

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS
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MEMORANDUM

September 9, 2020

To: Members of the Select Subcommittee on the Coronavirus Crisis
Fr: Majority Staff
Re: Examination of States' Preparedness for the November Election

The Select Subcommittee on the Coronavirus Crisis is examining states' efforts to ensure a free, fair, and safe general election during the coronavirus pandemic. On August 14, 2020, the Select Subcommittee and the Committee on House Administration sent letters to the chief election administration officials of four states—Texas, Georgia, Florida and Wisconsin—where voters faced serious impediments to casting their ballots during the 2020 primary elections. The letters sought information on the states' efforts to prevent similar problems in the general election.¹ To that end, the letters also asked about states' plans to follow guidance from the Centers for Disease Control and Prevention (CDC) recommending that states provide alternatives to in-person voting such as voting by mail, extended early voting, and safe polling places with distancing and sanitization precautions.²

The Select Subcommittee's investigation revealed that these states face the risk of serious problems in the general election, including inadequate polling places and shortages of poll workers. In some of these states, these risks are exacerbated by state policies restricting mail-in voting and early voting. States should take immediate action to fix these problems—including by supporting local election officials and implementing best practices from other states—in order to ensure all voters can cast their ballots without delays or risks to their health.

¹ Select Subcommittee on the Coronavirus Crisis, *Press Release: Clyburn, Lofgren Launch Investigation Into States' Preparations To Hold Free, Fair, And Safe Elections* (Aug. 14, 2020) (online at <https://coronavirus.house.gov/news/press-releases/clyburn-lofgren-launch-investigation-states-preparations-hold-free-fair-and-safe>).

² Centers for Disease Control and Prevention, *Considerations for Election Polling Locations and Voters* (June 22, 2020) (online at www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html).

The Select Subcommittee’s investigation identified the following issues:

- **Texas Has Refused to Expand Mail-In Voting and May Face a Poll Worker Shortage.** Texas is one of just six states refusing to expand mail-in voting during the coronavirus pandemic, forcing most voters to vote in person. Documents obtained by the Select Subcommittee show Texas counties may not have enough poll workers or polling locations for the general election. In 127 out of 254 counties, some people who previously served as election workers have indicated they will not work in November. County officials expressed concern about “[t]he spread of the virus” and “[f]inding enough poll workers and polling locations,” and warned, “Voters could be waiting in lines for hours.”
- **Georgia Reversed Its Policy of Sending Absentee Ballot Applications to All Voters, Leading to Confusion and Possible Disenfranchisement.** Before this year’s primary, Georgia sent absentee ballot applications to all voters. Georgia reversed this policy for the general election even though the state’s coronavirus infection rates have increased threefold since the primary in June. Georgia also faces a poll worker shortage: the state informed the Select Subcommittee that it needs 20,000 poll workers, but a state initiative has identified just 5,000 possible candidates so far.
- **Florida Has Refused to Expand Early Voting or Help Counties Recruit Poll Workers.** Despite long lines and hundreds of poll closures in this year’s primaries, Florida’s Governor has refused to expand early voting and is deferring to counties to address poll worker shortages and long wait times. Information obtained by the Select Subcommittee shows the state government has not developed statewide projections of voter turnout, absentee ballots, or poll workers needed.
- **Wisconsin Faces a Potential Poll Worker Shortage.** Wisconsin has estimated it needs 30,000 poll workers for the general election. The state has engaged in recruitment efforts but lacks statewide recruiting data, so it is unclear whether Wisconsin will have a sufficient number of poll workers in the general election.

FINDINGS

A. **Texas Refused to Expand Mail-In Voting and May Face Poll Worker Shortage.**

Texas is one of just six states that will require voters to provide a reason other than the coronavirus pandemic in order to vote absentee in the general election.³ Instead of adjusting its

³ *How to Vote by Mail in the General Election*, NPR (Aug. 24, 2020) (online at www.marketplace.org/2020/08/24/how-to-vote-by-mail-in-the-general-election/).

rules in light of the pandemic, the state has sought court rulings to prevent Texans from voting absentee.⁴ The Texas Attorney General also sued a Texas county that planned to mail out absentee ballot applications.⁵ In effect, the state is forcing most voters to show up in person if they want to exercise their right to vote, which could lead to longer lines and more crowded polling sites on Election Day.

