

October 31, 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 House Caucus Committee, to call your attention to a violation of the mailing standards by the Maryland Republican Party and Maryland Republican House Caucus Committee, which have unlawfully used the Nonprofit USPS rate for material paid for in part by the Republican House Caucus Committee, which is an ineligible organization.

Attached are copies of the front and back of three mailings sent to registered voters in Maryland, promoting the Republican nominees for Maryland House of Delegates in 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 House Caucus Committee. That both committees are included in the disclaimer indicates that the Republican House 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 House Caucus Committee is a separate political committee under Maryland law; it is *not* part of the Maryland Republican Party. The Republican House 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

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and unauthorized entities.” Customer Support Ruling PS-209 (703.1.6) (Jan. 2017). In this case, the Maryland Republican Party has mailed, at the nonprofit rates, matter produced in part at the expense the Republican House Caucus Committee, an ineligible entity.

The Maryland Democratic House 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,

Joseph E. Sandler

Enclosures