



Election Integrity

Summary and Key Talking Points

Policy Proposals

1. Require all voters to present photo identification issued by the federal, state, local, or tribal government when voting.
2. Require all individuals who register to vote to provide proof of U.S. citizenship.
3. Prohibit private funding of any election officials and election offices and agencies.

Quick Facts

1. A 2012 Pew Study showed that 24 million voter registrations were inaccurate, out of date, or duplicates.
2. In 2020, the Public Interest Legal Foundation found more than 144,000 potential cases of fraud by individuals registering and voting more than once in the 2016 and 2018 elections.

Power Phrases

Uphold Our Constitutional Republic

- The right to vote in a free and fair election is the most basic civil right and one on which many other rights of the American people depend.

Establish Trust

- The electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters. The security of the ballot box cannot be left to the honor system.

Defend Against Fraud

- The automatic mailing of absentee ballot request forms and absentee ballots to all registered voters presents serious threats to election security.
- Congress and the states must ensure that all eligible Americans are able to vote and that their votes are not stolen or diluted by fraud or administrative errors.

The Issue

As important as elections are—giving citizens rightful input into government spending, who receives benefits, and how the government exercises its power—some people will attempt to cheat. Examples abound throughout U.S. history, from the 135 percent of eligible voters who turned out for an 1844 election in New York to the infamous ballot Box 13 in Lyndon Johnson’s fraudulent 1948 Senate election. The 1997 Miami mayor’s race was overturned because of more than 5,000 fraudulent absentee ballots. A mayoral election in East Chicago, Indiana, in 2003 and a state senate race in Tennessee in 2005 were also overturned due to voter fraud.

In 2013, four people in Indiana were convicted of forging signatures on the ballot petitions that qualified Barack Obama for the state’s May 2008 primary election. In 2015, a city council race in the New Jersey town of Perth Amboy was decided by a mere 10 votes. A judge overturned the election and ordered a new one after it was revealed that at least 13 illegal absentee ballots had been cast. More recently, the 2018 election for the Ninth Congressional District in North Carolina was overturned after the State Board of Elections found organized absentee-ballot fraud that altered the outcome.

As the Supreme Court of the United States recognized when it [upheld the constitutionality](#) of Indiana’s voter identification law in 2008, flagrant examples of voter fraud “have been documented throughout this Nation’s history by respected historians and journalists...” Those examples “demonstrate that not only is the risk of voter fraud real but that it could affect the outcome of a close election.” The Heritage Foundation’s [Election Fraud Database](#) has documented almost 1,500 instances of voter fraud from across the country, and the number continues to grow.

Many partisan activists, liberal academics, and members of the media elite deny that election fraud exists or that any action is needed to protect the integrity of the election process. The nonpartisan Commission on Federal Election Reform, however, chaired by former President Jimmy Carter and former Secretary of State James A. Baker III, [found that the](#) “electoral system cannot inspire public confidence if no safeguards exist to deter or detect fraud or to confirm the identity of voters.”

The right to vote in a free and fair election is a citizen’s most basic civil right, the one on which many of the other rights of Americans depend. Congress and the states can and should guarantee that every eligible citizen is able to vote—and that no one’s vote is stolen. The Heritage Foundation has [published](#) a detailed and extensive list of best-practice recommendations for state legislatures, which have primary responsibility for administering elections, but there are actions that the federal government can take as well. Additionally, The Heritage Foundation’s [Election Integrity Scorecard](#), which analyzes the election laws of all 50 states and the District of Columbia and grades each state on how well it protects the security and integrity of the election process, gives states a clear picture of where their laws and regulations meet the best practices and where vulnerabilities exist and how to fix them.

Recommendations

Policy Proposals (Federal)

In order to protect free and fair elections in the United States, Congress should:

Require all voters in federal elections to present photographic identification, issued by the federal, state, local, or tribal government, when they vote at their polling place and to send copies of such identification (or their driver’s license or non-driver’s identification card number) when submitting an absentee ballot. Such a photo ID should be provided free of charge to those who request it for voting purposes.

Allow state election officials to verify the U.S. citizenship of registered voters by making the Social Security Administration and Department of Homeland Security (DHS) databases available to those officials.

Require all federal courts to notify state election officials when individuals whose names are drawn from their voter registration rolls are excused from jury duty because they are not U.S. citizens and require all federal courts to notify the U.S. Department of Justice (DOJ) for purposes of investigation and possible prosecution of such cases.

Amend the National Voter Registration Act of 1993 to allow states to strike individuals who have not voted in two consecutive federal elections from the voter rolls. These individuals must be informed in writing that they will be removed unless they contact election officials by a certain time.

Amend the National Voter Registration Act of 1993 to clarify that states may require proof of citizenship from those who are registering to vote.