Documents obtained by the Select Subcommittee show that county election officials across Texas have warned the state they may not be prepared to handle anticipated turnout at polling locations. In particular, staffing shortages could severely hamper social distancing at polling places or shut them down entirely. A recent survey from the Texas Secretary of State asked counties, “Have you had any election judges and clerks that normally work elections indicate that they will not be working for future elections?” 127 of Texas’s 254 county election officials answered, “yes.” In response to the question, “What is your **primary** concern for 2020 elections?,” more than 1 in 5 Texas counties cited poll staffing.⁶ For example, counties identified the following concerns:

- “The spread of the virus and making sure that people will want to work on that day.”⁷
- “Finding enough poll workers to man all 26 election precincts.”⁸
- “Our biggest concern has always been finding election workers. Also, not sure where we’ll be with the pandemic issue.”⁹
- “HAVING ENOUGH WORKERS AND TRAINING THEM!”¹⁰

These survey results may understate the problems Texas counties will face in November. Texas conducted the survey early in the summer, before Texas hit a peak of new coronavirus infections on July 16, 2020.¹¹ This rise in cases could make poll workers even more reluctant to

⁴ See, e.g., *Analysis: Judges Deal Texans More Confusion About Voting by Mail*, Texas Tribune (May 29, 2020) (online at www.texastribune.org/2020/05/29/judges-confusion-texas-vote-by-mail/); *Texas Supreme Court Temporarily Blocks Harris County from Sending Mail-in Ballot Applications to All Its Voters*, Texas Tribune (Sep. 2, 2020) (online at www.texastribune.org/2020/09/02/Harris-County-absentee-ballott/); *In re Texas*, 602 S.W.3d 549 (Tex. 2020).

⁵ *Texas Sues Harris County to Stop It From Sending All Voters Applications For Mail-In Ballots*, Texas Tribune (Aug. 31, 2020) (online at www.houstonpublicmedia.org/articles/news/politics/election-2020/2020/08/31/380888/texas-sues-harris-county-to-stop-it-from-sending-all-voters-applications-for-mail-in-ballots/).

⁶ Texas Secretary of State, County Survey for 2020 Preparedness (June 26, 2020).

⁷ *Id.* (response of Falls County).

⁸ *Id.* (response of Fayette County).

⁹ *Id.* (response of Culberson County).

¹⁰ *Id.* (response of Nolan County).

¹¹ Johns Hopkins University & Medicine Coronavirus Resource Center, *America Is Reopening But Have We Flattened The Curve* (online at <https://coronavirus.jhu.edu/data/new-cases-50-states/Texas>) (accessed on Sept. 6, 2020).

work on Election Day. Recent state guidance that poll workers are not allowed to require voters to wear masks may further diminish the willingness of election judges and clerks to staff polls.¹²

The second-most frequent concern cited by Texas counties was ensuring enough polling locations with sufficient space to follow social distancing guidelines and prevent long lines. For example, county officials raised the following concerns:

- “Adequate space to implement social distancing requirements and whether or not we can enforce face masks.”¹³
- “Will we have to do the social distancing with voting machines—6’ apart—if so not large enough space. Presidential election so we lease more equipment, will not have enough room for that, which means longer lines and with no straight party voting even longer lines. If the weather is not good, what will we have to do with the people that are in line outside the building?”¹⁴
- “Being able to maintain social distancing. Letting the public know that polling locations are safe for voting due sanitizing of the area and voting equipment.”¹⁵
- “Social Distancing Guidelines limiting numbers of ExpressVotes [ballot marking devices], especially during the General. We don’t have space to have enough machines out for such a long ballot. Voters could be waiting in lines for hours.”¹⁶
- “Having enough space at early voting and election day locations to meet social distancing requirements as recommended by CDC, State, and County.”¹⁷

Texas Governor Greg Abbott expanded early voting by an additional six days under his emergency authorities.¹⁸ This was a positive step, but more must be done to ensure counties have sufficient polling locations and staff. Governor Abbott should use his authority to expand ballot access through the mail to ensure that every voter eligible for an absentee ballot automatically receives an application, as well as proactively assist counties to recruit and hire sufficient staff and identify adequate and safe polling locations. Also, in order to relieve demands on election staff, Governor Abbott should allow voters to deliver completed mail ballots to secure, county-controlled drop boxes, without requiring voters to wait in line and present a photo identification. Many states already use such drop boxes, which provide a

¹² Texas Secretary of State, *Election Advisory No. 2020-19* (June 18, 2020) (online at www.sos.state.tx.us/elections/laws/advisory2020-19.shtml).

