



# NORTH CAROLINA

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## STATE BOARD OF ELECTIONS

**KAREN BRINSON BELL**  
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**TO:** Governor Roy Cooper; Speaker Tim Moore; President Pro Tempore Phil Berger; Joint Legislative Elections Oversight Committee; Joint Legislative Oversight Committee on General Government; House Select Committee on COVID-19, Continuity of State Operations Working Group; House Democratic Leader Darren Jackson; Senate Democratic Leader Dan Blue

**FROM:** Karen Brinson Bell, Executive Director

**RE:** CARES Act Request and Clarification to Recommendations to Address Election-Related Issues Affected by COVID-19

**DATE:** April 22, 2020

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We write to provide you with updated information regarding our [legislative requests](#) made on March 26, 2020, including estimated costs and the timeframes for when changes would need to be made. We are also writing to provide additional detail about the Coronavirus Aid, Relief, and Economic Security (CARES) Act requirements that we received last week. On April 6, 2020, we were informed of North Carolina's award of \$10,897,295 under the CARES Act, which was appropriated "to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle." The State match requirement is 20%, or \$2,179,459.

We have completed two trainings to better understand how the match may be met and how the funds may be applied. Some key points are:

- The funds are for additional costs, either new or increased, associated with the national emergency related to coronavirus.
- All funds must be spent or incurred by December 31, 2020 or returned to the federal government.
- Pre-award costs may be included if they were incurred on or after January 20, 2020.
- The State match may be funded over two years and may also be met:
  - By direct funding of the State;
  - By indirect or direct costs incurred by the State Board of Elections, county boards of elections, and/or partners supporting state or county election boards to conduct elections through this pandemic; and/or,
  - Through in-kind contributions. We are working with the National Association of State Election Directors to identify hand sanitizer and other supplies that may be provided free of charge if available.

To date, we have identified \$58,962 already incurred by the State Board of Elections, county boards of elections, and supporting entities that can be credited towards the State's match. This includes \$38,031 in indirect costs incurred by the State Board of Elections; \$14,931 in direct costs incurred by the county boards of elections; and \$6,000 in in-kind donations.

**We therefore are requesting state funding of \$2,120,497 to receive the \$10+ million awarded to North Carolina.**

Through these funds we can offset significant new and increased costs to the counties because of a projected 30% to 40% voter absentee-by-mail participation rate (compared to a 4% to 5% rate traditionally), the need to more thoroughly sanitize and improve hygiene methods during one-stop early voting and on Election Day, and to address possible poll worker shortage due to illness or reluctance or inability to serve. The CARES Act funds would directly assist counties through bulk purchases, state purchase and distribution to the counties, or through reimbursement, and could include but are not limited to the cost of:

- One-time-use pens and styluses for each voter, or sanitization of reusable supplies
- Hand sanitizer and masks for voters, poll workers, and election staff
- Social distancing tools and protective devices such as face shields, stanchions and plexiglass shields at check-in stations
- Facility rental fees to assist counties in moving to sites large enough to accommodate social distancing, including former department stores or grocery stores, if available
- Facility cleaning fees before, during, and after the election
- Increased postage costs due to a higher volume of absentee-by-mail requests
- Mail tracking software to help the voter understand where their ballot is in the process and to help the counties prepare for the volume of incoming returned ballots
- Cost of additional absentee-by-mail envelopes and other supplies

Just to conduct the General Election statewide on Election Day, we will operate nearly 2,700 voting sites with approximately 18,000 workers employed for 14 to 16 hours. We are preparing for more than 4.5 million voters to vote in-person or by-mail in this election. To ensure the health and safety of the voters and workers, the costs add up quickly. And while we would like to think that coronavirus will be a distant memory by November, we must prepare to address lingering fears, new social norms, and the possibility that the virus could reoccur seasonally as do influenza and other viruses. As elections officials, we must prepare for the worst-case scenario to ensure that voters are able to cast their ballots. All of this means we need legislative approval for the associated State match to move forward with the CARES Act funding.

Procuring and purchasing these supplies must happen now to ensure delivery by July when counties will begin to assemble their supply kits, train poll workers, and receive orders from print houses. We must also be mindful that all 50 states and territories will be implementing similar procedures for the same Election Day and the supply chain is very stressed to meet the demands.

For these reasons, we also request that the General Assembly move forward with the following recommendations during the special session beginning April 28, 2020. These are immediate needs that apply to the 11<sup>th</sup> Congressional District Republican Second Primary, the new Columbus County Commissioner District 2 Republican Primary, and the 2020 General Election. Particular to the General Election, because of the high expected turnout for a presidential general election, supplies must be ordered, printing changes must be submitted and scheduled with print houses, and other changes or orders should be completed by June 15, 2020 to meet deadlines associated with that election, which starts with absentee-by-mail voting on September 4, 2020. The recommendations needing immediate consideration for all three elections are:

