

## **No Stimulus Without Election Protection** **by David Leonhardt/NYT 3/18/2020**

Congress will almost certainly pass a very large stimulus bill soon — as it should, because the economy is in crisis. But there is another looming crisis, in addition to the recession and the public health crisis, and it's one that Congress should be taking as seriously as the economy.

Our usual methods for conducting elections may not work in November.

Yesterday's postponed primary in Ohio, which is the subject of a legal fight, highlights the problems. Come November, people may still not be able to gather safely at polling places, and election workers — many of them elderly — may not be able to interact safely with hundreds of people. That's terribly worrisome. As [Seth Masket](#) of the University of Denver has pointed out, elections are an essential institution in a democracy, much as grocery stores are.

Fortunately, House Democrats have the political leverage to fix the problem, even if President Trump and congressional Republicans don't feel the same urgency. (Republicans, alas, have spent more time [restricting](#) voting rights in recent years than protecting them.)

Here's what Democrats can do: Refuse to pass any big stimulus bill unless it includes provisions to ensure that the country can hold a presidential election this fall. That may sound like bare-knuckle politics, but preserving democracy calls for toughness.

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Richard Hasen, an election law expert at the University of California, Irvine, put it well in a message to me on Tuesday:

Election bills are notoriously hard to get through Congress. And we don't know when Congress will be able to meet again. The only way a congressionally mandated expansion of [voting access] for November's elections is going to pass is if it is folded into one of the existing coronavirus bills needed to keep this country going during the crisis.

On Twitter, [Stephen Wolf](#) of Daily Kos Election made a historical analogy:

Fighting coronavirus will take war-like mobilization of govt resources. But even during the Civil War & WWII, we still held elections. It's essential that Congress mandate & provide funding for every state to adopt universal vote-by-mail so we don't have a political crisis too.

The basics of a bill to protect the 2020 election are straightforward. It should require every state to allow both early voting (with drop-off ballots) and voting by mail, and it should include federal funding for a rapid switch to those systems in the coming months. About 30 states already allow something known as “[no-excuse absentee voting](#),” which is essentially early voting. Another five states — Colorado, Hawaii, Oregon, Utah and Washington — conduct elections largely or entirely by mail.

Both systems work well, removing many of the hassles, like long waits in line, that can keep Americans from voting. Mail voting has been especially successful at increasing turnout, as I explained [in a 2018 column](#). During a pandemic, voting by mail and early voting have the crucial added benefit of allowing people to cast a ballot with minimal human contact.

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It’s true that there is one downside to early voting: The possibility that new information will emerge in the final few days of a campaign, after some people have already voted. But this downside is quite modest during a general election in our highly polarized country. Not many people will be changing their mind in the final few days. And during a national crisis, there are not perfect solutions to every problem.

Senators Amy Klobuchar and Ron Wyden, both Democrats, have written a good starting-point bill. It [would require](#) all states to hold at least 20 days of early voting, as well as to allow anybody to request a mail-in ballot. The federal government would pay for the changeover, which would probably cost around \$1 billion, relatively little compared with other emergency bills now being discussed.

There are still some technical details to address. I think that — for 2020 only — the bill should also mandate states to create drop-off boxes at polling places, where people could bring the ballot they requested by mail. This would reduce the number of completed ballots that might arrive after Election Day, because of postal delays. Hasen, the election law scholar, raises a couple of other issues, including steps to ensure ballot security, in [a Slate column](#).

But all of these issues are manageable. The key is for Congress — ideally, Democrats and Republicans together — to act now to protect the country’s ability to hold a fair election this

year.

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For more ...

- In a Washington Post op-ed, [Klobuchar and Wyden](#) write: “Without federal action, Americans might have to choose between casting a ballot and protecting their health. That’s wrong, and we must take swift action to address the problem.”
  - [The Brennan Center for Justice](#) has issued a 10-page report with recommendations: “Large-scale preparation, backed by the concerted support of the government and the public, is needed immediately to ensure that the 2020 election is free, fair, accessible, and secure. We will need substantial modifications to our election procedures, substantial flexibility, and a substantial infusion of resources ... ”
  - Hasen has just published a book, [“Election Meltdown,”](#) about the pre-virus threats to American democracy, including voter suppression and government incompetence.
  - The National Vote at Home Institute, an advocacy group for voting by mail, [explains](#) the advantages: “Voters get their ballot delivered to them weeks before Election Day, fill it out at their convenience, then return it either in-person or by mail. The system has proven to be highly secure, and engages more voters, while significantly lowering costs.”
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