EXHIBIT A
June 16, 2020

BY EMAIL: FOIA12@usps.gov

Natalie Bonanno
Chief FOIA Officer
United States Postal Service
475 L'Enfant Plaza, SW RM 1P830
Washington, DC 20260-1101

Re: Freedom of Information Act Request

Dear Ms. Bonanno:


First, CREW requests any and all briefing materials and or documents created by USPS employees prepared for or presented to Louis DeJoy, Postmaster General of the United States referring or relating to voting by mail from May 1, 2020 to the present.

Second, CREW requests any and all briefing materials and or documents created by USPS employees prepared for or presented to Postmaster General of the United States Megan Brennan referring or relating to voting by mail from May 1, 2021 to the present.

Third, CREW requests any and all briefing materials or documents, including testimony, or responses to questions for the record, created by USPS employees prepared for or presented to any United States Senator, member of the United States House of Representatives, or congressional staff, referring or relating to voting by mail from May 1, 2017 to the present.

Fourth, CREW requests any and all briefing materials and or documents created by USPS employees prepared for or presented to Office of Inspector General employees referring or relating to voting by mail from May 1, 2017 to the present.

Fifth, CREW requests any and all briefing materials and or documents created by USPS employees prepared for or presented to any member of the USPS Board of Governors referring or relating to voting by mail from May 1, 2017 to the present.

Sixth, CREW requests any and all briefing materials and or documents created by USPS employees prepared for or presented to any governor or mayor or their staff referring or relating to voting by mail from May 1, 2017 to the present.

Seventh, CREW requests any and all exit memos from Postmaster General of the United States Megan Brennan.
Eighth, CREW requests any and all communications between and among members of the USPS Board of Governors regarding the qualifications of Louis DeJoy to serve as Postmaster General of the United States from January 1, 2020 to present.

Ninth, CREW requests any and all communications between any members of the USPS Board of Governors and any United States Senator, member of the United States House of Representatives, or congressional staff, referring or relating to the qualifications of Louis DeJoy to serve as Postmaster General of the United States from January 1, 2020 to present.

Tenth, CREW requests any and all written policies or guidance that the USPS has developed pertaining to voting by mail from January 1, 2016 to present.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as emails to which the subjects of this request were cc’ed or bcc’ed.

If it is your position any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See Mead Data Central v. U.S. Dep’t of the Air Force, 566 F.2d 242, 261 (D.C. Cir. 1977).

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and USPS regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. See 5 U.S.C. § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. See, e.g., McClellan Ecological v. Carlucci, 835 F.2d 1282, 1285 (9th Cir. 1987).

In May, the USPS Board of Governors confirmed that Louis DeJoy, a North Carolina businessman and top donor to President Trump and other Republicans will serve as the new
Postmaster General of the United States, succeeding Megan Brennan on June 15, 2020.\(^1\) The selection of a Trump ally to lead USPS has raised concerns that DeJoy has been installed to undermine the growing calls for mail-in voting amidst the coronavirus pandemic.\(^2\) President Trump’s routine attacks on vote by mail, alleging that such efforts inject fraud and inefficiency into the electoral system, are adding to worries about the selection of a Republican fund-raiser and Trump donor to be the postmaster general.\(^3\) Despite the President’s withering complaints, there is little evidence to support his claims. In fact, the USPS Office of Inspector General has acknowledged public concerns about potential fraud but noted that states with vote by mail have implemented these processes effectively and efficiently with support from USPS.\(^4\) As the OIG has noted, “Since 1998, citizens of the State of Oregon have securely cast their ballots exclusively by mail. ... All 50 states already have a postal voting infrastructure in place through the offering of absentee paper ballots.”\(^5\) In 2015, USPS OIG “found the Postal Service could increase voting by mail as a way to boost volume and revenue by about $2 million a year. Beyond revenue, however, voting by mail boasts a number of benefits, and not just for the Postal Service.”\(^6\)

The requested records will shed light on analysis by the USPS on its capacity to support vote by mail. In particular, the records are likely to contribute to greater public understanding of how USPS has assessed the costs and benefits of voting by mail for the USPS and the country prior to the change in leadership at the USPS. The documents will also help to explain why the USPS Board of Governors selected a Trump donor and ally with limited experience to lead the agency at such a critical time. The President has routinely attacked vote by mail even amidst the coronavirus pandemic while he and his political appointees have routinely bent, broken or ignored federal laws barring the coopting of federal resources for political purposes.\(^7\) The USPS is integral to ensuring that the American electorate have full access to their right to vote and have it counted. The public deserves to know whether what the USPS has said about voting by mail and whether the Trump ally currently leading USPS undermines that independent analysis as we approach Election Day. The public also deserves to know what, steps, if any, the USPS has taken to ensure that voting by mail proceeds smoothly and effectively.

