

Congress of the United States
Washington, DC 20510

October 8, 2020

Mr. Louis DeJoy
Postmaster General
United States Postal Service
475 L'Enfant Plaza, SW
Room 4012
Washington, D.C. 20260

Dear Mr. DeJoy:

We write on behalf of our constituents to reinforce the importance of reliable, secure mail voting procedures in Nevada in the upcoming general election and to express our serious concern about recent reports that the Postal Service failed to update address data critical to the timely and accurate delivery of election mail. With voters across our state preparing to cast their ballots, your actions could have risked harming Nevadans' ability to participate in our democracy.

Last month, you testified at two Congressional hearings about the nationwide delays in mail delivery service, which resulted from policy changes that you implemented at the United States Postal Service (USPS). Members of both the House and the Senate questioned you about timely delivery of critical items that Americans receive in the mail, such as prescription medications and Social Security checks. Additionally, many Members of Congress raised concerns about the timely delivery of mail and absentee ballots for the upcoming general election, in which the USPS faces the novel challenge of safely and securely delivering ballots during a global health pandemic. In your testimony, you assured the Committees that the Postal Service would be able to handle the largest vote-by-mail program in American history. In your own words, "[t]he Postal Service is fully capable and committed to delivering the nation's election mail fully and on time."

However despite the fact that during your testimony you agreed to be transparent with Congress, we continue to learn troubling information about USPS through news reporting, rather than from you. First, we learned that USPS distributed a mailer, at your direction, to eligible voters across Nevada with incorrect and potentially misleading information. This included instructing Nevadans that they needed to request a mail-in ballot at least 15 days before Election Day and telling eligible voters that they had to pay postage when returning their ballots. As you may know, a new law in Nevada provides that all active and registered voters in Nevada will automatically receive a mail-in ballot for the 2020 General Election. Moreover, all ballot return envelopes in Nevada have prepaid postage. Your mailer also instructed voters to mail ballots at least 7 days before Election Day, even though Nevada will accept ballots returned and postmarked on or before November 3, 2020, and received by an election clerk no later than 7 days after that date. This mailer was sent to all states without notifying, let alone consulting, the bipartisan National Association of Secretaries of State. The Secretary of State's office in Nevada had to urge our constituents to ignore the federal mailings, which caused confusion that could

have been avoided had your office communicated with the Secretary of State, who is tasked with administering elections at the state and local level.

More recently, Nevadans learned from reports that the USPS stopped updating address changes in the National Change of Address Linkage, or NCOALink, for three weeks in August. This is the system which most states – including Nevada – rely on to keep their voter files up to date. According to a spokesperson from the Postal Service, at least 1.8 million new changes of address were not registered in the database between August 10th and August 30th. The spokesperson went on to say that by September 14th the missing data was restored.

Thankfully, by sheer coincidence, Nevada ended up mostly unscathed by the Postal Service's error. In Nevada, the Secretary of State pauses its updating of address records in the 90 days before an election, which in this case was mere days before the error occurred. However, had USPS made its NCOALink blunder just a week earlier – only to address it a month late in mid-September – our constituents could have felt the impact. This year, Churchill County and Humboldt County sent out 2020 General Election sample ballots on September 15, 2020, only one day after USPS claims to have restored the missing data. Douglas County, Esmeralda County, Lincoln County, and Storey County mailed sample ballots the following day, September 16, 2020. The Postal Service's errors under your leadership risked dire consequences for Nevada voters, and our constituents deserve answers.

We ask that you answer the following questions regarding the matter:

1. When were you informed that USPS failed to update address changes in the NCOALink database for a three-week period in August?
2. Have you made impacted cities and counties aware that they have been affected by your failure to update addresses, and if so, what instructions have you provided them for how to correct the problem?
3. Why did this failure to update addresses take place, and how do you plan to ensure that such failures will not take place again in the future? Are you working with local governments in Nevada and other states to fix the problem so that it does not happen again?
4. How were you able to ensure that all of the missing data from between August 10th and August 30th was restored?
5. Were any of the Nevada counties listed above, or any other counties in Nevada, impacted by the failure to update address changes in the NCOALink database?
6. What data or information do you use to determine whether any Nevada counties were impacted by the missing data in NCOAL?

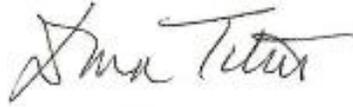
Sincerely,



Jacky Rosen
United States Senator



Catherine Cortez Masto
United States Senator



Dina Titus
Member of Congress



Steven Horsford
Member of Congress



Susie Lee
Member of Congress