¹³ Texas Secretary of State, *County Survey for 2020 Preparedness* (June 26, 2020) (response of Aransas County).

¹⁴ *Id.* (response of Hood County).

¹⁵ *Id.* (response of Comal County).

¹⁶ *Id.* (response of Erath County).

¹⁷ *Id.* (response of Lubbock County).

¹⁸ Office of the Texas Governor, *Governor Abbott Issues Proclamation Extending Early Voting Period for November 3rd Election* (July 27, 2020) (online at <https://gov.texas.gov/news/post/governor-abbott-issues-proclamation-extending-early-voting-period-for-november-3rd-election>).

convenient alternative to returning ballots by mail, especially in light of potential delays at the Postal Service.

B. Georgia Reversed Its Policy of Sending Absentee Ballot Applications to All Voters, Leading to Confusion and Possible Disenfranchisement.

Georgia state law permits any voter to vote absentee, either by mail or in person.¹⁹ For the 2020 primary election, Georgia election officials mailed absentee ballot applications to every registered voter. More than half of all voters cast absentee ballots in the primary, up from 6% in the 2018 election.²⁰ For the general election, Georgia officials decided against sending absentee ballot applications to every registered voter, even though Georgia's daily coronavirus cases are three times higher than they were on the date of the June primary.²¹

Secretary of State Brad Raffensperger initially claimed that “it would be impractical and too expensive” to mail absentee ballot applications.²² In an August 28, 2020, letter to the Select Subcommittee, Secretary Raffensperger provided two other justifications for this policy change, neither of which appear to be supported by the evidence.²³

First, he claimed, “Sending out absentee ballot applications in the June primary obviates the need to do it again for the November election” because some voters who requested an absentee ballot in the primary will automatically receive one for the general election. However, Georgia law limits this group of “rollover” voters to individuals who are over 65 years old, physically disabled, in the military, or overseas. According to Secretary Raffensperger, more than 500,000 voters will automatically receive an absentee ballot for the general election. That means that more than 6.5 million remaining voters in Georgia will not automatically receive an absentee ballot for the general election, even if they requested one for the primary.²⁴

¹⁹ Georgia Secretary of State, *Absentee Voting: A Guide for Registered Voters* (2014) (online at https://sos.ga.gov/admin/uploads/Absentee_Voting_Guide_20142.pdf).

²⁰ *Absentee Voting Program Embraced By Georgia Voters, Then Abandoned*, Atlanta Journal-Constitution (June 29, 2020) (online at www.ajc.com/news/state--regional-govt--politics/absentee-voting-program-embraced-georgia-voters-then-abandoned/hkNttNsgXlaYZXjUatnvjK/).

²¹ Johns Hopkins University Coronavirus Resource Center, *Georgia: Daily Confirmed Cases* (online at <https://coronavirus.jhu.edu/data/new-cases-50-states/georgia>) (accessed Sept. 4, 2020).

²² *Absentee Voting Program Embraced By Georgia Voters, Then Abandoned*, Atlanta Journal-Constitution (June 29, 2020) (online at www.ajc.com/news/state--regional-govt--politics/absentee-voting-program-embraced-georgia-voters-then-abandoned/hkNttNsgXlaYZXjUatnvjK/).

²³ Letter from Georgia Secretary of State Brad Raffensperger to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Aug. 28, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/8-28-20%20Letter%20from%20GA%20to%20Select%20Subcommittee%20on%20Coronavirus.pdf>).

²⁴ Georgia Secretary of State, *Voter Registration Statistics* (Sept. 1, 2020) (online at https://sos.ga.gov/index.php/Elections/voter_registration_statistics) (indicating 7,002,328 registered voters in the State of Georgia).

