

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051  
MINORITY (202) 225-5074  
<https://oversight.house.gov>

March 12, 2021

Mr. Louis DeJoy  
Postmaster General  
U.S. Postal Service  
475 L'Enfant Plaza, S.W.  
Washington, D.C. 20260

Dear Postmaster General DeJoy:

I am writing to request documents related to the U.S. Postal Service's recent contract award to purchase up to 165,000 new postal vehicles from Oshkosh Corporation in a deal valued at up to \$6 billion. According to the Postal Service, the contract "is the first part of a multi-billion-dollar 10-year effort to replace the Postal Service's delivery vehicle fleet, one of the world's largest."<sup>1</sup> The surprise announcement on February 23, 2021 marked the end of a "highly secretive" selection process that spanned six years.<sup>2</sup>

Soon after the announcement, reports raised concerns over several aspects of the award.<sup>3</sup> While two vehicle prototypes from competitors incorporated electrical powertrains, winning bidder Oshkosh reportedly submitted a prototype with a gasoline engine.<sup>4</sup> Although the initial announcement stated that Oshkosh's vehicles would be "equipped with either fuel-efficient internal combustion engines or battery electric powertrains," you clarified in testimony before the Committee that only 10% of the initial order for the fleet would be electric.<sup>5</sup> As you know,

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<sup>1</sup> U.S. Postal Service, *Press Release: U.S. Postal Service Awards Contract to Launch Multi-Billion-Dollar Modernization of Postal Delivery Vehicle Fleet* (Feb. 23, 2021) (online at <https://about.usps.com/newsroom/national-releases/2021/0223-multi-billion-dollar-modernization-of-postal-delivery-vehicle-fleet.htm>).

<sup>2</sup> *USPS Picks Oshkosh Defense for Future Electric Mail Trucks*, CNET (Feb. 23, 2021) (online at [www.cnet.com/roadshow/news/usps-electric-mail-trucks-oshkosh-defense/](http://www.cnet.com/roadshow/news/usps-electric-mail-trucks-oshkosh-defense/)).

<sup>3</sup> *Workhorse Pursues Long-Shot Bid to Overturn Postal Truck Award*, Bloomberg (Mar. 4, 2021) (online at [www.bloomberg.com/news/articles/2021-03-04/workhorse-sees-prolonged-process-in-challenge-to-postal-award](http://www.bloomberg.com/news/articles/2021-03-04/workhorse-sees-prolonged-process-in-challenge-to-postal-award)).

<sup>4</sup> Boston University Institute for Sustainable Energy, *Blog: The Postal Service's Gas-guzzling New Mail Truck: Electric Versions May Be Closer Than They Appear* (Mar. 2, 2021) (online at [www.bu.edu/ise/2021/03/02/the-postal-services-gas-guzzling-new-mail-truck-electric-versions-may-be-closer-than-they-appear/](http://www.bu.edu/ise/2021/03/02/the-postal-services-gas-guzzling-new-mail-truck-electric-versions-may-be-closer-than-they-appear/)).

<sup>5</sup> Committee on Oversight and Reform, *Testimony of Postmaster General Louis DeJoy, Postal Service, Hearing on Legislative Proposals to Put the Postal Service on Sustainable Financial Footing* (Feb. 24, 2021) (online at <https://oversight.house.gov/legislation/hearings/legislative-proposals-to-put-the-postal-service-on-sustainable-financial>).

the Biden Administration has committed to transitioning the federal government to a fully electric fleet as part of a comprehensive effort to combat global warming.<sup>6</sup>

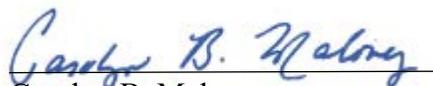
In addition, the night before the award announcement, an unknown party purchased 524,400 shares of Oshkosh Corp. stock worth \$54.2 million. According to Bloomberg News, “the size of that trade was almost as much as average daily volume in the stock in the prior year.”<sup>7</sup>

These reports raise concerns about the Postal Service’s selection process and contract award for the Next Generation Delivery Vehicle program. A thorough review is warranted to ensure the award process is free from undue influence and potential interference. As such, please provide to the Committee, on a rolling basis as available but no later than March 26, 2021:

1. A complete copy of the contract file, including but not limited to:
  - a. a final contract awarded by the U.S. Postal Service and any modifications or amendments thereto;
  - b. justifications and approvals, determinations and findings, and associated documents;
  - c. a copy of each offer submitted;
  - d. the evaluation factors used to analyze the offers;
  - e. any cost and pricing data supplied by the offerors and analyses performed by the Postal Service;
  - f. the record of negotiation;
  - g. the authority for deviations from any regulation or statute; and
  - h. the contractor’s representations and certifications.

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. An attachment to this letter provides additional instructions for responding to this request. If you have any questions, please contact Committee staff at (202) 225-5051.

Sincerely,



Carolyn B. Maloney  
Chairwoman

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<sup>6</sup> *Biden Vows to Replace U.S. Government Fleet with Electric Vehicles*, Reuters (Jan. 25, 2021) (online at [www.reuters.com/article/us-usa-biden-autos/biden-vows-to-replace-u-s-government-fleet-with-electric-vehicles-idUSKBN29U2LW](http://www.reuters.com/article/us-usa-biden-autos/biden-vows-to-replace-u-s-government-fleet-with-electric-vehicles-idUSKBN29U2LW)).

<sup>7</sup> *Workhorse Surges as Lawmakers Take Aim at Postal Contract*, Bloomberg (Mar. 6, 2021) (online at [www.bloombergquint.com/business/big-trade-in-oshkosh-shares-before-postal-award-spurs-questions](http://www.bloombergquint.com/business/big-trade-in-oshkosh-shares-before-postal-award-spurs-questions)).

Postmaster General Louis DeJoy  
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Enclosure

cc: The Honorable James R. Comer, Ranking Member

## Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
  - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - b. Document numbers in the load file should match document Bates numbers and TIF file names.
  - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:  
  
BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,  
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.