

Congress of the United States
Washington, DC 20510

July 9, 2020

The Honorable Lawrence J. Hogan Jr.
Governor
State of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

We write to express our concern regarding your order to the State Board of Elections on how to proceed with the November 3 general election. Maryland voters expect and deserve free, fair, and safe elections, and we are alarmed that your directive does not meet that basic standard. We call on you to rescind the directive and issue new guidance designed to maximize both safety and voter participation by mailing ballots for the general election to all registered voters, as was done in the primary.

Specifically, we are distressed by your decision to reverse course on the issue of mailed ballots. As you know, during the June 2 rescheduled primary election your office required the State Board of Elections to send all registered voters ballots proactively. Under your new directive, the State Board of Elections will be required to mail Maryland voters a ballot application for completion to receive a ballot.

This decision inherently introduces numerous new choke points that could lead to voters being disenfranchised. We fully expect that mail-in ballots will again result in a larger number of voters in the November election and could set record levels of voter turnout. We would urge you to reverse that decision and have ballots mailed directly to voters, without the need to request them. If the decision is made to proceed with a two-step process, which we hope will not happen, this two-step process will likely confuse many voters who rightly expect – given their recent experience with the June primary – that they will be mailed ballots proactively. If the decision is made to proceed with this two-step process, we urge you to provide every necessary resource to educate the public, ensure citizens can easily obtain a ballot, and help county boards of election process applications in a timely manner. We also urge you to provide adequate resources to ensure that this decision can be carried out by our state and local election administrators. As you know, the mailing of applications will strain already-under-resourced state and local elections administrators. In fact, local election administrators warned that this decision will lead to “devastating consequences,”¹ exhausting limited resources on additional printing and on the processing of applications. This will have the unfortunate impact of reducing the pool of resources available to provide Marylanders with a safe and accessible election.

¹ July 6, 2020, letter from David Garreis, President, Maryland Association of Election Officials to Governor Lawrence J. Hogan & Michael Cogan, Chair, MD State Board of Elections

While we agree with your decision to maintain early voting and in-person voting locations, we hope that you will maintain maximum flexibility in determining those locations. As you work with the State Board of Elections to ensure that the in-person voting experience in November proceeds as smoothly as possible, you should consider how best to ensure an adequate number of poll workers are trained and ready to conduct the election. We believe that we need to assemble a dedicated workforce for this purpose – for example, by recruiting young Marylanders – and to identify large facilities (such as sports arenas, University of Maryland system facilities, and other state assets that have ample parking and plenty of room for social distancing) to be used as voting centers. We stand ready to work with you to accomplish these objectives.

As you know, Congress continues to consider additional election preparedness assistance. Maryland has already received \$7,452,501 in supplemental election assistance under the CARES Act. On May 15, the House of Representatives passed the HEROES Act, which would provide an additional \$3.6 billion in election assistance to the states. This legislation is awaiting consideration by the Senate. We understand that this election must receive the resources needed to ensure that every Marylander who is eligible to vote can cast a ballot, and we urge you to use all options at your disposal to help make certain that this election is fully funded.

We look forward to continuing to work with you to protect the right of every Marylander to cast a ballot safely, securely, and without undue hindrance in November.

Sincerely,

/s/ Steny. H. Hoyer
Member of Congress

/s/ Benjamin L. Cardin
United States Senator

/s/ Chris Van Hollen
United States Senator

/s/ C.A. Dutch Ruppersberger
Member of Congress

/s/ John P. Sarbanes
Member of Congress

/s/ Anthony G. Brown
Member of Congress

/s/ Jamie Raskin
Member of Congress

/s/ David Trone
Member of Congress

/s/ Kweisi Mfume
Member of Congress