Second, Secretary Raffensperger asserted that sending out absentee ballot applications to every voter “could have drastic negative consequences” because some voters who request an absentee ballot ultimately vote in person. Specifically, Secretary Raffensperger claimed that “sending out absentee ballot applications to all active voters almost certainly increased lines and polling place crowding on Election Day during the June primary.”²⁵ However, evidence shows that long lines at polling places were concentrated in predominantly black neighborhoods, raising questions about the accuracy of Secretary Raffensperger’s claim that mailing absentee ballots statewide led to long lines.²⁶

Georgia’s decision not to mail out absentee ballot applications to all voters after doing so in the primary risks confusing voters and leading some to miss the opportunity to apply for an absentee ballot because they expected to once again receive an application by mail. The state’s new online absentee ballot application portal, while a worthwhile tool in itself, is in no way a substitute, as it requires voters to independently seek out a website they may not know about, as opposed to receiving an application in the mail.²⁷ Of course, for Georgia voters who lack internet access, the online portal is useless.

Information obtained by the Select Subcommittee also indicates the State does not yet have enough poll workers for the November election—a shortage that could be exacerbated if more Georgians vote in person because of the decision not to send absentee ballot applications to all voters. Secretary Raffensperger reported to the Select Subcommittee that he hopes counties will recruit and train 20,000 poll workers for the election season. However, he reported that Georgia’s recruitment initiative has so far only identified 5,000 people interested in serving as poll workers. While the state has not estimated what its voter turnout will be, it is “telling our counties to prepare for over 5 million voters in November,” with “about half of our turnout on Election Day.”²⁸

The Secretary of State’s office has been aware for months of the potential shortages in poll workers. In an April 2020 survey on election preparedness—conducted before the surge in coronavirus cases in Georgia this summer—counties raised serious concerns about a lack of poll workers in November. For example, Dougherty County reported that it had only 29 poll workers ready to serve on Election Day, and no workers for advance voters, when the county had initially

²⁵ Letter from Georgia Secretary of State Brad Raffensperger to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Aug. 28, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/8-28-20%20Letter%20from%20GA%20to%20Select%20Subcommittee%20on%20Coronavirus.pdf>).

²⁶ *Georgia’s Election Mess: Many Problems, Plenty of Blame, Few Solutions for November*, New York Times (June 10, 2020) (online at www.nytimes.com/2020/06/10/us/politics/georgia-primary-election-voting.html).

²⁷ Georgia Secretary of State, *Absentee Ballot Request* (online at <https://ballotrequest.sos.ga.gov/>) (accessed Sept. 8, 2020).

²⁸ Letter from Georgia Secretary of State Brad Raffensperger to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Aug. 28, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/8-28-20%20Letter%20from%20GA%20to%20Select%20Subcommittee%20on%20Coronavirus.pdf>).

planned for 196 poll workers on Election Day. The county expected to lose additional workers.²⁹

A shortage of poll workers in Georgia could lead to polling place closures similar to those voters faced during the state's primary. State election officials should work with Georgia counties to ensure that they have the poll workers they need, especially for counties with survey responses indicating shortages. Also, given the failure to send absentee ballot applications to all voters, the state must ensure all voters are aware of the new internet-based request site and provide ample alternatives for people without internet access to request absentee ballots.

C. Florida Has Refused to Expand Early Voting or Recruit Poll Workers.

Florida election officials closed many polling locations during the state's March 2020 and August 2020 primary elections, leading to long lines. In March, election officials closed, moved or consolidated 112 polling places across the state.³⁰ Despite low turnout, primary voters faced long lines, polling locations with delayed openings,³¹ and closures due to poll worker shortages.³² Counties struggled to find new polling places to replace planned locations in nursing homes and assisted living facilities.³³ In the August election, counties again faced poll worker shortages and reduced the number of polling locations.³⁴

²⁹ Dougherty County, *COVID-19 Impact Survey* (Apr. 6, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/GA%20COVID%20Impact%20survey.pdf>).

³⁰ Letter from Andrea Mercado, Executive Director, New Florida Majority, et al. to Governor Ron DeSantis et al. (Mar. 15, 2020) (online at https://advancementproject.org/wp-content/uploads/2020/03/Letter_Florida_COVID-19-Media.pdf).

