The New Reality of Voting by Mail: 2016 was Like No Other Year

EAC Board of Advisors Meeting
Minneapolis, MN
May 23rd, 2017
Messaging for Election Officials

From Maryland to Washington State, Phoenix to Tampa, clerks associations to conferences of the Secretaries of State, the message has been that we have a New Reality of postal service that we need to be aware of and ensure that our procedures and instructions enable voters to participate effectively.
There is a gap...

Election administration is a profession of constant change.

Changes based on federal law, state law, federal lawsuits, local litigation, administrative rules, and limitations in resources.

Indiana: Tipp Co. Clerk: August allows enough time to choose new software

Iowa: Court decision leaves Montrose woman without voting rights

Louisiana: Group seeks to restore felons' voting rights | 70K convicted felons sue to get their voting rights back

Minnesota: Voters to get first opportunity for mail balloting with August primary | Some Brown Co. precincts will have mail balloting

Nevada: Officials say lining up election cycles could save millions

North Carolina: Appeals court tosses district maps for commissioners, school board | June primary cost $18 per vote | Re-cast of provisional March 15 primary ballots to begin in July

North Dakota: Fargo poised to study election changes, including runoffs
2016: A year of collaboration

Working Together for You and Your Voters...

United States Postal Service

Election and Political Mail Webinar Series
States are organizing Postal Task Forces to share information and resources. The State of Washington has special education sessions at their state association conference and frequent meetings with regional leadership.
Throughout 2016 USPS® officials, including the Deputy Post Master General on numerous occasions, engaged with election officials across the country to identify issues and propose solutions.
National Postal Forum 2016
Regional Focus Group
Delivering Democracy: The Critical Role of USPS® in American Elections

Tammy Patrick
An increasing number of Americans are voting by mail.

Election administrators rely on the partnership with their vendors and USPS® to inform them of the best ways to leverage voting by mail.
Consistent Advice Around Election Mail is Essential

Poll workers, USPS® employees and the Mailing Industry are on the front lines in providing consistent guidance and service to election customers.
NVRA
National Voter Registration Act

Election officials use mailings to verify that voters still reside where they are registered.
NVRA
National Voter Registration Act
When information from USPS® states that a voter is no longer at an address the voter is put on an inactive list and, if they do not vote during two federal election cycles, their voter registration is cancelled.

Depending on the state, this can impact their ability to vote in other elections.
Variation in State Laws: Absentee/Early Voting

- The ability to vote by mail depends on state laws:
  - Excuse required
  - No excuse
  - Permanent List
  - All-mail elections

- Deadlines to request vary greatly across the states, with some allowing for requests as late as the Monday before Election Day Tuesday.

- Laws should allow time for the voter to be successful.
Message to the legislators: Review your statutes to make sure that voters can be successful given the delivery standards.
“The bottom line – The Postal Service Our commitment – Election Mail will be processed within our Delivery Standards”

These standards changed early in 2015.
First-Class Mail: DMM 333.2.0
- Personal, handwritten, or typed information
- **2-5 day delivery (50 United States)**
- Free forwarding and return
- Sealed against inspection

Standard Mail: DMM 243.2.0
- No personal, handwritten, or typed information
- **3-10 day delivery (Contiguous 48 United States)**
- Forwarding/return require endorsement and a fee
- May be opened for postal inspection
Communication: With USPS

- USPS:
  - Local Post Master
  - Mail Design Analyst: MDA Support Center (855) 593-6093 or mda@usps.gov
  - Regional Election Mail representatives found online:
    - http://about.usps.com/gov-services/election-mail/
Communication: With USPS

<table>
<thead>
<tr>
<th>District Name</th>
<th>CENTRAL PENNSYLVANIA</th>
</tr>
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<tbody>
<tr>
<td>ZIP Range</td>
<td>169 - 188, 195 - 196</td>
</tr>
<tr>
<td>Lead Coordinator</td>
<td>Dawn Chalk</td>
</tr>
<tr>
<td>Phone</td>
<td>570-831-3420</td>
</tr>
</tbody>
</table>
Communication: With USPS

- USPS:
  - They tasked all of their Election Mail Specialists with reaching out to every local jurisdiction in the country by AUGUST 15th last year.
  - They entered in their contacts into a centralized reporting system where efforts are being tracked and accountability is enforced.
Communication: With USPS

• What to advise them:
  • Mailing dates & prospective volumes
  • Election Dates
  • Coordinate election night ballot pickup & facility sweep advise if you have colored envelopes or other visual indicators to look for (are you using Business Reply Mail?)
  • Any changes you’ve had (or are considering) regarding design, size, content, etc.
This is right where a delivery address would be located…
Envelope Design Considerations

Many examples of this
Where the voter puts the stamps is also impactful!
That is why USPS is asking for examples of ballot mailing packets to use when they need to test the automation equipment when changes are made to the software or to the orientation algorithm.

Send 10 examples to:
US Postal Service
Attn: Election Mail Program Manager
PO Box 23282
Washington, DC 20026-3282
They are also asking for any statutory language associated with the content or format of the mailing envelopes:

dbentley@usps.gov
Communication: Mail House/Vendor

• Ask about ballot tracking—you may be mailing out with an IMB, but not getting the benefit. Be sure you are getting a unique identifier from your vendor.

