

**PR-T-1**

Before the  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

SIX-DAY TO FIVE-DAY CARRIER DELIVERY  
AND RELATED SERVICE CHANGES

Docket No. N2010-1

Testimony of  
Oregon Secretary of State Kate Brown

Sponsored by the Public Representatives  
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## I. Biography

My name is Kate Brown. In 2008, I was elected Oregon's Secretary of State and in this role I am the state's chief elections officer and also supervise the Audits, Archives and Corporation divisions. Before that, I spent 17 years as a member of the Oregon Legislature, rising in 2004 to the position of Senate Majority Leader. I hold a law degree from the Northwestern School of Law at Lewis and Clark College in Portland, Oregon, practiced family law and have taught at Portland State University.

## II. Purpose and Scope of Testimony

As Oregon's chief elections official, I want to amplify the record in this case concerning the impact of the United States Postal Service's proposal to eliminate Saturday street delivery and to make related service changes on users of the mail. My focus is on those who vote by mail, including rural voters, and on the administrators of vote-by-mail programs. I'd like to discuss how vote-by-mail works, why it's so popular in Oregon and how other states are implementing similar programs.

I have concerns about the impact that eliminating Saturday street service would have on the efforts in Oregon and many states to widen access to the voting process. These concerns lead me to conclude that the Postal Service has not given adequate consideration to vote-by-mail programs and that voters and administrators would be harmed by the adoption of the program.

I am also concerned that the Postal Service is seeking the complete elimination of statutory restrictions on future decisions about nationwide delivery changes, other than the requirement to seek a non-binding advisory opinion from the Postal Regulatory Commission. This means that other delivery reductions that might prove harmful to voters and vote-by-mail programs could be implemented without Congressional input.

1 Therefore, the Commission's issuance of an advisory opinion approving the proposal is  
2 not warranted.

3

### 4 III. Oregon's Vote-by-Mail Story

5

6 Oregon's path to becoming a full-fledged vote-by-mail state began in 1981 when  
7 the Legislature approved vote-by-mail as a pilot project. The terms of the project  
8 included two limitations: First, that vote-by-mail would be optional; second, that it would  
9 be reserved for local races. That means county clerks could decide for themselves  
10 whether to conduct the park district or library district election by mail only.

11 In these early days of the pilot project, Oregon also allowed citizens to sign up as  
12 permanent, no-excuse absentee voters. This process gave people the opportunity to  
13 sign up just once to receive their ballots by mail for all future elections. Our county  
14 elections offices eventually found that more than half of the ballots received were cast  
15 absentee, by mail. As a practical matter, our counties were holding two elections at  
16 once: one at the polling place and one by mail. This made elections complicated and  
17 increasingly expensive but also quite instructive. Voters were sending a clear message  
18 that they liked vote-by-mail.

19 Interestingly, throughout the 1980s, our local races for school board and city  
20 council were being conducted entirely by mail but all statewide primaries and general  
21 elections were not. In fact, it was not until June 1993 that Oregon held its first statewide  
22 election entirely by mail. It was a ballot measure put to voters by the Legislature  
23 regarding the repayment of urban renewal bonds. This certainly was not the most  
24 exciting ballot measure in Oregon history, but it showcased the vote-by-mail system on  
25 a broader stage and generated a robust 39 percent turnout, certainly higher than might  
26 be expected considering the topic.

27 Vote-by-mail really came of age in January 1996 in a special election to fill a  
28 vacancy in the United States Senate. It was the first time we used vote-by-mail in a  
29 federal race and the first time anywhere that a member of Congress was elected solely  
30 by mail. Turnout was a healthy 66 percent.

1           The transition to vote-by-mail was completed in 1998 when 70 percent of Oregon  
2 voters approved a citizen initiative requiring the use of vote-by-mail for every election,  
3 from the smallest park district to the presidential race. Our last polling place election  
4 was 1998, which means very few voters under the age of 30 have ever been inside an  
5 Oregon voting booth.

6           We have seen the benefits of the system. Here are three important points about  
7 Oregon's experience:

- 8
- 9           •       **It increases turnout.**
- 10

11           We know that Oregonians like vote-by-mail, because we can measure the  
12 effect it has had on turnout over the past few election cycles. Oregon has been in  
13 the top ten in voter turnout for the last two presidential elections. The 2004  
14 election saw 86.1 percent of Oregon's registered voters turn out, while the 2008  
15 election drew a resounding 85.7 percent of voters to the polls. These are the third  
16 a second highest turnout in Oregon history.