Require the DHS to provide the DOJ with all the information it has on non-citizens who have registered for, or voted in, federal, state, or local elections. Not only should the DHS revoke the visas and reject the citizenship applications of aliens who have registered or voted illegally, the DOJ must also investigate and prosecute non-citizens who have violated federal law.

Sunset the U.S. Election Assistance Commission, a federal agency created in 2002 to administer a one-time grant of federal funds to the states. Having this superfluous federal agency in place will tempt Congress to expand its authority to impose federal mandates through federal regulations, which could lead eventually to the complete takeover of the election process by the federal government.

Direct the Department of Defense to create voter registration offices on all military installations to provide voting assistance to military personnel and their families and allow nonpartisan veterans groups to hold voter registration drives at commissaries or other public locations on military posts and bases.

Policy Proposals (State)

In order to protect free and fair elections in the United States, state legislatures should:

Require all voters in federal, state, and local elections to present photographic identification, issued by the federal, state, local or tribal government when they vote at their polling place, and to send copies of such identification or their driver's license or non-driver's identification card number when submitting an absentee ballot. Anyone who does not have an ID should receive it free of charge from state authorities. Academic studies and election results both show that ID requirements do not depress voter turnout, including among minority voters. A vast majority of voters of all parties, races, and ethnic backgrounds support such a requirement, which increases public confidence in the integrity of elections.

Require all individuals who register to vote to provide proof of U.S. citizenship. States have an interest in preventing dilution of the votes of their citizens at the state level and must maintain citizen-only voting rolls for federal elections. When a state issues a driver's license to a non-citizen, whether he is in the country legally or illegally, the license should indicate clearly that the holder is not a U.S. citizen.

Require state and local election officials to verify the accuracy of new voter registration information against other available state and federal databases. Section 303 of the Help America Vote Act (HAVA) of 2001 requires states to coordinate their voter registration lists with "other agency databases" and to "verify the accuracy of the information provided on applications for voter registration." Some election officials are not complying with this law and are not verifying new voter registration information against other available

databases, such as Department of Motor Vehicles driver's license records and Social Security Administration death records. Legislators should implement this requirement as a state law to ensure that their state election officials follow this commonsense requirement.

Require individuals who register by mail to vote in person the first time they vote. Section 6 of the National Voter Registration Act allows states to implement such a requirement, although it cannot apply to anyone entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act or the Voting Accessibility of the Elderly and Handicapped Act.

Require all individuals who register to vote by mail-in forms, whether mailed back to election officials or hand-delivered by the individual or third-party organizations, to comply with the applicable HAVA provision. HAVA requires persons who register to vote by mail and who have not previously voted in a federal election to provide a copy of certain identification documents when they register or the first time they vote, but some states have interpreted this to apply only to voter registration forms received through the mail and not when they are delivered through other means.

Require all third-party organizations that conduct voter registration drives to write the name of their organization, as well as the name of the volunteer or employee handling each registration, on the voter registration form, and that all completed forms be returned to election officials within 10 days of the date on which the forms are signed by the person registering. This would allow election officials to identify which organization and individual handled voter registration forms that are found to be incomplete or fraudulent and to ensure that completed registration forms are provided to election officials on a timely basis for proper processing before the state's pre-election registration deadline.

Require all state courts to notify election officials when individuals whose names are drawn from the registration rolls are excused from jury duty because they are not U.S. citizens or no longer live in the jurisdiction. This measure would allow local election officials to remove ineligible voters and refer them for possible prosecution. Running data comparisons between voter registration addresses and property tax rolls is also recommended for detecting individuals who are registering illegally at commercial addresses or vacant lots.

Require that each state enter into agreements with other states to compare voter registration lists to find people who are registered in more than one state. Because there is no national voter registration list, it is relatively easy for individuals to register in more than one state without detection. Such agreements are critical to detecting and deterring double registration and possible double voting.

Reject any effort to eliminate the electoral college. Any state compact to manipulate or alter the electoral college requires congressional assent. Congress should reject such a compact, as well as any constitutional amendment to scrap the electoral college.

Reject same-day and automatic voter registration, the automatic mailing of absentee-ballot-request forms and absentee ballots to all registered voters, and permanent absentee-ballot lists.

Prohibit private funding of any election officials and election offices and agencies.

Ban ranked-choice voting. Ranked-choice voting is an opaque, confusing system that overly complicates the voting and election process, making it harder for individuals to vote and election officials to tabulate the results.

Facts + Figures

FACT: States have the right and responsibility to ensure the integrity of their elections and to ensure that the votes of eligible voters are not stolen or diluted by fraud.

