



July 31, 2020

Honorable Bev Clarno
Oregon Secretary of State
136 State Capitol
Salem, OR 97310-0001

Dear Secretary Clarno:

Re: Deadlines for Mailing Ballots

With the 2020 General Election rapidly approaching, this letter follows up on my letter dated May 29, 2020, which I sent to election officials throughout the country. That letter highlighted some key aspects of the Postal Service's delivery processes. The purpose of this letter is to focus specifically on the deadlines for transmitting and casting ballots by mail. Under our reading of Oregon's election laws, it appears that your voters should have sufficient time to receive, complete, and return their ballots by the state's deadlines. This will of course depend on election officials and voters using the mail in a manner consistent with the Postal Service's delivery standards, when the mail is utilized. Below are the Postal Service's recommendations regarding mailing timelines to help you continue to minimize the risk that some ballots will not be returned by mail in time to be counted.

As I stated in my May 29 letter, the two main classes of mail that are used for ballots are First-Class Mail and USPS Marketing Mail, the latter of which includes the Nonprofit postage rate. Voters must use First-Class Mail (or an expedited level of service) to mail their ballots and ballot requests, while state or local election officials may generally use either First-Class Mail or Marketing Mail to mail blank ballots to voters. While the specific transit times for either class of mail cannot be guaranteed, and depend on factors such as a given mailpiece's place of origin and destination, most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, and most domestic Marketing Mail is delivered 3-10 days after it is received.

For states that automatically send blank mail-in ballots to eligible voters, the Postal Service strongly recommends adhering to the following timeline for domestic voters to account for the above delivery standards and to allow for contingencies (e.g., weather issues or unforeseen events):

- **Voter registration:** Whenever possible, voters who intend to cast a ballot using the mail should ensure that their registration information is up-to-date in time to have a blank ballot sent to them in the state's initial scheduled mailing.
- **Mailing blank ballots to voters:** Election officials should consider that the ballot needs to be in the hands of the voter so that he or she has adequate time to complete it and put it back in the mail stream so that it can be processed and delivered by the applicable deadline. Accordingly, the Postal Service recommends that election officials use First-Class Mail to transmit blank ballots and allow 1 week for delivery to voters. Using Marketing Mail will result in slower delivery times and will increase the risk that voters will not receive their ballots in time to return them by mail.

- **Mailing completed ballots to election officials:** To allow enough time for ballots to be returned to election officials, domestic voters should generally mail their completed ballots at least one week before the state's due date. So, if state law requires ballots to be returned by Election Day, voters should mail their ballots no later than Tuesday, October 27.

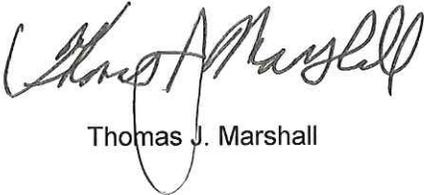
Under our reading of your state's election laws, as in effect on July 27, 2020, ballots are generally mailed to eligible voters no later than 14 days before Election Day, which should allow sufficient time for voters to receive, complete, and return such ballots by the state's Election Day return deadline. Please keep in mind that your state's deadline appears to be compatible with the Postal Service's delivery standards only if election officials adhere to the statutory ballot mailing timeline and voters who choose to mail their ballots do so no later than Tuesday, October 27. To the extent that these timelines or recommendations are not followed, or that state law allows ballots to be mailed to voters later than 14 days before the election, there may be a risk that the voter will not have sufficient time to complete and mail the completed ballot back to election officials in time for it to arrive by the state's return deadline.

To be clear, the Postal Service is not purporting to definitively interpret the requirements of your state's election laws, and also is not recommending that such laws be changed to accommodate the Postal Service's delivery standards. By the same token, however, the Postal Service cannot adjust its delivery standards to accommodate the requirements of state election law. For this reason, the Postal Service asks that election officials keep the Postal Service's delivery standards and recommendations in mind when making decisions as to the appropriate means used to send a piece of Election Mail to voters, and when informing voters how to successfully participate in an election where they choose to use the mail. It is particularly important that voters be made aware of the transit times for mail (including mail-in ballots) so that they can make informed decisions about whether and when to mail a completed ballot back to election officials.

We remain committed to sustaining the mail as a secure, efficient, and effective means to allow citizens to participate in the electoral process when election officials determine to utilize the mail as a part of their election system. Ensuring that you have an understanding of our operational capabilities and recommended timelines, and can educate voters accordingly, is important to achieving a successful election season. Please reach out to your assigned election mail coordinator to discuss the logistics of your mailings and the services that are available as well as any questions you may have. A list of election mail coordinators may be found on our website at: <https://about.usps.com/election-mail/politicaelection-mail-coordinators.pdf>.

We hope the information contained in this letter is helpful, and please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Marshall". The signature is written in a cursive style with a large, looping initial "T".

Thomas J. Marshall