

MEMORANDUM OF SUPPORT

Natural Disaster and Emergency Ballot Act of 2020

The New York Democratic Lawyers Council (NYDLC) strongly supports the enactment of the Natural Disaster and Emergency Ballot Act. The COVID-19 pandemic is unprecedented in its potential to affect the free and fair administration of democratic elections in the United States. For much of the population, in-person voting in cramped polling places will be unsafe for the foreseeable future. Moreover, many poll workers and poll watchers will not be able to staff the polls this year due to health concerns. Congress (and state governments) must take up legislation immediately to expand voting opportunities for the national electorate. NYDLC strongly supports Senator Klobuchar's National Disaster and Emergency Ballot Act of 2020 (NDEBA).

This bill would make voting not just easier, but simply possible, for the millions of Americans who currently are required to vote in-person on Election Day, whether it be due to illness, public health concerns, or job obligations by doing the following:

- Expanding no-excuse absentee voting and in-person early voting. The more voting opportunities the electorate has, the better. Voters can safely and securely vote by mail or visit less-crowded early voting sites. This bill proposes that the Federal Write-In Absentee Ballot (currently available for overseas and military voters) be made available to anyone who does not receive an absentee ballot from their state for the 2020 elections. NDEBA also charges the Election Assistance Commission with creating a domestic version of that ballot for use beginning in 2022.
- Requiring states provide postage pre-paid envelopes for voter registration applications, absentee ballot applications and absentee ballots and accept and offer absentee ballot applications online. Paying for postage for the over-sized envelopes often required for voter registration and absentee ballot forms should not be an impediment to registering and casting a vote.
- Requiring each state to develop an emergency voting contingency plan, including recruitment of young poll workers from high schools and colleges. We have for too long relied on the older population to work the polls. Because of this group's increased vulnerability to COVID-19, it is time that we recruit from younger age groups, which will also serve to increase civic engagement among high schools and college students.
- Ensuring absentee ballots have tracking codes. The only way for voters to verify their absentee ballots are received is to include basic tracking codes on each ballot.
- Requiring Absentee Ballots Be Counted If Postmarked or Signed Before Polls Close on Election Day. Currently, many states require that ballots be *received* by Election Day to be counted. NDEBA would ensure that all votes cast by the end of Election Day are counted.

The COVID-19 pandemic will affect Americans for years to come in ways we cannot yet anticipate. We should not let it interfere with the most basic function of a democracy – every eligible voters' ability to cast a ballot.