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\(^3\) Id.


CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public’s right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org. The release of information obtained through this request is not in CREW’s financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. See Nat’l Sec. Archive v. U.S. Dep’t of Defense, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a “representative of the news media” and broadly interpreting the term to include “any person or organization which regularly publishes or disseminates information to the public”).

CREW routinely and systematically disseminates information to the public in several ways. CREW’s website receives tens of thousands of page views every month. The website includes a blog that reports on and analyzes newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. In addition, CREW posts all documents it receives under the FOIA its website, and those documents have been visited hundreds of thousands of times.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

**Conclusion**

If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at (202) 408-5565 or dsherman@citizensforethics.org. Also, if CREW’s request for a fee waiver is not granted in full, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to dsherman@citizensforethics.org or Donald K. Sherman, Citizens for Responsibility and Ethics in Washington, 1101 K St, N.W., Suite 201, Washington, D.C. 20005. Thank you for your assistance in this matter.

Sincerely,
Donald K. Sherman
Deputy Director
EXHIBIT B
July 13, 2020

VIA ELECTRONIC MAIL  dsherman@citizensforethics.org

Donald K. Sherman
Deputy Director
Citizens For Responsibility & Ethics in Washington
1101 K St., NW, Suite 201
Washington, DC 20005

RE: FOIA Case No. 2020-FPRO-01322

Dear Mr. Sherman:

This is in further response to your Freedom of Information Act (FOIA) request dated June 16, 2020, in which you seek access to Postal Service records as follows:

1. Any and all briefing materials and or documents created by USPS employees prepared for or presented to Louis DeJoy, Postmaster General of the United States referring or relating to voting by mail from May 1, 2020 to the present.
2. Any and all briefing materials and or documents created by USPS employees prepared for or presented to Postmaster General of the United States Megan Brennan referring or relating to voting by mail from May 1, 20217 to the present.
3. Any and all briefing materials or documents, including testimony, or responses to questions for the record, created by USPS employees prepared for or presented to any United States Senator, member of the United States House of Representatives, or congressional staff, referring or relating to voting by mail from May 1, 2017 to the present.
4. Any and all briefing materials and or documents created by USPS employees prepared for or presented to Office of Inspector General employees referring or relating to voting by mail from May 1, 2017 to the present.
5. Any and all briefing materials and or documents created by USPS employees prepared for or presented to any member of the USPS Board of Governors referring or relating to voting by mail from May 1, 2017 to the present.
6. Any and all briefing materials and or documents created by USPS employees prepared for or presented to any governor or mayor or their staff referring or relating to voting by mail from May 1, 2017 to the present.
7. Any and all exit memos from Postmaster General of the United States Megan Brennan.
8. Any and all communications between and among members of the USPS Board of Governors regarding the qualifications of Louis DeJoy to serve as Postmaster General of the United States from January 1, 2020 to present.
9. Any and all communications between any members of the USPS Board of Governors and any United States Senator, member of the United States House of Representatives, or congressional staff, referring or relating to the qualifications of Louis DeJoy to serve as Postmaster General of the United States from January 1, 2020 to present.
10. Any and all written policies or guidance that the USPS has developed pertaining to voting by mail form January 1, 2016 to present.

Our office was notified for the re-direction of the referral of Items 1 through 5. The referral of these requests are as follows with the agency officials having jurisdiction over the subject matter of your request:

- **Items 1, 2 and 7**: Postmaster General and CEO, 475 L’Enfant Plaza, SW, Washington, DC 20260; Contact: Emily Saunders, Executive Administrator, Phone: (202) 268-2550.