- The U.S. Constitution reserves to the states the exclusive authority for most election decisions, including voter qualifications.
- A 2012 Pew study showed that 24 million voter registrations are inaccurate, out of date, or duplicates with 2.8 million people registered in two or more states and 1.8 million dead people still registered.
- In 2017, the Public Interest Legal Foundation found that more than 5,500 non-citizens had registered to vote in Virginia. Of these illegal registrants, 1,852 cast nearly 7,500 ballots in a state in which two state-wide attorney general races have been decided by fewer than a thousand votes.
- In 2020, the Public Interest Legal Foundation found more than 144,000 potential cases of fraud by individuals registering and voting more than once in the 2016 and 2018 elections, as well as individuals determined by state authorities to have votes cast in their name after their deaths, and individuals voting from nonresidential addresses, such as post offices, gas stations, parks, and vacant lots.
- The evidence of voter fraud from specific cases shows which types of laws and regulations are most effective in preventing and deterring fraud. The Heritage Foundation maintains [a growing database](#) with a sampling of fraud cases from across the country.

FACT: Election fraud is a reality that has been documented repeatedly through the prosecution and conviction of criminal cases.

- A 1984 New York grand jury report detailed extensive voter registration fraud and impersonation fraud at the polls that had been carried out for 14 years in state and federal elections.
- A Chicago grand jury report described an extensive system of voter registration fraud and vote theft that resulted in 100,000 fraudulent votes being cast in the 1982 election. The U.S. Attorney in Chicago [estimated](#) that at least 80,000 illegal aliens were registered to vote in Chicago at the time. Many other states have had similar problems.
- An extensive North Carolina State Board of Elections investigation of the 2018 Ninth Congressional District election found a “coordinated, unlawful, and substantially resourced absentee ballot scheme” that “corrupted” the election through fraud. The election was overturned.

Resources

The Heritage Foundation, [A Sampling of Election Fraud Cases from Across the Country](#).

The Heritage Foundation, [Election Integrity Scorecard](#).

Hans A. von Spakovsky and J. Christian Adams, [Maintaining Accurate Voter Registration Rolls: The Need to Rehabilitate the ERIC Program or Form an Alternative](#), Heritage Foundation *Legal Memorandum* No. 328, April 19, 2023.

Hans A. von Spakovsky, [The Latest Election Data Show—Once Again—that “Voter Suppression” Claim Is Just Propaganda](#), Heritage Foundation *Backgrounder* No. 3761, April 19, 2023.

The Heritage Foundation, [Ranked Choice Voting Should Be Ranked Dead Last as an Election Reform](#), *Factsheet* No. 242, January 27, 2023.

Hans A. von Spakovsky, [Best Practices and Standards for Election Audits](#), Heritage Foundation *Legal Memorandum* No. 304, June 15, 2022.

The Heritage Foundation, [The Facts About Election Integrity and the Need for States to Fix Their Election Systems](#), *Factsheet* No. 196, February 1, 2021.

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- Don Palmer, [Faulty Data Fuel Challenges to Voter ID Laws](#), Heritage Foundation *Backgrounder* No. 3069, January 12, 2016.
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- Hans A. von Spakovsky, [Lessons from the Voter ID Experience in Tennessee](#), Heritage Foundation *Issue Brief* No. 4180, March 25, 2014.
- Hans A. von Spakovsky, [Mandatory Voter Registration: How Universal Registration Threatens Electoral Integrity](#), Heritage Foundation *Backgrounder* No. 2780, March 28, 2013.
- Hans A. von Spakovsky, [Requiring Photographic Identification by Voters in North Carolina](#), Heritage Foundation *Lecture* No. 1234, July 29, 2013, delivered March 13, 2013.
- Hans A. von Spakovsky, [Revisiting the Lessons from the Voter ID Experience in Kansas: 2014](#), Heritage Foundation *Issue Brief* No. 4380, April 10, 2015.
- Hans A. von Spakovsky, [Revisiting the Lessons from the Voter ID Experience in Texas: 2015](#), Heritage Foundation *Backgrounder* No. 3042, August 4, 2015.
- Hans A. von Spakovsky, [Voter Photo Identification: Protecting the Security of Elections](#), Heritage Foundation *Legal Memorandum* No. 70, July 13, 2011.
- Hans A. von Spakovsky and Alex Ingram, *Without Proof: The Unpersuasive Case Against Voter Identification*, Heritage Foundation *Legal Memorandum* No. 72, August 24, 2011.
- Public Interest Legal Foundation and Virginia Voters Alliance, [Alien Invasion II: The Sequel to the Discovery and Cover-up of Non-Citizen Registration and Voting in Virginia](#), May 2017.
- Public Interest Legal Foundation, [Critical Condition: American Voter Rolls Filled with Errors, Dead Voters, and Duplicate Registrations](#), September 2020.