

Congress of the United States
House of Representatives
Washington, DC 20515-0106

October 7, 2020

Mr. Louis DeJoy
Postmaster General
United States Postal Service
475 L'Enfant Plaza, S.W., Room 10300
Washington, D.C. 20260-1000

Dear Postmaster General DeJoy:

We are writing out of concerns that have been expressed by both Republicans and Democrats about potential problems with millions of mail-in ballots in the upcoming election. One of the issues that has been raised is over ballots that have no postmark. We believe this is a legitimate concern that can be alleviated by requiring that all absentee and mail-in ballots, including all that have prepaid postage, have a legible postmark date.

Currently, the U.S. Postal Service does not typically postmark mail-in ballots with prepaid postage. We believe that for the sake of the integrity of this election that policy should be changed and that a legible postmark date be affixed to all ballots including those with prepaid postage. We are respectfully calling on you to implement this requirement so that at least the issue of the timeliness of the ballots will not be in question.

Recently, the Committees on the Judiciary and Oversight and Reform issued a joint report documenting examples of expanded use of prepaid mail-in ballots across several states,¹ including New York, Pennsylvania,² Georgia,³ and Florida.⁴

Failure to postmark thousands of ballots during the contested New York congressional primary this year demonstrated that the use of prepaid postage for election mail creates risk when the U.S. Postal Service does not consistently postmark prepaid mail.⁵ Expanding the use of prepaid

¹ Committees on the Judiciary and Oversight and Reform, U.S. House of Representatives, Republican Staff Report, *How Democrats are Attempting to Sow Uncertainty, Inaccuracy, and Delay in the 2020 Election*, Sept. 23, 2020, available at <https://republicans-judiciary.house.gov/wp-content/uploads/2020/09/2020-09-23-How-Democrats-Are-Attempting-to-Sow-Uncertainty-Inaccuracy-and-Delay-in-the-2020-Election.pdf>.

² Press Release, Pennsylvania Will Provide Postage-Paid Return Envelopes with Mail and Absentee Ballots (July 31, 2020), <https://wwwmedia.pa.gov/pages/State-details.aspx?newsid=391>.

³ *Black Voters Matter Fund, et al. v. Brad Raffensperger, et al.*, No. 1:20-cv-01489, 2020 WL 2079240 (N.D. Ga. filed Apr. 8, 2020) and (N.D. Ga. Apr. 30, 2020) (order denying motion for preliminary injunction).

⁴ Nolan D. McCaskill and Gary Fineout, *Priorities USA challenges Florida voting in light of coronavirus*, POLITICO (May 4, 2020), <https://www.politico.com/news/2020/05/04/priorities-usa-florida-voting-coronavirus234384>.

⁵ *Gallagher v. N.Y. State Board of Elections*, 20-civ-5504(at), at *7 (S.D.N.Y. Aug. 3, 2020).

postage of election-related mail increases the risk that some ballots will not be postmarked and therefore create uncertainty about the timeliness of the ballots.

As documented in the Committee report, “a repeated failure of this type would cause tremendous confusion about the timeliness of ballots—creating uncertainty, inaccuracy, and litigation in the election results.”⁶

Accordingly, we ask you to quickly implement the requirement that all post offices nationwide affix a legible postmark date on all mail-in ballots including absentee ballots and those with prepaid postage. If additional funds are needed to ensure that all ballots, absentee and mail-in, have legible postmark dates, funds can be allocated out of the \$10 billion dollars included in the CARES Act. We are confident that the USPS has the expertise and professionalism to ensure that all ballots have legible postmarks. In doing so the USPS will be doing its part to help reduce the concerns over the legitimacy of mail-in ballots.

We appreciate your consideration of this urgent matter.

Sincerely,



Gary J. Palmer
Chairman
Republican Policy Committee



James Comer
Ranking Member
Committee on Oversight & Reform



Jody Hice
Ranking Member
Subcommittee on Government Operations

⁶ *Supra*, at 1.