

Postal Service Daily Update #3
Committee on Oversight and Reform Republicans
Ranking Member James Comer
August 20, 2020

Today's USPS update contains the following items:

- Letter from Leader McCarthy, Whip Scalise, and Ranking Member Comer to Speaker Pelosi and Chairwoman Maloney regarding the doxing of USPS leadership and related press items
- USPS' Updated Position Statement on H.R. 8015, the USPS Conspiracy Theory Act
- Top Five Misconceptions about the USPS and the Democrats' Bill
- Press articles of interest from today's news

* Yesterday evening, the Republican Conference and Whip's office circulated comprehensive information on the USPS Conspiracy Theory Act, please email Ashlee Vinyard if you would like us to send you these emails.*

I. Letter from Republican Leadership to the Speaker & Chairwoman Maloney

In an August 19, 2020, letter Leader McCarthy, Whip Scalise, and Ranking Member Comer called on Speaker Pelosi & Chairwoman Maloney to immediately stop promoting irresponsible & baseless conspiracy theories that are endangering USPS employees and the integrity of the 2020 election.

[Text of the Full Letter](#)

[Click here for the related Fox News article.](#)

[Leader McCarthy's Tweet](#)

[The Whip's Tweet](#)

II. USPS' Updated Position on Legislation

Yesterday afternoon, USPS sent Oversight Republican staff the following:

Postal Service Position re: "Delivering for America" Act

The urgency behind the Delivering for America Act should be allayed by the recent announcement that no operational initiatives will be instituted and we are halting other efforts until after the election, to avoid even the appearance of any impact on the election. It should be

abundantly clear that we intend to fulfill our role in the electoral process by doing everything we can to handle and deliver Election Mail, including ballots, in a manner consistent with the proven processes and procedures that we have relied on for years.

Even if the bill were needed to ensure that the Postal Service handles Election Mail in a manner consistent with its past practices and procedures, certain provisions of the bill would, immediately before the 2020 general election, impose new obligations that the Postal Service has never undertaken:

- While purporting to prevent the implementation of any operational changes that would impede the prompt delivery of Election Mail, the bill would require the implementation of a dramatic operational change by mandating that the Postal Service should process all Election Mail as “First-Class Mail,” regardless of the level of service that was purchased. The Postal Service has never processed Election Mail as First-Class Mail unless it was entered as First-Class Mail. It has, instead, taken steps to ensure that Election Mail entered as Marketing Mail is advanced through the system, as capacity allows, before other mailpieces entered as Marketing Mail. Moreover, the Postal Service has strongly recommended for many years that states send their Election Mail, and particularly their outbound ballots, by First-Class Mail, and many states have adopted that practice. This bill, which would require the Postal Service to provide First-Class processing for Marketing Mail prices, would disincentivize that practice, and would shift the financial burden from the purchasers of services to the Postal Service itself.
- The bill also imposes a new obligation on the Postal Service to have a policy of postmarking all Election Mail. This provision is overly broad. In recognition that many state election laws impose deadlines by which return ballots must be “postmarked” to indicate that the ballot was mailed in a timely fashion based on the state’s requirements, the Postal Service has an established policy of postmarking all return ballots. That policy has not changed, so the bill is unnecessary in that sense. But the bill goes much farther, requiring the Postal Service to postmark all “Election Mail,” even for mailings bearing a permit, meter, or precanceled postage. It also places a burden on the Postal Service to postmark mailpieces where verification of the mailing date is irrelevant, like sample ballots or polling place notifications. There is no justification under any state or federal law to require the Postal Service to postmark anything other than ballots returned by voters, and there is no operational justification either, given that the primary purpose of applying a postmark is to cancel postage so that it cannot be reused.

Moreover, this bill’s operational restrictions go much farther than the election. By limiting our ability to implement operational changes through the end of the pandemic, and by providing taxpayers with an unprecedented private right of action to prevent operational changes that will reduce costs, the bill will prevent us from improving operational efficiency to become self-sustaining, consistent with our statutory mandate. If Congress wants a Postal Service that is viable for the long term, it is imperative that we have the flexibility to operate efficiently and effectively, while continuing to provide service that fulfills our universal service mandate and meets the needs of our customers.

III. Top Five Misconceptions about the USPS

1. President Trump Appointed Postmaster De Joy (“the PMG”).

Reality: The PMG is appointed by the Postal Service Board of Governors

2. President Trump Controls the USPS.

Reality: The USPS is an independent agency, NOT controlled by the President

3. The USPS will be bankrupt before the election.

Reality: The USPS is projected to be solvent until at least August 2021 even without borrowing the \$10B from Treasury as contemplated in the CARES Act.

4. The USPS cannot handle the volume of election related mail without more money from Congress.

Reality: In 2019, USPS handled an average of 471 million pieces of mail each day. Assuming all 158 million registered American voters decided to vote by mail, the total possible volume of requested and mailed in ballots (316 million) would not exceed a typical day of total USPS mail volume. USPS was recently tested. They seamlessly delivered stimulus checks and census forms.

5. The Democrat’s bill is necessary to save the USPS and prevent President Trump from stealing the election.

Reality: The Democrat’s USPS Conspiracy Theory Act is nothing more than a giveaway to the trial lawyers and the unions. It creates a private right of action for any individual or entity to sue if they suspect a violation of the bill. This could cost the USPS and tie them up in frivolous lawsuits.

Bottom Line: Democrats are trying to scare people with a fake crisis but they are the ones that are actually paving the way for a real election nightmare.

IV. USPS News of the Day

[WSJ Opinion piece entitled the Postal Service Democrats](#)

[National Review on Twitter’s Policies and the Viral Mailbox Misinformation](#)

[CNN on USPS’s Use of Outside PR Firm](#)

- Buried at the end of the article is the fact that the firm, Weber Shandwick, has worked with USPS for “over a decade.”