

August 24, 2020

The Honorable Robert M. Duncan, Chairman
The Honorable John M. Barger, Member
The Honorable Ron A. Bloom, Member
The Honorable Roman Martinez IV, Member
The Honorable Donald L. Moak, Member
The Honorable William D. Zollars, Member
United States Postal Service Board of Governors
U.S. Postal Service
475 L'Enfant Plaza, S.W.
Washington, DC 20260

Dear Mr. Chairman and Members of the Postal Service Board of Governors:

I write to ask that, in order to address concerns that the United States Postal Service Board of Governors (the Board) is not acting in the best interests of the public or the United States Postal Service (USPS), you immediately release the federal financial disclosure forms that describe potential conflicts of interest you may have in your role as a Postal Service Governor.

The Board of the United States Postal Service plays a critical role in the administration and management of the agency – directing and controlling its expenditures, establishing its “basic objectives, broad policies and long-range goals,” and approving its financial, operating and capital plans. In carrying out these duties, members of the Board are expected “to be honest, efficient, economical, and mindful of the competitive business environment in which the Postal Service operates.”¹ However, your role in appointing a Postmaster General with significant financial conflicts of interest, and who has been engaged in an effort to undermine the mission of the agency – and your failure to address and counter this sabotage of the Postal Service raise questions about whether you are meeting those responsibilities.

On May 6, 2020, the Board selected Mr. Louis DeJoy to serve as Postmaster General, in what has since been characterized as an “irregular” and “politically motivated” process.² And over the last several months, Postmaster General DeJoy – with the support of President Donald Trump – has taken several actions that threaten the service and integrity of the Postal Service. These

¹ CFR 39 2011, Subchapter A, Bylaws of the Postal Board of Governors, <https://www.govinfo.gov/content/pkg/CFR-2011-title39-vol1/pdf/CFR-2011-title39-vol1-chapI-subchapA.pdf>.

² USPS, Press Release, “Board of Governors Announces Selection of Louis DeJoy to Serve as Nation’s 75th Postmaster General,” May 6, 2020, <https://about.usps.com/newsroom/national-releases/2020/0506-bog-announces-selection-of-louis-dejoy-to-serve-as-nations-75th-postmaster-general.htm>

NBC News, “Lawmakers press Postal Service board member whether DeJoy's hiring was politically motivated,” August 20, 2020, Leigh Ann Caldwell, <https://www.nbcnews.com/politics/politics-news/lawmakers-press-usps-board-member-possible-political-influence-dejoy-s-n1237515>.

actions cause unnecessary hardships for seniors who rely on the postal service for their social security checks and prescription drugs, small businesses that need USPS to ship their products, workers who are waiting for paychecks, and millions of other Americans – and they threaten the ability of Americans to vote in the upcoming 2020 elections.³

On August 6, 2020 I asked the Postal Service Inspector General to conduct an investigation of Mr. DeJoy’s financial conflicts of interest – he and his wife reportedly own or recently owned “\$30.1 million to \$75.3 million in assets in Postal Service competitors or contractors, like UPS and the trucking company J.B. Hunt”⁴ – to determine if they affected any of his actions.⁵ The Inspector General is conducting this investigation.⁶

Last week, I called on you to immediately reverse Mr. DeJoy’s changes, consistent with your responsibility to “represent the public interest” and your authority under the *Postal Reorganization Act of 1970*, and if necessary, to remove the Postmaster General.⁷ Several days later, David Williams—the former Vice Chair of the Board— testified that he resigned because he believed the Board’s “independent role had been marginalized and that representations regarding an independent postal service for the nation were no longer truthful.”⁸ And on Friday evening, the Board put out a statement that “[Mr.] DeJoy has the full support of the Governors.”⁹

This continued support for Mr. DeJoy’s ongoing efforts to degrade and delay mail service is inexplicable, and raises questions about the role of the Board and the motivations of its members. One key question for all Board members is whether – like Mr. DeJoy – you have investments or outside responsibilities that potentially pose conflicts of interest with your role on the Postal Service Board of Governors. Unfortunately, this information is not available to the public.

³ New York Times, “Mail Delays Fuel Concern Trump Is Undercutting Postal System Ahead of Voting,” Michael D. Shear, Hailey Fuchs and Kenneth P. Vogel, July 31, 2020, <https://www.nytimes.com/2020/07/31/us/politics/trump-usps-mail-delays.html>; Washington Post, “Postal Service warns 46 states their voters could be disenfranchised by delayed mail-in ballots,” Erin Cox, Elise Viebeck, Jacob Bogage and Christopher Ingraham, August 14, 2020, https://www.washingtonpost.com/local/md-politics/usps-states-delayed-mail-in-ballots/2020/08/14/64bf3c3c-dcc7-11ea-8051-d5f887d73381_story.html.

