Mr. Louis DeJoy  
Postmaster General  
United States Postal Service  
475 L'Enfant Plaza, S.W., Room 10300  
Washington, D.C. 20260-1000

Dear Mr. DeJoy:

I write to reiterate my request for immediate access to the Postal Distribution Center in Merrifield, Virginia—as well as access for my Congressional colleagues to other postal facilities. Oversight of Postal Service operations is more important now than ever, particularly in light of the troubling findings of the Inspector General that actions taken by Postal Service officials slowed postal operations nationwide in the midst of a global pandemic and economic collapse.¹

This letter follows my October 2, 2020, request for a tour of the Merrifield Postal Distribution Center in my Congressional District, as well as my October 13 letter requesting your new legal analysis of the Hatch Act, which you baselessly claim prevents Members of Congress from visiting Postal Service facilities within 45 days of an election.²

The Committee on Oversight and Reform is the committee of jurisdiction for the Postal Service in the House of Representatives, and the Subcommittee on Government Operations has been charged with overseeing postal operations. As Chairman of the Subcommittee, I have a responsibility to oversee postal operations—which includes having access to postal facilities, managers, and employees—and this responsibility does not cease merely because an election is approaching. I did not seek access to the Merrifield facility in my capacity as a candidate for office, but rather to discharge my official duties as a Member of Congress and a Member of the Oversight Committee.


On October 20, 2020, you sent a letter citing new Postal Service guidance that you claim was approved by the Office of Special Counsel (OSC). Yet OSC—the principal enforcement agency of the Hatch Act—has made it clear that the Hatch Act does not prohibit federal employees from allowing Members of Congress to tour federal facilities for an official purpose. According to your own letter, the portions of your Hatch Act policies that you claim OSC did not object to did not include your policy of prohibiting Members of Congress from postal facilities.

To the contrary, OSC wrote a letter to Chairwoman Carolyn Maloney and me on October 13, 2020, clearly stating that the Hatch Act does not prevent Members of Congress from executing their oversight responsibilities through tours or other constitutionally required actions. The OSC letter, included as an addendum to this letter, states:

OSC released an advisory opinion on February 15, 2018, concerning candidate visits to Federal agencies and generally cautioned employees that authorizing the use of Federal facilities for campaign purposes is prohibited by the Hatch Act. But the opinion made clear that Members of Congress, who are candidates for partisan political office, are not barred from visiting Federal facilities to execute their official, oversight responsibilities to include receiving briefings, tours, or other official information. This position remains unchanged.

Your policy, for which you still have not provided a satisfactory legal justification, could effectively remove three months (90 days) of Congressional oversight during each Congress if primary elections are included in the policy. Moreover, it appears that your policy has been administered inconsistently, as some Members of Congress have reported visiting facilities as recently as October 19.

Your invocation of concern about inappropriate political activity by Members of Congress fulfilling their oversight responsibilities—and among postal service employees themselves—is particularly misplaced given your own actions on behalf of President Trump and the actions of the Chairman of the Postal Service Board of Governors, Robert M. Duncan, who

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continues to serve on a Republican SuperPAC and appeared in a video at the Republican National Convention chanting “four more years.”

It is the height of hypocrisy that you and other Trump mega-donors are now engaged in an active campaign to politicize the Postal Service while using the Hatch Act—the law that seeks to prevent inappropriate political activity—to block legitimate oversight by your Committee of jurisdiction over your disastrous operational failures that are resulting in the degradation of postal services nationwide.

As Chairman of the subcommittee of jurisdiction, I once again request that you immediately facilitate my inspection and grant other Members of Congress access to Postal Service facilities. Your legal justification for refusing to allow such oversight is without merit.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Gerald E. Connolly
Chairman
Subcommittee on Government Operations

cc: The Honorable Jody B. Hice, Ranking Member

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