

Testimony of The Honorable Steve Simon, Minnesota Secretary of State
U.S. Senate Committee on Rules & Administration
“AI and the Future of our Elections”
September 27, 2023

Chair Klobuchar, Ranking Member Fischer, and members of the committee:

Thank you for this opportunity. I am grateful for your willingness to engage on this important topic, and I am honored to be here.

Artificial Intelligence is not a threat to American democracy in and of itself, but it is an emerging and powerful amplifier of existing threats.

All of us who touch the election process must be watchful and proactive – especially as the 2024 presidential contest approaches.

A year ago, we were not talking that much about generative AI. The release of the newly accessible tools such as ChatGPT changed all that. In the hands of those who want to mislead, AI is a new and improved tool. Instead of stilted communications with poor grammar, generative AI can provide apparent precision and clarity.

There is a potential threat to the administration of elections. We are talking about an old problem (election misinformation and disinformation) that can now more easily be amplified. One possible danger could come from an innocent circumstance - AI software simply fails to grasp the nuances of our state-by-state election system. A prominent computer scientist in Minnesota named Max Hailperin made this point in an article several months ago. He asked ChatGPT questions about Minnesota election law – and the program gave the wrong answers to several questions. Intentional misdirection? Probably not. Still, it is a danger to voters who may get bad information about critical election rules.

In the wrong hands, AI could be used to misdirect intentionally – and in ways that are more advanced than ever. I remember seeing a paper leaflet from twenty or more years ago, distributed in a particular neighborhood, advising that in the coming election, voting would occur on Tuesday for those whose last names begin with the letters “A” through “L,” while everyone else would vote on Wednesday. That was a paper leaflet. Now imagine a convincing-seeming email or deepfake conveying that kind of disinformation in 2024. The perpetrators could be domestic or foreign. In fact, the Department of Homeland Security has recently warned that our foreign adversaries may use AI to sharpen their attacks on our democracy.

One last point on potential consequences. The Brennan Center recently identified a so-called “liar’s dividend” from the use of AI. Simply put, the mere existence of AI can lead to undeserved suspicion of messages that are actually true; a video, for example, that contradicts a person’s preconceived ideas may now be simply dismissed as a deepfake.

The bottom line is that misdirection in elections can cause disruption. If AI misdirects, it could become an instrument of disruption.

So, what can be done about it?

In our office, we are trying to be proactive.

- First, we are leading with the truth – pushing out reliable and accurate information while also standing up to mis- and disinformation quickly.
- Second, we have been working with local and federal partners to monitor and respond to inaccuracies that could morph into conspiracy theories on election-related topics.
- Third, we have emphasized media literacy. The National Association of Secretaries of State has helped with its “trusted sources” initiative – urging Americans to seek out sources of election information from Secretaries of State and local election administrators.
- Fourth, our cyber defenses are strong. We have invested time and resources in guarding against intrusions that could introduce misleading information to voters.

As for possible legislation, I believe a federal approach would be helpful. The impacts of AI will be felt at a national level, so I applaud bipartisan efforts such as the Protect Elections from Deceptive AI Act and the Honest Ads Act.

There is a critical role for the private sector, too. Companies have a responsibility to the public to make sure their AI products are secure and trustworthy. I support the efforts already underway to encourage adherence to basic standards.

Let me end on a note of cautious optimism. AI is definitely a challenge, but in some ways, we have confronted similar challenges before. With each technological leap, we have generally been able to manage the potential disruptions to the way we receive and respond to information. The move to computerization, the arrival of the internet, and the emergence of social media all threatened to destabilize information pathways. In short order, the American people got smart about those things. They adapted.

AI may be qualitatively different from those other advances. But if we get better at identifying false information, and if we continue to rely on trusted sources for election information, we can overcome many of the threats that AI poses (while harnessing its benefits to efficiency and productivity).

Thank you for inviting me to testify today. I look forward to our continued partnership.