³¹ *Palm Beach County Voters Deal With Closed Polls, Late Openings, Broken Machines, Long Lines*, Palm Beach Post (Mar. 17, 2020) (online at www.palmbeachpost.com/news/20200317/palm-beach-county-voters-deal-with-closed-polls-late-openings-broken-machines-long-lines/); *Help Wanted: Florida Poll Workers to Brave the Coronavirus*, Tampa Bay Times (July 31, 2020) (online at www.tampabay.com/news/health/2020/07/30/help-wanted-florida-poll-workers-to-brave-the-coronavirus/).

³² *Poll Worker Shortage Forces South Florida Voter Scramble*, South Florida Sun-Sentinel (Mar. 18, 2020) (online at www.sun-sentinel.com/coronavirus/fl-ne-south-florida-votes-20200317-xpffhymx5rdwfgj32w6zxtsuzustory.html).

³³ *Polling Places Moved From Nursing Homes; Other Changes Amid Coronavirus Concerns*, ABC News (Mar. 13, 2020) (online at <https://abcnews.go.com/Politics/states-scramble-move-polling-places-nursing-homesstock/story?id=69587292>).

³⁴ *See, e.g., Floridians Return To The Polls Tuesday For Primary*, Tampa Bay Times (Aug. 17, 2020) (online at <https://www.tampabay.com/florida-politics/buzz/2020/08/17/floridians-return-to-the-polls-tuesday-for-primary/>); *Lee County Reports Shortage of Poll Workers for 2020 Primary*, WINK News (Aug. 3, 2020) (online at www.winknews.com/2020/08/03/lee-county-supervisor-of-elections-is-expecting-a-shortage-of-poll-workers-for-the-2020-state-primary/); *The Push Is On To Recruit Poll Workers For November Election*, Tampa Bay Times (Aug. 31, 2020) (online at www.tampabay.com/florida-politics/elections/2020/08/31/the-push-is-on-to-recruit-poll-workers-for-november-election/).

Despite the problems Florida counties faced in this year's primaries, information obtained by the Select Subcommittee suggests the state is refusing to take an active role to ensure the general election runs smoothly and is instead deferring to Florida's counties. In response to the Select Subcommittee's questions, Florida's Secretary of State's office reported that the state does not have any projections for voter turnout, the number of poll workers needed, or the number of absentee ballots expected to be submitted. Asked to specify the state's plans for recruiting poll workers for the election, Florida Secretary of State Laurel Lee wrote that "poll worker recruitment is the responsibility of the county Supervisors of Elections," and that she was participating in recruitment messages on "social media channels." In response to a question on the Florida's efforts to ensure the state has enough polling places to avoid excessive wait times, Secretary Lee responded that it was "for the supervisors to decide, based on local circumstances, where to place polling places."³⁵

Some Florida counties are struggling to prepare for the general election. In Citrus County, Florida, Supervisor of Elections Susan Gill stated in August she could not find enough poll workers for the August primary election and was worried about the general election. Ms. Gill explained: "Even in a normal year, without COVID, we have a lot of cancellations. We don't have anybody to replace these dropouts."³⁶

On June 17, Florida Governor Ron DeSantis issued an executive order providing that schools will be closed on November 3 to allow schools to serve as polling places on Election Day. The executive order also provided that state employees who serves as poll workers will be entitled to 16 hours of administrative leave.³⁷ This is a positive step, but the Governor must do more, including expanding early voting. Florida's early voting period begins a maximum of 15 days before an election.³⁸ In April, the Florida Supervisors of Elections wrote to the Governor, urging him to allow counties to expand early voting to 22 days prior the November election.³⁹ Governor DeSantis refused. The Governor should reconsider this decision to ensure everyone in Florida can vote safely. As the CDC has explained, expanding early voting spreads out voting

³⁵ Letter from Florida Secretary of State Laurel Lee to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Sept. 4, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/9-4-20%20Florida%20Department%20of%20State%20Letter%20to%20Select%20Subcommittee%20on%20the%20Coronavirus%20Crisis.pdf>).

³⁶ *Florida Hit By Poll Worker Shortage, Tampa Bay Counties Already Trying to Recruit for November Election*, WFLA (Aug. 14, 2020) (online at www.wfla.com/8-on-your-side/florida-hit-by-poll-worker-shortage-tampa-bay-counties-already-trying-to-recruit-for-november-election/).