17

18           Our numbers can only be compared to states with same-day registration.  
19 That was not the case before vote-by-mail.

20

21           It's easy to understand why. With vote-by-mail, we make it easier, more  
22 accessible and more convenient for busy Oregonians to cast an informed vote.

23

24           The average turnout in the past three presidential elections, all of which  
25 were vote-by-mail elections – 2000, 2004 and 2008 – were a full 6 percentage  
26 points higher than that of the three previous presidential elections conducted in  
27 the polling place.

28

29           Turnout has increased in particular in small, lower profile elections.

30

31

1       •       **It costs less.**

2  
3               The 1998 general election, the last one with polling places, cost \$1.81 per  
4 voter. The cost of our January 2010 special election was \$1.05 per voter. The  
5 comparison doesn't account for inflation.

6  
7               And while the cost is lower, we're not sacrificing the efficiency of the  
8 elections process. Vote-by-mail cuts down on elections staff time by making it  
9 easier for staff at the state and county levels to conduct an election.

10  
11              We continue to add efficiencies as well, combining vote-by-mail with a bill  
12 we passed in 2009, which allows counties to begin processing but not actually  
13 count ballots before Election Day. In our last statewide election, we released  
14 more than three-quarters of the results within a half hour of the voting deadline.

15  
16  
17       •       **It's secure.**

18              To combat any attempts at fraud we have put a number of security  
19 measures in place to ensure that vote-by-mail is as secure as traditional voting  
20 booth systems.

21  
22              As an example, our using mandatory signature checking is carried out by  
23 employees trained by forensic experts, to ensure that the signature on every  
24 ballot matches the voter's signature on their voter registration card.

25  
26              We're also utilizing tracking measures by including a bar code on every  
27 ballot, so that we can track a given ballot while it is in the custody of elections  
28 officials to ensure it is handled properly.

29  
30

1           Since 2000, we've investigated thousands of fraud complaints, leading to  
2 nine criminal convictions. Vote fraud is a class C felony and something that we  
3 take extremely seriously. The state has levied fines, sent people to prison and  
4 when necessary, helped deport violators.

5  
6           Vote-by-mail also addresses another aspect of security; taking away some  
7 of the security challenges that voters in the traditional system face at the polling  
8 place. Voter intimidation at the polls gets a fair share of media attention around  
9 election time and with good reason; it poses a tremendous security risk to the  
10 democratic process. With vote-by-mail, we've simply taken this factor out of the  
11 equation by giving voters their ballots to fill out in the comfort of their homes.

12  
13           Voters say they miss sharing the voting experience with neighbors, going  
14 to the school or the church or the neighborhood firehouse in this rite of  
15 citizenship. However, in Oregon, we are seeing a paradigm shift, the  
16 replacement of one civic ritual with another. Families and groups of friends are  
17 now gathering in homes, churches or libraries to discuss the issues and  
18 candidates on the ballot. Oregonians now have a season, not a day, of  
19 deliberative conversations about the ballot.

20  
21           It's important to note that these are not procedures that were put in place  
22 overnight. Each step has been thought through in nearly 30 years of experience  
23 we've had with this system. We've worked out many of the bugs and we believe  
24 states can adopt this without coming in blind.

25  
26           I should also point out that since Oregon started using mail ballots for all  
27 elections, we have enjoyed an excellent working relationship with U.S. Postal  
28 Service management and workers. We entrust USPS with our democracy and  
29 USPS has responded with excellent service. On Election Day, our postal  
30 workers stop what they're doing an hour before the election ends and scour their  
31 truck and delivery bags for late-arriving ballots. They find scores of them and

1 make sure they get turned in on time. That's service above and beyond the call  
2 of duty.

#### 3 4 IV. Trends in Other States

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6 Oregon remains the only state to use vote-by-mail exclusively, but I want to  
7 speak as well for the many other states that are increasing the use of mail voting and  
8 would feel the impact of a reduction in mail delivery service. This is not a small group.  
9 In the 2008 election, nearly 25 percent of all the ballots cast across the country were  
10 cast by mail. There are now 28 states allowing voters to receive an absentee ballot  
11 without requiring an excuse. The mail delivery issue affects all of them.

12  
13 All states, of course, have some form of absentee voting, for their voters in the military,  
14 away at school or with disabilities who are unable to get to a polling place on their own.  
15 So every state already is familiar with voting by mail. States like Oregon that offer mail  
16 voting on a wider scale are finding it hugely popular among voters.