- **Match CARES Act funds** as outlined above.
- **Match HAVA funds** as outlined in my [March 26, 2020 letter](#).
- **Temporarily suspend purchase and contract requirements for elections-related supplies and other items.** Because of the time limitations and amount of supplies needed to protect voters and pollworkers from COVID-19, the State Board and county boards may have difficulty complying with procurement processes without the temporary suspension. This change would need to happen right away as we are currently attempting to procure many supplies due to the upcoming second primary and the shortages that have occurred with so many states competing for resources.
  - No additional expected cost
- **Expand options for absentee requests (allow requests by fax and email).** We recommend allowing a voter to submit an absentee ballot request form by fax and email to allow voters to submit their absentee requests without leaving their home or needing to purchase stamps or envelopes. This change needs to be made as soon as possible as voters may already request absentee ballots for the June 23 and November 3 elections.
  - No additional expected cost
- **Allow a voter to include a copy of a HAVA document with their absentee request form if the voter is unable to provide their driver's license number or last four digits of their Social Security number.** Restoring this option will make it easier for those most at risk of contracting COVID-19 to vote absentee by-mail. This change is needs to be made as soon as possible as voters may already request absentee ballots for the June 23 and November 3 elections.
  - No additional expected cost
- **Reduce or eliminate the witness requirement for absentee ballots.** Most voters, under current law, would have to invite another adult into the voter's home to complete the voting process since most voters do not live with two other individuals age 18 or older. This increases the risk of transmission or exposure to disease. By reducing the witness requirement to one witness during a disease epidemic, we can effectively conduct

absentee-by-mail voting while reducing a voter's risk of disease. Additionally, it should be noted that we continue to support restricting the return of absentee-by-mail ballots to the voter or near relative as enacted by Session Law 2019-239. It is necessary to make the change now in order to update the absentee instructions and return envelope, since these will need to be redesigned by June and printed in early July to ensure the counties can meet the start of absentee-by-mail voting on September 4, 2020.

An alternative option, and one that could be carried out beyond the 2020 General Election, is to consider signature matching software. Software is available to compare the voter's signature on file to the signature provided on the absentee-ballot return envelope. Moving to this verification process would eliminate the need for witnesses.

- No additional expected cost to reducing witness requirement. Software would have added cost, but we do not yet have information about the expected cost.
- **Temporarily modify restrictions on assistance in care facilities.** Many localities are currently restricting or banning visitors and family members to facilities, and an [Executive Order](#) issued by the Governor prevents visitors altogether to reduce the spread of COVID-19. Additionally, across the state, care facilities have tragically experienced large numbers of coronavirus cases and deaths. We do not know what the conditions will be like when absentee voting occurs from September to November this year. With this in mind, it may not be possible for bipartisan assistance teams (MATs), or others who would traditionally assist facility residents, to provide assistance. Many voters in these facilities do require help with requesting, voting, and/or returning their ballots, and with no option available for assistance, they may effectively be disenfranchised. We suggest considering options, such as temporarily allowing a facility employee to assist, to ensure these voters are able to continue to exercise their right to vote. Similar to states like Indiana, two trained facility employees not of the same political party could be designated to administer voting and could be trained accordingly by the county board prior to serving in this capacity. Election officials could then transport materials to and from the facility with chain of custody procedures documenting the acceptance of materials by the designated facility administrators. It is necessary to make this change as soon as possible to designate and train appropriate individuals to serve in facilities.
  - No additional expected cost
- **Expand student pollworker program and eliminate requirement that a majority of pollworkers reside in the precinct.** We recommend this change be made immediately because there are shortages in some polling places in the 11th Congressional District Republican Second Primary and the new Columbus County Commissioner District 2 Republican Primary that may require transferring voters to another precinct.
  - No additional cost expected

**We also request the General Assembly move forward with the following recommendations during the special session beginning April 28, 2020. These are immediate needs, but it is not possible to implement them for the 11<sup>th</sup> Congressional District Republican Second Primary and the new Columbus County Commissioner District 2 Republican Primary. Because of deadlines associated with the 2020 General Election, however, there is an immediate need to prepare for a coronavirus response:**

- **Establish online portal for absentee requests.** This change would need to be made immediately due to the time required to acquire software, modify the State Board of Elections' Statewide Elections Information Management System (SEIMS), and inform the public of the change prior to the start of absentee voting on September 4, 2020.
  - We have received a quote from a vendor who supports numerous states and jurisdictions throughout the country. Based upon the volume projected for North Carolina, the annual license fee is \$398,000 with a pre-election configuration fee of \$25,950.
- **Establish a fund to pay for postage for outbound and returned absentee ballots.** We would request any funds be allocated as soon as possible to allow county boards of elections to budget for the election and in light of the budgetary reductions they are already being requested to make at the county level.
  - The estimate for prepaid postage for the November general election, based upon 65% of registered voters participating in the election and 40% of those participating by mail, would be \$3,640,000, at a cost of approximately \$2 total per ballot (7 million voters x 65% overall participation=4,550,000 participating voters with 40% participating by mail=1,820,000 by mail ballots). This prepaid cost would include both the outgoing and incoming postage cost. Envelope size and weight may affect this estimate.
- **Modify one-stop site and hour requirements.** We recommend any changes be made as soon as possible to allow time for county boards of elections to locate and procure appropriate sites, a process that has already begun for the November 3 election.
  - We expect a change would reduce costs for the county boards of elections. Due to the uncertainty of any possible change, it is not currently possible to estimate the savings.

We appreciate the dialogue we have had with many of you through this process and uncharted waters. Our goal is to “prepare for the worst” in hopes that we are overly prepared. Elections administration, as we have discussed, is a planning and logistics operation. The bulk of an election is executed before voting ever begins, which is why we come before you now. If we can secure the funds needed and know any legislative changes that may occur, then we can better prepare and deliver successful elections under normal conditions or in times of crisis.

I stand ready to answer your questions or provide any other information that may be useful in consideration of these funding requests and recommendations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen Brinson Bell". The signature is fluid and cursive, with a small flourish at the end.

Karen Brinson Bell  
Executive Director  
State Board of Elections