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their stay-at-home orders, despite increasing caseloads.<sup>3</sup> But while states attempt to reopen, the coronavirus continues to spread. In fact, on June 14<sup>th</sup> alone, Alabama added 1,014 new coronavirus cases, the first time the state added more than one thousand cases in a single day since tracking began.<sup>4</sup> It is unclear even to top epidemiological experts when and how this crisis will end.

**States Must Take Immediate Action to Ensure that People are Able to Vote Safely and Have Their Rights Protected.** Given the public health concerns, many residents of our Deep South states will be reluctant or unable to vote in person at their polling place during the 2020 election cycle, including the general election in November. Even where caseloads are declining, high-risk individuals will likely remain unable to safely vote in-person throughout the 2020 election cycle.

unprecedented logistical concerns for elections officials. Poll worker shortages, massive increases in absentee ballot utilization, polling place closures, and more have created chaos in elections held during the pandemic. On Tuesday, June 9, 2020, Georgia held a primary election plagued with difficulties.<sup>5</sup> Thousands of voters never received their absentee ballots despite submitting applications weeks in advance. In metro Atlanta, voters waited in line for upwards of six hours during early voting and on Election Day because of massive, systemwide failures in election administration. Necessary social distancing measures also slowed down the voting process as the number of voters allowed inside each polling place had to be restricted.

Secretaries of State John Merrill and Kyle Ardoin, who testified before this subcommittee, are the chief election officials in Alabama and Louisiana, respectively. In their testimony, both expressed opposition to federal legislation designed to safeguard the health of voters, poll workers, and our democracy during this pandemic. They said such work should be left to the states. Yet, officials in Alabama and Louisiana have failed to take sufficient steps to protect

Indeed, the SPLC has filed suit against election officials in both states to ensure that voters—especially the most at-risk for COVID-19—can cast their ballot safely during the 2020 elections.<sup>6</sup>

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<sup>3</sup> Sarah Mervosh, Jasmine Lee, Lazaro Gamio, Nadja Popovich, See How All 50 States Are Reopening, New York Times, June 12, 2020, <https://www.nytimes.com/interactive/2020/us/states-reopen-map-coronavirus.html>.

<sup>4</sup> Leada Gore, For first time, Alabama added more than 1000-plus coronavirus cases in a day, AL.com, June 14, 2020, <https://www.al.com/news/2020/06/for-first-time-alabama-added-1000-coronavirus-cases-in-a-day.html>

<sup>5</sup> Atlanta Journal Constitution, June 10, 2020, <https://www.ajc.com/news/state--regional-govt--politics/georgia-election-problems-blasted-november-election-looms/m7JraAaY5E4hsHc4mFvLHL/>.

<sup>6</sup> *People First of Alabama v. John Merrill*, <https://www.splcenter.org/seeking-justice/case-docket/people-first-alabama-et-al-v-john-merrill-et-al>; *Telisa Clark, v. John Bel Edwards*, <https://www.splcenter.org/seeking-justice/case-docket/telisa-clark-et-al-v-john-bel-edwards-et-al>.

In April, Louisiana passed an Emergency Election Plan that fails to protect Louisiana voters.<sup>7</sup> It allows only voters with specific, narrow COVID-19 related excuses<sup>8</sup> to vote absentee and leaves witnessing requirements intact. Even more troubling, this plan only applies to elections in July and August and offers no relief to voters during elections in the fall, when epidemiologists predict COVID-19 will surge in the United States

**Congress must act now to safeguard voters during the 2020 election cycle.** To ensure a safe and fair election Congress must:

***Provide an additional \$1.4 billion dollars to states to update their voting infrastructure.*** Funding must be contingent on states implementing the following necessary reforms to protect voters, poll workers, and the democratic process.

***Require states to extend voter registration deadlines.*** States must address the limitations of government closures, challenges with online access, and breakdowns in voter registration systems. States should be required to implement or bolster online voter registration to accommodate a surge in online voter registrations. Considering anticipated mail delays, same-day voter registration for all voters should be adopted or, in the alternative, same-day voter registration should be adopted for voters who affirm that they submitted timely registrations or were unable

*Require states to continue to provide safe and accessible in-person voting at polling places for voters who cannot use vote-by-mail.*