17  
18 The trend toward expanding this practice can be seen everywhere in the country:

- 19
- 20 • Colorado, Hawaii and New Jersey recently allowed voters to request  
21 absentee ballots for every election, without having to reapply each time.  
22
  - 23 • Colorado recently approved a plan letting its counties decide to hold  
24 primary elections exclusively by mail. If this proves successful, the state could go  
25 all vote-by-mail as soon as 2014.  
26
  - 27 • In California, nearly 50 percent of all the votes cast in the 2008 election  
28 were mail ballots.  
29
  - 30 • In Washington State, our neighbors to the north, 38 of the 39 counties  
31 vote exclusively by mail. The only holdout is Pierce County, home to Tacoma.

1 • In Hawaii, legislators have been talking about using vote-by-mail  
2 exclusively in some elections.

3  
4 Some states make it remarkably difficult to get an absentee ballot:

5  
6 • In Mississippi, you can vote by with an absentee ballot mail if you are a  
7 teacher, administrator, or offshore worker but not if you hold other jobs.

8  
9 • In Michigan, work, childcare and illness — except the inability to make to  
10 the polls without the assistance of another person — are not valid excuses for an  
11 absentee ballot.

12  
13 • In New York, voters away on vacation on Election Day must list where  
14 they expect to be, information about their employer or, depending on the reason,  
15 the name and address of relatives.

16  
17 • Voters in some states must provide a notarized statement explaining why  
18 they need an absentee ballot.

19  
20 • In some states, voters have to have a note from their doctor or a note from  
21 their boss.

22  
23 • In West Virginia, incarcerated voters can receive a ballot with a note from  
24 the sheriff.

25  
26 • In Virginia, caregivers who want to vote by absentee ballot must explain  
27 which family member they are caring for and the nature of that person's disability.

28  
29 • Also in Virginia, expectant mothers must disclose that they are pregnant if  
30 they want an absentee ballot.

31



1           We don't have these kinds of problems with vote-by-mail. Oregon has one of the  
2 highest voter turnout rates in the country due in large part to our vote-by-mail.  
3 Eliminating one day of service a week could damage the system.  
4

5  
6           V.     Losing the sixth day  
7

8           Since Oregon started voting by mail in those first few local elections in 1981, we  
9 have worked hard to make our voting system inclusive and available to all eligible  
10 voters. It now enjoys wide support among the public, who value how it fits conveniently  
11 into our busy lives. In a 2003 survey by a University of Oregon professor Priscilla  
12 Southwell, more than 80 percent of Oregonians said they like voting by mail. It has  
13 become an indelible part of our electoral DNA.  
14

15           Getting used to mail voting required some adjustment not just for voters but for  
16 elections workers as well. We have learned that some voters still prefer to wait to cast  
17 their ballot until the final days before an election. In a busy election, as many as a third  
18 of the ballots are delivered in the 48 hours before the deadline, on Monday and  
19 Tuesday.  
20

21           Oregon voters have become comfortable with the timing and rhythms of casting a  
22 ballot by mail. But reducing mail deliveries from six to five days a week would  
23 jeopardize a critical part of the voting routines that have become such a familiar part of  
24 our vote-by-mail experience.  
25

26           Already, our county elections staffs usually work on Saturdays before an election  
27 to manage the load of mail. And Mondays are worse because there's no Sunday  
28 delivery. Doubling that Monday delivery would inevitably clog the process and slow  
29 down the processing of ballots. It becomes that much more a difficult task for the postal  
30 workers, for the elections staff and for our voters. The more delivery days, the easier  
31 the burden.

1  
2           Here lies the real danger in reducing mail deliveries. We've worked hard to make  
3 our voting system inclusive and available to all eligible voters. I worry that any delay in  
4 the system, any action by government that clogs the process, could disenfranchise  
5 voters in Oregon and in the increasing number of states using mail voting. This could  
6 also hinder our efforts to get unregistered voters engaged in the process.

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8           VI.     Conclusion

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10           While I certainly sympathize with the financial circumstances faced by the Postal  
11 Service, reducing the number of delivery days could damage the system that Oregon  
12 and many other states have worked so hard to nurture.

13  
14           Thank you. I'm happy to offer my assistance in making sure both Oregon and the  
15 United States Postal Service can continue to meet our goals.