⁴ NBC News, “Trump’s new postmaster general could corrupt a key institution ahead of Election Day,” Opinion, Donald K. Sherman and Sylvia Albert, July 19, 2020, <https://www.nbcnews.com/think/opinion/trump-s-2020-usps-appointment-could-corrupt-key-institution-ahead-ncna1234125>.

⁵ Letter from Sens. Warren, Maloney, Peters, Wyden, Smith, and Reps. Maloney, Lynch, Connolly, and Lawrence to USPS Inspector General Tammy L. Whitcomb, August 7, 2020, <https://www.warren.senate.gov/imo/media/doc/2020.08.07%20Letter%20to%20Postal%20Service%20IG.pdf>

⁶ CNN, “Exclusive: Postal service inspector general reviewing DeJoy’s policy changes and potential ethics conflicts,” August 14, 2020, <https://www.cnn.com/2020/08/14/politics/postal-service-inspector-general-reviewing-dejoy/index.html>.

⁷ Letter from Senator Elizabeth Warren et al. to the United States Postal Service Board of Governors, August 17, 2020, <https://www.warren.senate.gov/newsroom/press-releases/warren-schumer-peters-sanders-and-colleagues-call-on-postal-board-of-governors-to-immediately-reverse-changes-made-by-trump-megadonor-turned-postmaster-general-louis-dejoy-that-have-degraded-and-delayed-postal-service-operations>.

⁸ Congressional Progressive Cause, “Witness Testimony: Congressional Progressive Caucus ad-hoc hearing on Trump Administration efforts to sabotage United States postal operations,” August 20, 2020, https://cpc-grijalva.house.gov/uploads/WitnessTestimony_CPC%20Hearing%20USPS%20.pdf.

⁹ United States Postal Service, “USPS Board of Governors Announces Bipartisan Election Mail Committee,” press release, August 21, 2020, <https://about.usps.com/newsroom/national-releases/2020/0821-bog-announces-bipartisan-election-mail-committee.htm>.

As members of the Board, you are required to submit a financial disclosure report to agency ethics officials – an important instrument designed to “prevent, identify, and resolve conflicts of interest by providing for a systematic review” of your financial interests.”¹⁰ Last week, my staff requested these reports for the Board of Governors from the Postal Service’s ethics office.¹¹

However, my staff received back a notice indicating that the Board’s financial disclosure reports “are not releasable to the public,”¹² due to your status as Special Government Employees who work less than 130 days per years.¹³ While this may be an accurate reading of the law, it is not consistent with the public interest.

The public has a right to know if members of the Postal Board of Governors have financial conflicts of interest, and if so, whether those conflicts might be affecting their actions – or if they might account for the failure to act. You can easily provide this transparency by voluntarily releasing your complete and unredacted financial disclosures to the public, and I ask that you do so as rapidly as possible.

Thank you for your attention to this matter.

Sincerely,



Elizabeth Warren
United States Senator

¹⁰ United States Office of Government Ethics, Ethics Program Review: United States Postal Service, September 2015, [https://www.oge.gov/web/oge.nsf/Program%20Review%20Reports/92307030ADACBA4D85257ED8004F7156/\\$FILE/prdrpt_USPS2015.pdf](https://www.oge.gov/web/oge.nsf/Program%20Review%20Reports/92307030ADACBA4D85257ED8004F7156/$FILE/prdrpt_USPS2015.pdf); 5 CFR § 2634.202; CFR 39 2011, Subchapter A, Bylaws of the Postal Board of Governors, <https://www.govinfo.gov/content/pkg/CFR-2011-title39-vol1/pdf/CFR-2011-title39-vol1-chapI-subchapA.pdf>.

¹¹ Staff of Sen. Elizabeth Warren, Request to Receive Copies of Executive Branch Personnel Public Financial Disclosure Reports or Other Covered Records, August 18, 2020.

¹² Email from U.S. Postal Service Ethics Office, to Staff of Sen. Elizabeth Warren, Re: Request from Office of Sen. Elizabeth Warren, August 18, 2020.

¹³ 5 CFR 2634.204(a), United States Office of Government Ethics, “Ethics Program Review: United States Postal Service,” September 2015, [https://www.oge.gov/web/oge.nsf/Program%20Review%20Reports/92307030ADACBA4D85257ED8004F7156/\\$FILE/prdrpt_USPS2015.pdf](https://www.oge.gov/web/oge.nsf/Program%20Review%20Reports/92307030ADACBA4D85257ED8004F7156/$FILE/prdrpt_USPS2015.pdf).