³⁷ Office of the Governor of Florida, *Executive Order Number 20-149* (June 17, 2020) (online at www.flgov.com/wp-content/uploads/orders/2020/EO_20-149.pdf).

³⁸ Fla. Stat. § 101.657(1)(d). The law requires early voting to begin 10 days before an election and gives discretion to local elections supervisors to extend it to 11 to 15 days before an election.

³⁹ Letter from Tammy Jones, President, Florida Supervisors of Elections, to Governor of Florida Ron DeSantis (April 7, 2020) (online at www.miamiherald.com/news/politics-government/article241809436.html).

over a longer period of time, minimizing long lines at polling places and improving social distancing.⁴⁰

D. Wisconsin Faces a Potential Poll Worker Shortage.

Wisconsin voters faced long lines due to closed polling places during the state's April 2020 primary, and information obtained by the Select Subcommittee raises questions about whether Wisconsin will be able to recruit a sufficient number of poll workers to avoid closing polls in the general election. For the November election, the Wisconsin Election Commission (WEC) estimated that 3.01 million voters may participate, although the "number could be higher," so it is preparing ballots and supplies for 3.4 million voters. The WEC informed the Select Subcommittee that the state's 1,850 municipalities need nearly 30,000 poll workers for the general election.⁴¹ The WEC has engaged in recruitment efforts with templates and online resources, and the state allows student clerks as well as local and state employees to serve.

Despite these efforts, the Wisconsin Election Commission recognizes that poll worker recruitment will continue to be difficult for the November election and has made "an initial request for approximately 1,100" National Guard members to be deployed as poll workers to address poll worker shortages across the state. When previously deployed in the state's April and August elections, the National Guard members staffed polls in their own communities and wore civilian clothes.⁴² For the November election, the WEC has told the Subcommittee, "Our priority is to utilize all other channels ahead of November to avoid needing to again use this valuable state resource."⁴³ Addressing poll worker shortages is critically important, but using the National Guard raises concerns about voter intimidation, especially given the history of law enforcement suppressing the votes of people of color.⁴⁴ If Wisconsin moves forward with use of the National Guard, it is critical that the state ensure no voter intimidation occurs.

⁴⁰ Centers for Disease Control and Prevention, *Considerations for Election Polling Locations and Voters* (June 22, 2020) (online at www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html).

⁴¹ Letter from Meagan Wolfe, Administrator, Wisconsin Election Commission, to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Aug. 28, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/8-28-20%20Letter%20from%20WI%20to%20Clyburn%20Lofgren%20August%2028%20Wisconsin.pdf>).

⁴² Wisconsin Election Commission, *How Wisconsin Is Prepared for the November Election* (Sept. 1, 2020) (online at https://elections.wi.gov/sites/elections.wi.gov/files/2020-09/D.%20How%20Wisconsin%20is%20Prepared%20for%20the%20November%203%20Election_0.pdf).

⁴³ Letter from Meagan Wolfe, Administrator, Wisconsin Election Commission, to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Aug. 28, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/8-28-20%20Letter%20from%20WI%20to%20Clyburn%20Lofgren%20August%2028%20Wisconsin.pdf>).

⁴⁴ *Amid Accusations of Violence, Some Say National Guard Should No Longer Staff Voting Stations*, The Guardian (June 17, 2020) (online at www.theguardian.com/us-news/2020/jun/17/us-national-guard-polling-sites-voting-concerns).

CONCLUSION

The Select Subcommittee investigation raises concerns about election preparedness in Texas, Georgia, Florida, and Wisconsin, including whether these states are prepared to provide adequate voting by mail, extended early voting, and safe polling places as recommended by the CDC. Texas's refusal to expand absentee voting and the urgent warnings from counties about shortages of poll workers and polling locations suggest the state's voters could face significant delays and long lines on Election Day. Other states also face shortages of poll workers that, if not addressed, will mean voters could be waiting in hours-long lines to cast their ballot.

