

United States Senate

WASHINGTON, DC 20510-4606

September 26, 2024

The Honorable Jen Easterly
Director
Cybersecurity & Infrastructure Security Agency
1110 North Glebe Road
Arlington, VA 22201

Dear Director Easterly:

I write to you today with great concern regarding the potential for election misinformation and disinformation campaigns impacting state and local election offices ahead of the November 5, 2024 Presidential election.¹ Attacks against state and local election offices and officials will have ramifications on our democratic processes, including the administration of elections² and possible voter suppression and intimidation.³ As such, I strongly urge you to use all the tools at your disposal to provide state and local administrators with the necessary resources to uncover, build resilience against, and rapidly respond to information manipulation campaigns leading up to the election and afterwards.

State and local election offices play a vital role in the administration of elections, including supervising and holding elections, providing for the safety and security of our voting systems, and serving as trusted determiners of election results. In the lead up to consequential elections, election offices serve as credible information ecosystems, providing critical information on the time, manner, and place of elections. Voters trust these entities to ensure that our elections are accurate, safe, secure, and accessible. That is why I am encouraged by and salute the work of the Cybersecurity & Infrastructure Security Agency (CISA) in continuing to support state and local efforts to safeguard election integrity.

Unfortunately, throughout this election cycle we have witnessed an unprecedented rise in targeted election disinformation campaigns. Most infamously, in January 2024, voters in New Hampshire were on the receiving end of robocalls from domestic partisan actors using an artificial intelligence (AI) generated voice impersonating President Joe Biden ahead of the state's

¹ Hsu, Tiffany. "Elections Officials Battle a Deluge of Disinformation." The New York Times, August 12, 2024. <https://www.nytimes.com/2024/08/12/business/media/2024-election-disinformation.html>.

² *Ibid.*

³ Benjamin Barber. "Advocates Take on Voter Disinformation Ahead of November Elections." Facing South, September 13, 2024. <https://www.facingsouth.org/2024/09/advocates-take-voter-disinformation-ahead-november-elections>.

primary, urging voters not to vote and to instead save their vote for the general election.⁴ Separately, the Intelligence Community's 2024 Annual Threat Assessment shed light into strategic and intentional attempts by foreign actors, including Russia, China, and Iran, to magnify and exploit social divisions and conduct election influence operations through the dissemination of false and misleading information⁵ – with presidential elections being prime targets of such efforts.⁶ Just earlier this month, the Department of Justice successfully disrupted a covert Russian government-sponsored influence campaign to shape voter perceptions in the upcoming election through the purchase of internet domains intended to mimic legitimate news organizations.⁷ While the IC remains confident that foreign actors could not successfully manipulate election systems to impact election outcomes without detection, it has elevated concerns that foreign actors could instead utilize information operations to undermine confidence in the election.⁸

In addition to disrupting the stable administration of elections, these types of information manipulation campaigns can result in potential voter suppression and intimidation. In the last several years, false claims that the Immigration and Customs Enforcement (ICE) agency will be patrolling polling locations on Election Day have gone viral and were found to be distributed in-person, creating an environment of intimidation for potential voters.⁹ In 2020, political operatives targeted tens of thousands of Black voters in Midwestern states, placing robocalls making false claims that individuals who vote by mail would have their personal information added to a government database for monitoring that could then be used for pursuing debts, warrants, and then-mandatory vaccines.¹⁰ During that same year, tens of thousands of voters in Florida received targeted emails directing them to change their party affiliation and vote for a particular candidate or face physical violence, a clear voter intimidation plot.¹¹ Additionally,

⁴ Kornfield, Mary. "Fake Biden robocalls urge Democrats not to vote in New Hampshire primary." The Washington Post, January 22, 2024. <https://www.washingtonpost.com/politics/2024/01/22/biden-robocall-new-hampshire-primary/>.

⁵ "Annual Threat Assessment of the U.S. Intelligence Community." Office of the Director of National Intelligence, February 5, 2024. <https://www.dni.gov/files/ODNI/documents/assessments/ATA-2024-Unclassified-Report.pdf>.

⁶ Klepper, David. "Presidential election a prime target for foreign disinformation, intelligence officials say." The Associated Press, June 13, 2024. <https://apnews.com/article/disinformation-election-interference-russia-china-2925ca62c1ba8c1893454ccb2f76785a>.

⁷ "Justice Department Disrupts Covert Russian Government-Sponsored Foreign Malign Influence Operation Targeting Audience in the United States and Elsewhere." U.S. Department of Justice, September 4, 2024. <https://www.justice.gov/opa/pr/justice-department-disrupts-covert-russian-government-sponsored-foreign-malign-influence>.

⁸ "60 Days Until Election 2024." Office of the Director of National Intelligence, September 6, 2024. <https://www.dni.gov/files/FMIC/documents/ODNI-Election-Security-Update-20240906.pdf>.

⁹ Paterson, Blake. "ICE, Dispelling Rumors, Says It Won't Patrol Polling Places." ProPublica, November 2, 2018. <https://www.propublica.org/article/ice-dispelling-rumors-says-it-wont-patrol-polling-places>.

¹⁰ Chung, Christine. "They Used Robocalls to Suppress Black Votes. Now They Have To Register Voters." The New York Times, December 1, 2022. <https://www.nytimes.com/2022/12/01/us/politics/wohl-burkman-voter-suppression-ohio.html>.

