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One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
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December 5, 2023

The Honorable Yvonne R. Horton
Chairman
Hinds County Election Commission
P.O. Box 946
Jackson, MS 39205

The Honorable Jermal Clark
Vice-Chairman
Hinds County Election Commission
P.O. Box 946
Jackson, MS 39205

The Honorable Shirley Varnado
Commissioner
Hinds County Election Commission
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The Honorable RaToya Gilmer McGee
Commissioner
Hinds County Election Commission
P.O. Box 946
Jackson, MS 39205

The Honorable Kidaba Brown
Secretary
Hinds County Election Commission
P.O. Box 946
Jackson, MS 39205

Dear Commissioners:

As Chairman of the U.S. House of Representatives Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections,¹ I write today to express my deep concerns about reports that several polling locations in Hinds County, Mississippi, ran out of ballots on Election Day.² Situations like this reported ballot shortage and the distribution of incorrect ballot styles have the potential to damage voter confidence at a time when we can least afford it.³

As you may know, the Committee is especially concerned with resolving any issues that may lead to the disenfranchisement of voters due to government-created ballot shortages. In late March, the Committee held a hearing on the shortage that occurred in Luzerne County, Pennsylvania, on Election Day 2022, giving Luzerne County voters a chance to be heard, including those who were disenfranchised.⁴

¹ Rules of the United States House of Representatives, Rule X(k)(12), <https://rules.house.gov/sites/republicans.rules118.house.gov/files/documents/Rules%20and%20Resources/118-House-Rules-Clerk.pdf>.

² Anthony Warren, ‘Unacceptable’: Precincts across Hinds County run out of ballots, WLBT3 (Nov. 7, 2023), <https://www.wlbt.com/2023/11/07/unacceptable-precincts-across-hinds-county-run-out-ballots/>.

³ Madeleine Nolan, *Hinds County Election Commission blames split precincts for ballot shortage*, WAPT16 (Nov. 10, 2023), <https://www.wapt.com/article/hinds-county-election-commission-blames-split-precincts-for-ballot-shortage/45794979>.

⁴ 2022 Midterms Look Back Series: Government Voter Suppression in Luzerne County, Pennsylvania: Hearing Before the Committee on House Administration, 118th Cong. (2023). <https://cha.house.gov/committee-activity/hearings/2022-midterms-look-back-seriesgovernment-voter-suppression-luzerne>.

According to media reports, several precincts in Hinds County ran out of ballots early in the morning, forcing voters to wait in line for hours.⁵ To make matters worse, some precincts that requested additional ballots were sent incorrect ballots.⁶ Although a court order allowed polls to remain open to give voters additional time to vote,⁷ some voters may still not have been able to vote. This is completely unacceptable and does not inspire Americans' confidence in our nation's elections.

Under Mississippi law, the chair of each county election commission⁸ is given the duty and responsibility to print all ballots necessary for the election.⁹ Further, the chair is charged with ascertaining from the registrar at least 10 days before the election the number of voters registered in each precinct.¹⁰ These serious issues of ballot shortages and incorrect ballot distribution appear to have occurred in spite of these strong requirements in Mississippi law, and I am concerned that these recent events may repeat themselves in the upcoming federal election.

In response to these facts, please identify what steps your office has taken to:

- (i) learn from this ballot shortage and ensure no precinct in Hinds County, Mississippi, has a shortage in any upcoming federal election and every precinct receives the correct ballot style(s);
- (ii) prepare for the 2024 federal primary and general elections in Hinds County, Mississippi; and
- (iii) restore voter confidence and to ensure voters that the correct ballot will be available when they next attempt to vote in person.

Please send your response and any questions by December 19, 2023, to Caleb Hays, General Counsel and Deputy Staff Director, at caleb.hays@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

cc: The Honorable Michael Watson, Mississippi Secretary of State

BGS/ad

⁵ Warren, *supra* note 2.

⁶ *Id.*

⁷ Anthony Warren, Courtney Ann Jackson, *Judge rules polls in Hinds County can stay open until 8 p.m.*, WLBT3 (Nov. 7, 2023), <https://www.wlbt.com/2023/11/07/judge-rules-polls-hinds-county-can-stay-open-until-8-pm/>.

⁸ Notably, *not* the Secretary of State.

⁹ MS Code § 23-15-353.

¹⁰ *Id.* at § 23-15-351. Moreover, voters must register at least 30 days before Election Day in order to vote in that election. *See id.* at § 23-15-47.