



# NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

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May 4, 2010

The Honorable Charles Schumer  
Chairman  
Committee on Rules and Administration  
United States Senate  
Washington, D.C. 20510

The Honorable Robert Bennett  
Ranking Member  
Committee on Rules and Administration  
United States Senate  
Washington, D.C. 20510

**Re: Endorsement of the Universal Right to Vote by Mail Act  
in connection with May 5, 2010 Hearing on Voting by Mail**

Dear Chairman Schumer:

Thank you for scheduling the May 5 hearing on Voting by Mail and its underlying examination of state and local experiences. I write on behalf of the National Association of Postal Supervisors to endorse the need for legislation that guarantees the right of every eligible American voter to vote by mail in a federal election. I request the inclusion of this correspondence in the official record of the Committee's May 5 hearing on Voting by Mail.

The National Association of Postal Supervisors endorses legislation introduced in the Senate today by Senator Ron Wyden and pending legislation in the House of Representatives (H.R. 1604) introduced by Rep. Susan Davis (D-CA) that would allow citizens to request permission to vote by mail in federal elections without requiring a reason for the request. The Universal Right to Vote by Mail Act amends the Help America Vote Act of 2002 to prohibit a state from imposing additional conditions or requirements on the eligibility of an individual to cast a vote in federal elections by mail, except to the extent that it imposes a deadline for requesting the ballot and returning it to the appropriate state or local election official. The House bill was approved by the Committee on House Administration on July 16, 2009 and awaits a floor vote in the House of Representatives.

We strongly believe that state election practices and the uniformity of the rights of all American voters would be advanced by such legislation. In addition to providing Americans a convenient, secure and inexpensive way to participate in federal elections, the expansion of mail-in voting would provide additional, much-needed revenue to the Postal Service. These dual benefits provide a win-win situation for the nation and for all Americans.



As you know, mail-in voting is a method of distributing ballots for an election that has proven to be convenient and safe. Most commonly, mail-in voting when used in connection with absentee balloting supplements the use of traditional polling places. The ballot is requested, then voted and returned to the election office to be counted. Twenty-eight states currently provide this alternative to voters, and that number is growing. Americans are attracted to the flexibility, convenience and safety of voting by mail.

In 2008, more voters than ever participated in the democratic process by casting absentee ballots. One in four Americans cast their ballots by marking their ballot at home and returning it through the mail. This growing trend can be attributed to the fact that voters in 28 states currently may exercise "no excuse" absentee voting, which allows citizens to vote by mail without requiring a reason for the request.

The rules governing the conduct of elections throughout the United States are largely created by each state. Unless preempted by federal law, each state has its own rules regarding mail or absentee voting. All states allow for some voters, typically the disabled and infirm, to vote with an absentee ballot. Currently, twenty-three states still require a voter to provide an excuse to election authorities before they may receive a mail or absentee ballot, some even requiring notarized affidavits of absence to first be filed by the voter. While these states still retain obstacles that stand in the way of voting by mail, the trend is clearly towards greater freedom of choice and easier access to mail voting.

As noted, twenty-eight states currently allow any voter to choose a mail-in absentee ballot. States can go even further by maintaining a list of voters who choose to always vote by mail and then automatically sending them a mail-in ballot every election. Florida's statute provides an excellent example of a simple absentee voting law that allows access for all voters. Millions of ballots have been cast in "no excuse" states with no greater problems than those in states that require excuses. Oregon, a state that has cast its votes entirely by mail since 1998, has prosecuted just nine cases of mail ballot fraud involving sixteen ballots out of 76,393,979 ballots cast or 0.00000012% of all ballots cast over the past eleven years.

Twenty-one states, the District of Columbia, and all the territories still require voters to provide a qualifying excuse in order to vote absentee by mail. Requirements to justify a qualifying excuse differ among state laws, but many are burdensome. Congress should enact legislation that removes the unnecessary requirements that have created such barriers for voters. Such legislation should level the playing field and give all voters the option to vote by absentee ballot in federal elections whether by choice or need. The legislation should not require anyone to vote by mail but merely provide the option of voting absentee without having to respond to intrusive and unnecessary questions that make it more difficult for voters to participate in federal elections.



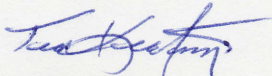
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It is time that the Congress passes legislation that guarantees the right of any eligible voter to vote by mail in a federal election. The federal government has a significant interest in making sure every eligible voter who wants to cast a ballot in a federal election has that opportunity. Under the Constitution, Congress has the authority to regulate elections. As it has in the past, Congress should act now to strengthen our democracy when significant disparities in voting opportunities for voters among different states exist. By giving all voters the same ability to vote by mail, regardless of state residency, Congress will have taken a critical step toward encouraging the full participation of all citizens in federal elections. Congress should recognize the benefits of an election practice established by over half of our nation's states and ensure a uniformity of rights for all voters.

Mr. Chairman, thank you for your consideration of these comments and for your long-standing leadership in strengthening the democratic process to give American voters the choices they deserve.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ted Keating".

Ted Keating  
President