- **Item 3**: Government Relations and Public Policy, 475 L’Enfant Plaza, SW, Washington, DC 20260; Contact: Sara L. Poyner, Phone: (202) 268-4767.

- **Item 4**: Inspector General (OIG) for the Postal Service, 1735 North Lynn Street, 2nd Floor, Arlington, VA 22209-2020; Contact: FOIA Requester Service Center for the OIG, Phone: (703) 248-2410.

- **Items 5, 8 and 9**: Board of Governors, 475 L’Enfant Plaza, SW, Washington, DC 20260; Contact: Sheri O’Dell, Executive Administrator to Board of Governors, Phone: (202) 268-4800.

- **Items 6 and 10**: Chief Marketing/Sales Officer, 475 L’Enfant Plaza, SW, Room 5021, Washington, DC 20260-5005; Contact: Merl Stanley Jr, Sales Support Specialist, Phone: (417) 864-0179.

Your request has been forwarded to these offices for action and direct response to you. You may contact them with questions.

Also, your request for a fee waiver is granted.

Sincerely,

Brenda L. Rahe
Sr. Government Information Specialist (A)
EXHIBIT C
July 28, 2020

Donald K. Sherman  
Deputy Director  
Citizens For Responsibility & Ethics in Washington  
1101 K Street NW, Suite 201  
Washington, DC 20005-7044  

Re: Freedom of Information Act Request 2020-FPRO-01322

Dear Mr. Sherman:

This is in response to your request under the Freedom of Information Act (FOIA), case number 2020-FPRO-01322 submitted on June 16, 2020. This office has been asked to respond to the following items of your request: 5) presentations given to the Board of Governors between May 1, 2017 and present relating to vote by mail record; 8) communications among the members of the Board of Governors between January 1, 2020 and present regarding the qualifications of Louis DeJoy to serve as Postmaster General; and 9) communications between members of the Board of Governors and Congress between January 1, 2020 and present regarding the qualifications of Louis DeJoy to serve as Postmaster General.

The Postal Service has conducted a search for responsive documents. This search uncovered thirty-nine (39) pages of responsive documents. In response to item 5 of your request, there are seventeen (17) pages from a presentation given to members of the Board of Governors on election mail. In response to item 8 of your request, there are six (6) e-mails totaling nine (9) pages, two (2) pages of a draft press release on the selection of Louis DeJoy to serve as Postmaster General, seven (7) pages of a draft report of the Board’s Compensation and Governance Committee (CGC), and four (4) pages of a Postal Service contractor’s summary of the Postmaster General search. No documents were found to be responsive to item 9 of your request.

We are disclosing these materials to you with redactions. These redactions are made under Exemption 6 and Exemption 5. Further, the presentations to the members of the Board of Governors, draft press release, draft report of the CGC, and the contractor’s summary are all being withheld in their entirety under Exemption 5.

Under Exemption 6, the Postal Service may withhold “personnel files and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6). This exemption covers all records and information about an individual and is not limited to intimate details or highly personal information. The personal privacy interests protected under Exemption 6 include, but are not limited to, an individual’s interest in avoiding embarrassment, harassment, retaliation, annoyance or other adverse effect that would result from the public disclosure of the information pertaining to the individual. Under Exemption 6, a requester may overcome an individual’s privacy interest only if the requester shows that the requester seeks to advance a public interest and disclosure of the records will advance that public interest.
The only public interest cognizable under Exemption 6 is the extent to which public disclosure of the record or information would significantly contribute to public understanding of the federal government’s operations or activities. Id. Under Exemption 6, even a very slight privacy interest by an individual may be enough “to outweigh a negligible or non-existent public interest.” U.S. Dep’t of Def. v. Fed. Labor Relations Auth., 510 U.S. 487, 497, 500 (1994).

In the attached documents, we have redacted email addresses and contact information under Exemption 6.

Exemption 5 permits the Postal Service to withhold inter-agency or intra-agency memorandums or letters that would also be protected by a privilege in the context of civil discovery. 5 U.S.C. § 552(b)(5).

The deliberative process privilege of Exemption 5 protects from disclosure records that reflect opinions, advice, recommendations, and other deliberations comprising part of a process by which federal governmental decisions and policies are formulated. Dep’t of the Interior v. Klamath Water Users Protective Ass’n, 532 U.S. 1, 8 (2001). Certain records withheld here consist of deliberations between Postal Service officials, as well as the draft reports and press releases on the Postmaster General selection, all of which are predecisional and deliberative in nature. They have accordingly been withheld from disclosure.

