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The Honorable Donald J. Trump
President of the United States of America
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

I have become aware of numerous reports in recent days of operational changes underway at the United States Postal Service to respond to an arterial cash bleed -- a \$2.2 billion loss in the most recent quarter, and tens of billions of dollars in the last decade. I write to you today to respectfully request that you postpone these needed changes until after the November election.

The Post Office has an outdated and broken business model and an ever-declining customer base -- developments thirty years in the making. It is a perennial drain on the Treasury. But making the radical changes only weeks before early voting begins -- however fiscally well founded -- would place the solvency of the Post Office above the legitimacy of the Government itself.

I'll begin with two points on which all Americans ought to agree. First, we live in the greatest democracy in the history of the world. Second, the future of our democracy depends upon the integrity of our elections. Our system is built on the idea that a legitimate government operates with the consent of the governed. And the governed will consent only if they trust the election returns. To quote the late Justice Scalia, we cheat both sides of a contested election when we do anything that robs "the winners of an honest victory and the losers of the peace that comes from a fair defeat." In any election where one side feels cheated, we tug a bit more at the threads that hold our country together.

The reported changes to the Post Office include removal of sorting equipment and mailboxes. It is unclear at best that these reductions in capacity are even across geographic and political communities, raising the question of disparate impacts. These changes so close to the election are certain to give rise to litigation, which in turn will create a sense of chaos and uncertainty that will likely roll right into the early voting period -- thereby de-legitimizing the thousands of winners of the November contests.

These operational changes will also spawn post-election litigation by the losing party. Even if the challenges are ultimately unsuccessful, those who take office will do so under a perceived cloud, and will serve with unrelenting headwinds from those who do not feel that they lost in a fair defeat.

I am confident in the ability of Ohio's election officials to administer a secure and fair election that provides expansive safe and effective voting opportunities. Ohio voters can easily share in my confidence. If you will allow me a point of personal privilege, I am proud to say that federal courts have praised Ohio for making it so easy to vote—praise that legislators and secretaries of state, past and present, well earned.¹

But what we cannot afford is for that confidence to be eroded—fairly or not—by the reported changes at the United States Postal Service that are beyond Ohio's control.

Voters who decide to rely on State's absentee voting laws, whether in Ohio or elsewhere, deserve to know that their votes will be counted. Regardless of how one feels about universal mail ballots, these absentee ballots are already the law and rely on an effective (if not a cost-efficient) United States Postal Service.

Let us also remember our thousands of military personnel serving overseas, who also vote absentee. As a nation, we have a responsibility to make sure that those who protect our democracy also have the ability to participate in it.

And with concerns over the COVID-19 epidemic, many of our senior citizens and other people who are medically vulnerable will vote absentee this year.

But most important of all, the people of this country, for the good of the country, *need* to know that all lawfully cast votes will be timely delivered so that they can be counted.

Whatever reform is needed at the Postal Service, it cannot come at the expense of our faith in the 2020 election. Anything less than full confidence in the timely receipt of all timely mailed absentee ballots will rob the winners of an honest victory and the losers of the peace that comes from a fair defeat. Our country cannot take any more of that.

¹ *Mays v. LaRose*, 951 F.3d 775, 779 (6th Cir. 2020); *Ohio Democratic Party v. Husted*, 834 F.3d 620, 623 (6th Cir. 2016).

As far as administering a safe and fair 2020 Presidential Election, Ohio can easily say “we’ve got this.” But we need to know that the United States Postal Service can say the same. With that in mind, I urge you to take the following steps:

First, please clarify for the public the plan to improve the Postal Service’s operations, and debunk any erroneous reports.

Second, please consider demanding that the Board of Governors postpone changes until after the election to avoid slowing the mail or creating uneven levels of service across the country.

Ohio stands ready to assist in any way possible, so all of us can be confident that every American vote is counted and every American trusts the results of the upcoming election.

Yours,



Dave Yost
Ohio Attorney General