¹¹ "Two Iranian Nationals Charged for Cyber-Enabled Disinformation and Threat Campaign Designed to Influence the 2020 U.S. Presidential Election." The U.S. Department of Justice, November 18, 2021. <https://www.justice.gov/opa/pr/two-iranian-nationals-charged-cyber-enabled-disinformation-and-threat-campaign-designed>.

foreign actors have also engaged in these practices; in its Intelligence Community Assessment for the 2020 U.S. election, the IC assessed that both Russia and Iran pursued efforts to spread false information about electoral processes and – in both cases – suppress (or even intimidate) American voters.¹² Such efforts not only severely impact voter turnout and participation in our democracy, but can erode public trust and weaken voter confidence in our democratic institutions and electoral processes.¹³

As evidenced through the disturbing incidents above, the widespread presence, expanded scope, and increased sophistication of AI technologies, including generative AI, has only strengthened deceptive and manipulative information campaigns. While AI capabilities continue to grow at a rapid pace, state and local governments' IT, public outreach, and cybersecurity teams continue to operate with limited staff and resources,¹⁴ making it extremely difficult for smaller teams to respond to sophisticated AI-backed campaigns targeting elections.

That is why the work of CISA is crucial in securing the systems and assets that support our nation's elections. CISA, and the Department of Homeland Security more broadly, provide wide-ranging and essential resources, including cybersecurity assessments, detection and prevention, information sharing and awareness, and training and career development – most of these listed in the Election Infrastructure Security Resource Guide at no cost to state and local governments.¹⁵ These products are integral in safeguarding our election systems and ensuring that our democratic processes can continue as intended.

I strongly urge CISA to increase its provision to assist state and local governments in identifying, responding to, and mitigating the spread of misinformation and disinformation that could impact the administration of elections and voting processes. I recognize that CISA has proactively provided educational materials¹⁶ and products,¹⁷ including toolkits¹⁸ and FAQs¹⁹ and I commend your agency for these efforts. I encourage CISA to build upon these resources and expand the work of entities, like the Elections Infrastructure Information Sharing and Analysis Center (EI-

¹² "Foreign Threats to the 2020 US Federal Elections." National Intelligence Council, March 10, 2021. <https://www.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf>.

¹³ "Misinformation is eroding the public's confidence in democracy." The Brookings Institution, July 26, 2022. <https://www.brookings.edu/articles/misinformation-is-eroding-the-publics-confidence-in-democracy/>.

¹⁴ Cassidy, Christina. "Election officials in the US face daunting challenges in 2024. And Congress isn't coming to help." The Associated Press, February 21, 2024. <https://apnews.com/article/election-2024-congress-funding-security-ballots-331bcd11694e702efbee6f31bee03fa>.

¹⁵ "Election Infrastructure Security Resource Guide." Cybersecurity and Infrastructure Agency, September 2020. https://www.cisa.gov/sites/default/files/publications/cisa_election-security-resources-guide-Sept-2020.pdf.

¹⁶ "Foreign Influence Operations and Disinformation." The Cybersecurity and Infrastructure Security Agency. <https://www.cisa.gov/topics/election-security/foreign-influence-operations-and-disinformation>.

¹⁷ "Election Security Rumor vs. Reality." Cybersecurity and Infrastructure Security Agency. <https://www.cisa.gov/topics/election-security/rumor-vs-reality>.

¹⁸ "We're in This Together. Mis-, Dis-, and Malinformation Stops with You." The Cybersecurity and Infrastructure Security Agency. https://www.cisa.gov/sites/default/files/publications/election-disinformation-toolkit_508_0.pdf.

¹⁹ "Mis-, Dis-, and Malinformation." Election Infrastructure Government Coordinating Council and Subsector Coordinating Council's Joint Mis/Disinformation Working Group. https://www.cisa.gov/sites/default/files/publications/mdm-incident-response-guide_508.pdf.

ISAC) and work with other bodies, like the National Association of State Election Directors (NASED) and the National Association of Secretaries of State (NASS) to determine and meet the needs of election offices as it pertains to the spread of election misinformation and disinformation.

Within the vein of collaborative efforts, I also encourage CISA to work closely with all relevant parties, including academics and researchers, state and local officials, and private sector entities (such as technology companies and social media platforms) in an effort to increase information sharing. I strongly encourage the agency to again coordinate efforts with platforms to combat election disinformation.²⁰ In an election cycle where threats persistently grow²¹ but some platforms are dedicating fewer resources towards election integrity and content moderation efforts,²² this presents an opportune moment to ramp up such collaborations. CISA would play an invaluable role facilitating communication between election offices and platforms, empowering both to better combat the dissemination of deceptive and misleading information.

Finally, although AI alone has not changed the threat landscape observed in previous elections, it has supercharged the threats and adjusted the risk calculus. CISA should likewise adjust with this change in risk to ensure that election offices and the public have the necessary protections in place to remain resilient against AI-enhanced threats.

Thank you in advance for your prompt attention to this important issue. It is my hope that we can work together to safeguard our democracy against misinformation and disinformation.

Sincerely,



Mark R. Warner
United States Senator

²⁰ Johnson, Derek. "CISA moves away from trying to influence content moderation decisions on election disinformation." Cyberscoop, September 3, 2024. <https://cyberscoop.com/cisa-moves-away-from-trying-to-influence-content-moderation-decisions-on-election-disinformation/>.

²¹ Swenson, Ali. "Fighting bogus claims a growing priority in election offices." The Associated Press, September 11, 2022. <https://apnews.com/article/2022-midterm-elections-social-media-voting-presidential-279477cae723dd520240f5e35676c880>.

²² Johnson, Derek. "Civil society groups press platforms to step up election integrity work." Cyberscoop, April 9, 2024. <https://cyberscoop.com/civil-society-groups-election-integrity-social-media/>.