

Congress of the United States

Washington, DC 20510

October 20, 2020

The Honorable Louis DeJoy
Postmaster General
United States Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260

Dear Postmaster General DeJoy:

As New Hampshire voters cast their mail-in ballots for the General Election on November 3, we urge the United States Postal Service to do all it can in the days leading up to and on Election Day to ensure timely delivery of completed ballots. In particular, we urge you to allow election mail to be processed locally in the days leading up to the election rather than being routed to a processing center. We also urge you to communicate clearly with both local postal workers and state and local election officials how election mail should be handled between now and November 3.

We are grateful to all Postal Service employees for their commitment to deliver election mail securely and without delay. Experts predict that a record-setting 150 million people will cast their votes in this year's election, and, of those, nearly 83 million people have already requested a mail-in ballot.¹ Now more than ever before, the Postal Service plays a central role in the integrity of the election and the facilitation of the American democratic system.

In New Hampshire, more than 179,000 voters have requested mail-in absentee ballots.² As voters return their ballots, town clerks and local election officials may begin pre-processing returned ballots starting the Thursday before Election Day (i.e., October 29, 2020).³ This process allows election officials to remove the outer envelope to examine the inner affidavit envelope for any defects, including checking for signatures.⁴ If a defect is identified, election officials should attempt to contact the voter and provide them the opportunity to "cure" the defect before ballot tabulation begins.⁵ In the September primary, many towns successfully contacted a high percentage of voters with absentee ballot issues who were then able to cure their ballots and ensure that their votes counted.

¹ John Whitesides, *More than 6.6 million Americans have voted, suggesting record turnout*, Reuters (Oct. 8, 2020); Michael McDonald, *2020 General Election Early Vote Statistics "Mail ballots requested"*, U.S. Elections Project (Oct. 19, 2020), <https://electproject.github.io/Early-Vote-2020G/index.html>.

² Michael McDonald, *New Hampshire Early Voting Statistics "Mail ballot requests"*, U.S. Elections Project, (Oct. 13, 2020), <https://electproject.github.io/Early-Vote-2020G/NH.html>.

³ NH RSA 659-49-b.

⁴ New Hampshire Department of State, *New Hampshire Election Procedure Manual: 2020-2021*, EMP-2020-1.0 at 6 (Aug. 12, 2020).

⁵ *Id.* at 7.

For this reason, it is critical that the Postal Service adjust its current election mail procedures in the days leading up to and on Election Day to allow for local processing, which will ensure that ballots are delivered to voters and returned to town clerks without delay. The current Postal Service election mail protocol requires that ballots sent by clerks or returned by voters be routed to the processing facilities in Manchester, NH or White River Junction, VT. In many jurisdictions, this procedure differs from years past. We understand the efforts the Postal Service has made to track and process every ballot according to First-Class Mail standards. However, we are concerned that this process could unnecessarily delay ballots mailed close to Election Day, or close to the beginning of the pre-processing period, meaning that they may not arrive in time to be collected and processed.⁶ Thus, before pre-processing begins, we urge the Postal Service to change its current procedure to allow for the expedient and local processing of election mail, which will help ensure that every vote is counted.

In addition, our offices previously expressed concerns regarding how Postal Service leadership communicates election mail procedures. Specifically, there has been confusion among postal employees and local election officials regarding the procedures put in place this year to channel all election mail through processing centers rather than cancel and deliver it locally. This process – which represents a change in many locations from past practice – can only be effective if all postal employees are implementing it correctly and understand what is expected of them. To that end, we urge the Northern New England District leadership to continue to proactively communicate how election mail should be handled between now and November 3.

To prevent delays and ensure that election officials receive completed ballots in time, we ask that you provide a response to the following questions.

1. What procedure will be implemented in the days leading up to and on Election Day to suspend routing election mail (i.e., ballots sent in by voters) to processing facilities in Manchester and White River Junction in favor of hand-cancelling and delivering election mail directly to local town clerks or election officials?
 - a. How many additional trips will be made or scheduled to deliver ballots to local town clerks in the days leading up to and on Election Day?
 - b. Will there be a point person(s) responsible at each Post Office for collecting and delivering election mail to local town clerks in the days leading up to and on Election Day?
2. When will the Postal Service implement the procedure described in question 1?
3. How will Postal Service leadership communicate the appropriate procedures and their start dates to employees in New Hampshire and White River Junction? How will Postal Service leadership communicate the procedures and their start dates to state and local election officials?

⁶ While there is no deadline for requesting an absentee ballot, all absentee ballots are due to local clerks by 5:00pm on Election Day. *See* NH RSA 657:17-III.

We appreciate your immediate attention to this matter and look forward to receiving your response by Friday, October 23.

Sincerely,



Margaret Wood Hassan
U.S. Senator



Jeanne Shaheen
U.S. Senator



Ann McLane Kuster
U.S. Representative



Chris Pappas
U.S. Representative

CC:

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