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One Hundred Seventeenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION

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November 16, 2022

Ms. Denise Williams
Chair, Luzerne County Board of Elections and Registration
200 N. River Street
Wilkes-Barre, PA 18701

Dear Ms. Williams,

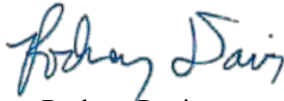
As Ranking Member of the U.S. House of Representatives Committee on House Administration, which has broad oversight of our nation's federal elections, I write today to express my deep concern about reports that a significant number of polling locations in your county did not have an adequate amount of ballot paper on Election Day, resulting in the disenfranchisement of a large number of qualified voters for whom no ballots were available to record their votes.¹

According to recent reporting, approximately fifty polling precincts may have run out of all ballot paper early on the morning of the election, some as early as 9:00, with the shortage continuing throughout the day.² In fact, based on testimony offered at this week's public meeting, the shortage was so acute that after polls were effectively closed for a period of time, several precinct locations instructed voters to purchase reams of standard copier paper from office supply stores so that the polling location could operate in some fashion.³ While emergencies can certainly occur, an apparent lack of adequate planning for the general election meant that these haphazard solutions were the plan. During an election, the law requires that every eligible voter who wants to vote must be given the opportunity to do so, and a county government's failure to administer an election in a free and fair manner amounts to nothing more than voter suppression. Situations like this have the potential to damage voter confidence at a time when we can least afford it.

Under Article I, Section 5 of the United States Constitution, the United States House of Representatives has the duty and obligation to serve as the final "Judge of the Elections, Returns and Qualifications of its own Members", and House Rules delegate this authority to this Committee. Following every election, this Committee is committed to ensuring that the person duly elected by a congressional district in a free and fair election that accurately and appropriately reflects the will of voters is seated in the House, regardless of party. As such, I remind the Board of its long-standing and vital responsibility under federal law to retain and preserve election records for 22 months following the date of the election.⁴

Please contact Caleb Hays, General Counsel and Deputy Staff Director, at Caleb.Hays@mail.house.gov, with any questions.

Sincerely,



Rodney Davis
Ranking Member
Committee on House Administration

CC: Harry W. Skene,
Chief Solicitor, Luzerne County

¹ Spencer Brown, *More Election Day Issues, This Time in Luzerne County, PA*, Townhall (Nov. 8, 2022)

<https://townhall.com/tipsheet/spencerbrown/2022/11/08/voting-extended-in-one-pa-county-after-they-ran-out-of-ballots-and-turned-voters-away-n2615662>; See also Public Meeting of the Luzerne County Board of Elections (Nov. 14, 2022).

² Vivian Muniz and Andy Mehalschick, *Paper shortage prompts extension of voting hours in Luzerne County to 10pm*, PAHomepage, (Nov. 9, 2022, at 3:57 a.m.) <https://www.pahomepage.com/news/i-team/paper-ballot-shortage-prompts-request-to-extend-voting-hours-in-luzerne-county/>

³ For example, one voter requested that the Board reimburse her for approximately \$500 in mileage and paper purchases.

⁴ 52 U.S.C. § 20701.