legible postmark and timestamp.
- Requires polling places to report the total number of voted ballots delivered by mail as of election closing time to their state's secretary of state.
- Mandates the postmaster of each post office report the number of ballots processed at the facility to their state's secretary of state and to the chairman and ranking member of the House Administration Committee no later than the close of business on election day.

Congress should also pass the following bills:

- H.R. 8281, the Safeguard American Voter Eligibility (SAVE) Act - would require states to obtain proof of citizenship—in person—when registering an individual to vote. It would also require states to remove non-citizens from existing voter rolls.^{17,18}
- H.R. 1725, the End Zuckerbucks Act – this would prohibit tax-exempt organizations from providing direct or indirect funding to official election organizations.¹⁹

States should also implement best-practice measures to ensure mail-in voting integrity.

- To prevent delays in vote counting, creating suspicion of nefarious activities and illegal votes, states should begin verifying the validity of mail-in ballots before election day. Procedures should be established to ensure that legal votes are protected and swiftly counted.
- Ballots should exclusively be sent to those who request one and comply with state laws for mail-in applications and identity verification. States and jurisdictions should also ensure that any returned ballots match their envelopes.

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¹ Voting by mail and absentee voting. MIT Election Data + Science Lab. <https://electionlab.mit.edu/research/voting-mail-and-absentee-voting>

² *Id*

³ *Id*

⁴ Mail- In Voting in 2020 Infrastructure Risk Assessment. Cybersecurity and Infrastructure Security Agency. https://www.cisa.gov/sites/default/files/publications/cisa-mail-in-voting-infrastructure-risk-assessment_508.pdf

⁵ Hansi Lo Wang. Why mail voting laws may slow the count in some key swing states. National Public Radio. <https://www.npr.org/2022/11/08/1134235552/midterm-election-results-pre-canvassing-ballot-processing>

⁶ Curt Merrill, Daniel Wolfe, Janie Boschma, Adam Levy, Ethan Cohen, Liz Stark, and Ian Berry. Mail-in ballots: When every state starts counting. CNN. <https://www.cnn.com/interactive/2020/politics/mail-in-voting/>

⁷ Jiachuan Wu, Elliot Ramos. Map: The states that accept mailed ballots after Election Day. NBC News. <https://www.nbcnews.com/politics/2020-election/map-states-accept-mailed-ballots-after-election-day-n1246044>

⁸ Vote By Mail. California Secretary of State. <https://www.sos.ca.gov/elections/voter-registration/vote-mail>

⁹ The Case Against Mass-Mail In Ballots. America First Policy Institute. <https://americafirstpolicy.com/issues/the-case-against-massmail-in-ballots>

¹⁰ “Zuckerbucks” Were a Problem in the 2020 Election. Foundation for Government Accountability. <https://thefga.org/one-pagers/zuckerbucks/>

¹¹ Election Integrity is Fundamental to our Republic. House Republican Policy Committee. <https://republicanpolicy.house.gov/sites/evo-subsites/republicanpolicy.house.gov/files/evo-media-document/election-integrity-is-fundamental-to-our-republic-final.pdf>

¹² Cases Raising Claims Under The National Voter Registration Act. U.S. Department of Justice – Civil Rights Division. <https://www.justice.gov/crt/cases-raising-claims-under-national-voter-registration-act#kynvra2018>

¹³ Voter Registration List Integrity. House Republican Policy Committee. <https://republicanpolicy.house.gov/sites/evo-subsites/republicanpolicy.house.gov/files/evo-media-document/State%20Voter%20Roll%20Maintenance.pdf>

¹⁴ Judicial Watch Study: 1.8 Million Extra Registered Voters. Judicial Watch. <https://www.judicialwatch.org/judicial-watch-study/>

¹⁵ John R. Lott, Jr. Simple tests for the extent of vote fraud with absentee and provisional ballots in the 2020 US presidential election. Crime Prevention Research Center. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3666259

¹⁶ *Id*

¹⁷ H.R. 8281 – SAVE Act. 118th Congress. <https://www.congress.gov/bill/118th-congress/house-bill/8281>

¹⁸ Rep. Roy leads fight to SAVE American elections. Representative Chip Roy. <https://roy.house.gov/media/press-releases/rep-roy-leads-fight-save-american-elections>

¹⁹ H.R. 1725 – End Zuckerbucks Act. 118th Congress. <https://www.congress.gov/bill/118th-congress/house-bill/1725>