

# SANDLER REIFF

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September 28, 2018

**Via Facsimile 410 234 8602  
and UPS**

Le Gretta Y. Ross-Rawlins  
Acting Postmaster  
US Postal Service  
900 East Fayette Street Room 118  
Baltimore, MD 21233-9175

## **Re: Complaint re Cooperative Mailing**

Dear Postmaster Ross-Rawlins:

I am writing on behalf of our client, the Maryland Democratic Senate Caucus Committee, to call your attention to a violation of the mailing standards by the Maryland Republican Party and Maryland Republican Senate Caucus Committee, which have unlawfully used the Nonprofit USPS rate for material paid for in part by the Republican Senate Caucus Committee, which is an ineligible organization.

Attached are copies of the front and back of four mailings sent to registered voters in Maryland, promoting the Republican nominees for Maryland State Senate in four different legislative districts. The disclaimer on these mailings indicates that the matter being mailed was paid for jointly by the Maryland Republican Party and the Maryland Republican Senate Caucus Committee. That both committees are included in the disclaimer indicates that the Republican Senate Caucus Committee actually paid for at least part of the costs of the mailer. See MARYLAND STATE BOARD OF ELECTIONS, SUMMARY GUIDE: MARYLAND CANDIDACY AND CAMPAIGN FINANCE LAWS §12.1(5) at p. 65 (Aug. 2010).

The Maryland Republican Party is the state committee of a political party and is therefore eligible for nonprofit rates. Domestic Mail Manual (DMM) §703.1.3.1. The Maryland Republican Senate Caucus Committee is a separate political committee under Maryland law; it is not part of the Maryland Republican Party. The Republican Senate Caucus Committee is therefore not eligible to use the nonprofit rates. DMM §703.1.4.1(g)(political committees other than those specifically eligible are not eligible to mail at nonprofit rates).

Clearly the Maryland Republican Party has made unlawful cooperative mailings. An organization authorized to mail at the nonprofit rates may mail only its own matter at those rates. DMM §703.1.6.1 “[A] mailing may not be sent at the nonprofit prices if made in conjunction with, or in support of a venture of an unauthorized entity or if a joint venture between authorized and unauthorized entities.” Customer Support Ruling PS-209 (703.1.6) (Jan. 2017). In this case,

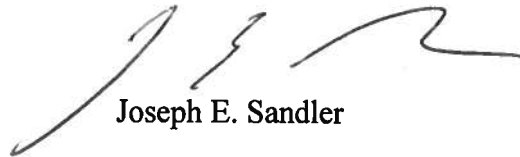
Postmaster Le Gretta Y. Ross-Rawlins  
September 28, 2018  
Page Two

the Maryland Republican Party has mailed, at the nonprofit rates, matter produced in part at the expense the Republican Senate Caucus Committee, an ineligible entity.

The Maryland Democratic Senate Caucus Committee requests that the USPS investigate this unlawful cooperative mailing; immediately take steps to warn the two committees not to send further unlawful cooperative mailings; and impose the appropriate penalties for the unlawful mailings already made.

If you have any questions or need further information about the above, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'J. Sandler', with a long horizontal flourish extending to the right.

Joseph E. Sandler

Enclosures