The attorney-client privilege of Exemption 5 protects from disclosure confidential communications between an attorney and his or her client relating to a legal matter for which the client has sought professional advice. Mead Data Cent., Inc. v. U.S. Dep’t of the Air Force, 566 F.2d 242, 252 (D.C. Cir. 1977). Certain records withheld here consist of confidential communications between or among attorneys and clients or between or among attorneys. These pages include the presentation to the members of the Board of Governors and the Postal Service contractor’s summary of the Postmaster General search. They have accordingly been withheld from disclosure.

If you consider this response to be a denial of your request for records, you have the right to file an administrative appeal within 90 days of the date of this response letter by writing to the General Counsel, U.S. Postal Service, 475 L’Enfant Plaza SW, Room 6100, Washington, D.C. 20260-1100, or via email to FOIAAppeal@usps.gov. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response to your request. The letter of appeal should include, as applicable:

(1) A copy of the request, of any notification of denial or other action, and of any other related correspondence;
(2) The FOIA tracking number assigned to the request;
(3) A statement of the action, or failure to act, from which the appeal is taken;
(4) A statement identifying the specific redactions to responsive records that the requester is challenging;
(5) A statement of the relief sought;
(6) A statement of the reasons why the requester believes the action or failure to act is erroneous.

For further assistance and to discuss any aspect of your request, you may contact the FOIA Public Liaison at the Postal Service:

FOIA Public Liaison: Nancy Chavannes-Battle
Privacy and Records Office
U.S. Postal Service
475 L’Enfant Plaza SW, Room 1P830
Washington, D.C. 20260-1101
Phone: (202) 268-2608
Fax: (202) 268-5353
Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, MD 20740-6001  
Email: ogis@nara.gov  
Telephone: 202-741-5770  
Toll free: 877-684-6448  
Facsimile: 202-741-5769

Sincerely,

Jennifer Selde  
Senior Government Relations Liaison

Enclosures

cc: Ms. Woody  
    Ms. Bell
(b) (5)
(b) (5)
(b) (5)
(b) (5)
(b) (5)
CAUTION: This email originated from outside USPS. STOP and CONSIDER before responding, clicking on links, or opening attachments.

John & Mike,

Roman

Sent from my iPhone

Non-responsive record

(b)(5)
CAUTION: This email originated from outside USPS. STOP and CONSIDER before responding, clicking on links, or opening attachments.

John & Mike,

Roman

Sent from my iPhone

Non-responsive record
CAUTION: This email originated from outside USPS. STOP and CONSIDER before responding, clicking on links, or opening attachments.

Take care,

John
(b) (5)
CAUTION: This email originated from outside USPS. STOP and CONSIDER before responding, clicking on links, or opening attachments.

All,

(b) (5)

Roman

-----Original Message-----
From: Barger (b) (6)
Sent: Wednesday, May 06, 2020 10:10 AM
To: M. -Mike- Duncan Robert <b>(b) (6)__________>; Elston, DC <b>(b) (6)__________>; Bloom, Ron <b>(b) (6)__________>; Roman Martinez IV <b>(b) (6)__________>
Subject: press release edits

(b) (5)

Take care,

John
CAUTION: This email originated from outside USPS. STOP and CONSIDER before responding, clicking on links, or opening attachments.
(b) (5)
(b) (5)
(b) (5)
Selde, Jennifer L - Washington, DC

From: Barger (b) (6) - (b) (6) >
Sent: Wednesday, June 17, 2020 8:02 AM
To: Roman Martinez IV
Cc: (b) (6) Elston, DC; Robert Duncan
Subject: [EXTERNAL] (b) (5)
Attachments: (b) (5)

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside USPS. STOP and CONSIDER before responding, clicking on links, or opening attachments.

Roman,

(b) (5)

Take care.

John

Begin forwarded message:

From: (b) (6)
Subject: Follow up ....
Date: May 7, 2020 at 8:32:12 PM EDT
To: (b) (6)

John,

(b) (5)
(b) (6)