

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

September 29, 2020

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

Dear Mr. DeJoy:

The purpose of this letter is to request further information regarding the United States Postal Service's (USPS) election-related preparations ahead of the upcoming November election. On September 17, 2020, the USPS provided a briefing to Committee staff on election preparations. While helpful and appreciated, this briefing raised additional questions about USPS's plans to secure ballots. In particular, further information is required to understand the implementation and oversight of the workforce "Ballot Ambassador" campaign, the tasking of local USPS officials as "Ballot Monitors," and the processes for local postmasters or post office heads to request additional resources.¹

According to the briefing and information the Committee has received thus far, it appears that the USPS has given postal unions an integral role in vote-by-mail. As described during the briefing, the Ballot Ambassador program, a part of Local Election Mail Taskforce teams, is a system in which local USPS management and postal unions meet regularly to review every aspect of the ballot-delivery process, from election mail processing performance to contingency plans.² According to USPS, over 600,000 employees, nearly the entire USPS workforce, will be equipped by the Ballot Ambassador program to watch for specific issues throughout the entire vote-by-mail process.³ Additionally, USPS is also launching a smaller Ballot Monitors program which will task existing USPS employees with ensuring all election mail is properly postmarked.⁴ Ballot Monitors are selected locally by plant managers in consultation with division managers.⁵ The role of a Ballot Monitor is in addition to the USPS employee's original

¹ USPS briefing with staff from the Committee on Oversight and Reform, September 17, 2020.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

and existing duties, and new ballot monitoring related duties may be temporarily prioritized over and above the employee's existing job functions.⁶

The Postal Service website says that nearly 550,000 of the 600,000 USPS employees are covered by some sort of collective bargaining agreement.⁷ At least two major postal unions have endorsed Joe Biden for president. This obvious bias raises questions about whether the USPS plan's strong reliance on highly partisan organizations for election-related operational matters – up to and including the actual handling of ballots in the case of Ballot Monitors – risks creating doubts about election results.⁸ As an example, the largest postal union in the nation, the National Association of Letter Carriers (NALC), has endorsed Joe Biden for president.⁹

Moreover, in 2017, the Office of Special Counsel (OSC) found that the NALC inappropriately assisted Hillary Clinton's presidential campaign during the 2016 election. It is unclear whether USPS ever remedied the processes leading to OSC's finding of this "institutional bias" towards the Clinton campaign.¹⁰ As such, Americans cannot have confidence in the outcome of the election if these openly biased groups are given a significant role in the conduct of vote-by-mail without equally significant measures to ensure fairness.

Lastly, it is commendable that USPS is factoring into election mail planning the potential need for additional resources due to larger influxes of election mail. However, USPS claims decisions regarding additional resources would be determined at the local level, without any overarching guidance from headquarters.¹¹ The USPS should establish and communicate its chosen criteria for assessing resource allocation so that related decisions can withstand scrutiny.

Primarily spawned by reckless conspiracy theories promulgated by Congressional Democrats, there is a highly charged atmosphere surrounding USPS and this year's election. Recent reports regarding discarded ballots serve to illustrate the level of scrutiny the Postal Service can expect on all matters related to the upcoming election.¹² To ensure operations are fair and efficient for a national election, it is important for USPS to communicate standards and processes to local officials and to make these transparent to the public. In addition, USPS should

⁶ *Id.*

⁷ About: Labor Relations – Collective Bargaining, U.S. Postal Service, available at https://about.usps.com/strategic-planning/cs09/CSPO_09_093.htm.

⁸ USPS Briefing, *supra* note 1.

⁹ Brian Slodysko, *Major US postal workers union endorses Biden for president*, AP (August 2020), available at <https://apnews.com/2eb0459bf4cd01838a6e75cc4ca5cece>.

¹⁰ U.S. Office of Special Counsel, *Report of Hatch Act Investigation: Facilitating Labor Union's Political Activity Through Use of "Union Official" Leave Without Pay*, July 14, 2017, available at https://www.hsgac.senate.gov/imo/media/doc/FINAL%202017%20HA%20USPS%20Report%207.14.17_Redacted.pdf.

¹¹ USPS Briefing, *supra* note 1.

¹² Mike Brest, *DOJ recovers 'small number' of 'discarded' military ballots all cast for Trump in Pennsylvania*, Washington Examiner (September 24, 2020), available at <https://www.msn.com/en-us/news/politics/doj-recovers-small-number-of-discarded-military-ballots-all-cast-for-trump-in-pennsylvania/ar-BB19opMR>

consider a program of monitors from the Republican and Democratic parties in postal facilities, similar to poll watchers, to help mitigate concerns.

To that end, please provide a staff-level briefing to address the following questions:

1. Who will oversee the selection process for Ballot Ambassadors and Ballot Monitors?
2. Is there an existing communications plan for the Ballot Ambassador and Ballot Monitor programs that allow for regular communications between local USPS leaders and USPS national leadership?
3. How many union representatives will participate in the Ballot Ambassador and Ballot Monitor programs and does USPS intend to keep a list of participants?
4. What is the selection process for Ballot Ambassadors and Ballot Monitors and are there existing training materials or plans to conduct trainings? Will Hatch Act training be offered to these individuals?
5. Describe the expectations, duties, and reporting requirements for participants in and management of the Ballot Ambassador and Ballot Monitor programs?
6. Provide details about the processes for a postmaster or local USPS leader to request additional resources from USPS headquarters, including whether any written materials exist, and whether there is a process that USPS national leadership will use to determine if additional resources are needed.

This briefing may be conducted remotely for convenience. Please make arrangements to schedule a briefing by October 7, 2020. To schedule the briefing or ask any follow-up or related questions, please contact Committee on Oversight and Reform staff at (202) 225-5074.

The Committee on Oversight and Reform is the principal oversight Committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

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If you have any questions about this request, please contact Oversight Committee staff at (202) 225-5074. Thank you for your cooperation with this inquiry.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive, slightly slanted style.

James Comer
Ranking Member
Committee on Oversight and Reform

cc: The Honorable Carolyn Maloney, Chairwoman, Committee on Oversight and Reform