• If you are still keying all the yellow move tags, ask about Address Change Service (ACS) & get that information electronically.
Elections rely on USPS® for:

- Pollworker solicitations
- Sample Ballots
- Polling place location cards
- Candidate information
- Publicity Pamphlets
- NCOA and List Maintenance
- Ballot requests

Perhaps most critically for many voters:

BALLOT DELIVERY
Ballot Delivery to the Voter
Many states mail out ballots at a Standard Mail® rate, which is subject to inspection, they need to be certain to include an “example mailing” for review.

ALWAYS
Use tag 191!!
All USPS® staff at intake & processing should know about Tag 191 for official balloting material (not just the red tag for political mail)
Although it isn’t required (YET?), all election officials should be using the Official Election Mail logo:
2017

Visibility in the mailstream is increasing with a new service: Informed Delivery.
2017

Pilot has been expanded to national coverage. Promotions also in the works for providing digital content.
Service type ID for ballots: ETA 2018
Ballot Return
Ballot Return: What to tell voters?

Unless the election official is paying for the return of the ballot or have an overage account, the voter instructions need to advise the voter of the cost to mail back the ballot (DMM® 703.8). Many will do this as an insert with the ballot:
Consistency of message is critical

2 Jurisdictions with exact same ballot material envelope recently were told 2 different costs for voters to return their ballots. One was 47 cents, the other 68:
Now the one that put 47 cents on their return envelopes is getting calls from voters that

1) they’re being told when they mail them that they need additional postage and, even worse

2) some voters are getting their ballots back in the mail as insufficient funds…

Be sure to document the weighing and talk to your Post Master about the importance of this.
DEADLINES & Options!!

Voters need to be mindful when dropping ballots into blue boxes of pick-up/collection times…

Rural offices may have truncated hours to consider.

Do voter instructions clearly explain return options?
Use of color in the envelope or in striping increases the visibility of the ballot in the mail stream.
And how smart is this? This ensures the envelope is empty and they are bundled in batches for ease of counting and auditing.
What to Look Out For
“The U.S. Postal Service® recommends that voters mail ballots \textit{one week before the due date} to account for any unforeseen events or weather issues and to allow for timely receipt and processing by election officials”
States with in-hand deadlines are looking to reduce the numbers that arrive late that cannot be counted. Looking to use of postmark.

States using postmarks have issue with lack-of or illegible ones. Considering going back to in-hand or other alternatives.
DEADLINES & Options!!

Voters can go into any USPS® counter and ask that their ballot envelope be hand-cancelled (also referred to as a “round-stamp”).
Ballot Return Considerations

Postmarking/cancellation issues have driven states to allow for other methods to ensure that the voter submitted the ballot in the statutory timeframe:

• WA: Use of the date the voter used in signing the affidavit
• OH: Use scanning data from USPS®
Iowa Legislation: Allow IMb™ data

14  b. The sealed return envelope may be mailed to the commissioner by the registered voter or by
15   the voter’s designee. If mailed by the voter’s designee, the envelope must be mailed within
16   seventy-two hours of retrieving it from the voter or within time to be postmarked, or bear an
17   intelligent mail barcode showing the point of entry into the mail system, not later than the day
18   before the election, whichever is earlier.
19  2. In order for the ballot to be counted, the return envelope must be received in the
20   commissioner’s office before the polls close on election day or be clearly postmarked by an
21   officially authorized postal service, or bear an intelligent mail barcode showing the point of entry
22   into the mail system, not later than the day before the election and received by the commissioner
23   not later than noon on the Monday following the election.
24  3. If the law authorizing the election specifies that the supervisors canvass the votes earlier than
DEADLINES & Options!!

Some states allow other options in returning their ballot such as drop-boxes before Election Day and at the traditional polling locations (for states that have them).
Election Official Data Collection

Don’t wait until ED+1 (Wednesday) to discover if there are issues!

Election officials are advised to train staff to look for dates out of the delivery range & missing postmarks (if applicable) as they process the incoming ballot envelopes.
ELECTIONMAIL.ORG

In an effort to document issues to identify true scope and causes, and then provide best practices to election officials to mitigate these challenges, www.electionmail.org was created by Democracy Works and The Bipartisan Policy Center with the generous support of the Democracy Fund.

Submissions are sent directly to USPS® in DC:
This reporting tool has helped to identify inconsistency in understanding of some basics surrounding election mail:

- **MI:** Military ballots being denied for postage when they had the correct indicia
- **CA:** Voted ballots that were held for weeks and then sent to the Mail Recovery Center rather than to the election department
- **NCOA & MyMove:** routing of voter registrations to the correct election official

What type of problem are you reporting? *

- Delivery delay
- Damaged mail
- Lost mail
- Undeliverable/returned mail
- Addressing/CASS/NCOA
- Rate/class qualification
- Postmark/cancellation
- Misdirected mail
- Intelligent Mail tracking
- Communication/responsiveness
- Other
STATES WHICH HAVE USED ELECTIONMAIL.ORG
www.votebymail.gov
What to Look Out For

Trays/pallets of election mail that sit in excess of delivery standards.

If you see something, say something!
For tens of millions of voters their mailbox is their ballot box
By working together we can be certain that their voices are heard!
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