Some states have undertaken successful efforts to recruit new poll workers and have taken steps to address the need for safe polling locations. The Michigan Secretary of State launched a website aimed at recruiting younger poll workers, which has garnered over 10,000 election workers.⁴⁵ In California, the Secretary of State also established a website to recruit new poll workers, and partnered with private and public entities to promote it,⁴⁶ as have the secretaries of state in Iowa⁴⁷ and Kentucky.⁴⁸

In order for poll workers and voters to be safe, states should guide and assist localities with polling place siting. The Infectious Diseases Society of America recommends well-ventilated locations, such as "school gymnasiums, community recreation centers, convention centers, and large parking lots (where weather permits)," as well as "curbside voting."⁴⁹ Vermont's Secretary of State issued a directive encouraging election officials to consider "outdoor polling places" as well as "drive-through polling places."⁵⁰ Michigan's Secretary of State has partnered with professional sports teams, including the Detroit Pistons, to use sports facilities to accommodate larger crowds and promote physical distancing.⁵¹ Advocates have also

⁴⁵ Committee on Homeland Security, Testimony of Jocelyn Benson, Michigan Secretary of State, *Hearing on Protecting America's Democracy: Ensuring Every Vote Counts* (Aug. 28, 2020) (online at <https://homeland.house.gov/imo/media/doc/Testimony%20-%20Benson.pdf>).

⁴⁶ Committee on House Administration, Testimony of Alex Padilla, California Secretary of State, *Hearing on Voting Safely in a Pandemic* (Aug. 28, 2020) (online at <https://docs.house.gov/meetings/HA/HA00/20200828/110971/HHRG-116-HA00-Wstate-PadillaA-20200828.pdf>).

⁴⁷ Iowa Secretary of State, *Become a Precinct Election Official* (online at <https://pollworker.iowa.gov/>) (accessed Sept. 3, 2020).

⁴⁸ Kentucky Secretary of State, *Voter Information Portal* (online at <https://vrsws.sos.ky.gov/ovrweb/govoteky>) (accessed Sept. 9, 2020).

⁴⁹ Infectious Diseases Society of America and Brennan Center for Justice, *Guidelines for Healthy In-Person Voting* (Aug. 12, 2020) (online at www.brennancenter.org/sites/default/files/2020-08/2020_08_Guide%20for%20Healthy%20In%20Person%20Voting_Finalv2.pdf).

⁵⁰ State of Vermont Secretary of State, *First Statewide Elections Directive* (July 20, 2020) (online at <https://sos.vermont.gov/media/hxgjjdkb/secretary-of-state-s-first-2020-statewide-election-procedures-directive.pdf>).

⁵¹ The Detroit News, *Pistons Rally Behind Get Out the Vote Message* (July 28, 2020) (online at www.detroitnews.com/story/sports/nba/pistons/2020/07/28/pistons-ramp-up-get-out-vote-message/5525803002/).

called for states to make Election Day a school holiday to free up educational buildings to serve as polling locations,⁵² similar to what Florida’s Governor achieved in his executive order.

With just two months left before the general election, states cannot simply defer to local election officials to address these problems. Instead, states should move swiftly and proactively to implement CDC recommendations and ensure a free, fair, and safe election.

Some cities in the four states discussed in this report also plan to use sports arenas as polling places. *See, e.g., American Airlines Center To Be Largest Voting Center in Dallas County on Election Day*, NBC DFW (Aug. 28, 2020) (online at www.nbcdfw.com/news/politics/lone-star-politics/american-airlines-center-to-be-largest-voting-center-in-dallas-county-on-election-day/2434574/); *Atlanta Hawks to Transform State Farm Arena Into Massive Voting Station for 2020 Elections* (June 30, 2020) (online at www.usatoday.com/story/sports/nba/hawks/2020/06/30/2020-election-atlanta-hawks-turn-state-farm-arena-voting-station/3283993001/); *Fiserv Forum And Miller Park To Be Used For Early Voting, Milwaukee Officials Say*, Wisconsin Public Radio (Aug. 31, 2020) (online at www.wpr.org/fiserv-forum-and-miller-park-be-used-early-voting-milwaukee-officials-say); *Amalie Arena Will Serve as Early Voting Site for November Election*, Tampa Bay Times (Sept. 4, 2020) (online at www.tampabay.com/florida-politics/elections/2020/09/04/amalie-arena-will-serve-as-early-voting-site-for-november-election/).

⁵² *The Looming Threat to Voting in Person*, The Atlantic (June 27, 2020) (online at www.theatlantic.com/ideas/archive/2020/06/looming-threat-voting-person/613552/).