



# COMMONWEALTH *of* VIRGINIA

*Office of the Attorney General*

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August 20, 2020

**VIA Mail and Email**

Mr. David Morrell, Deputy Assistant Attorney General for the Federal Programs Branch  
Federal Programs Branch, Civil Division  
U.S. Department of Justice  
Washington, DC 20530

Re: Operational and Equipment Changes in Virginia Postal Facilities

Dear Deputy Assistant Attorney General Morrell,

I write to you as counsel to President Donald Trump, Postmaster General Louis DeJoy, and the United States Postal Service (USPS) requesting your assistance in securing additional information from the USPS on any recent operational or infrastructure changes that could affect mail service in Virginia, and details on plans to reverse any such adverse changes.

On Tuesday, August 18 I filed a federal lawsuit against President Trump, Postmaster General DeJoy, and USPS seeking to block further operational changes and reverse previously implemented changes that could impact postal service in the Commonwealth, especially the proper and timely handling of absentee ballots. At nearly the same moment, Postmaster General DeJoy announced a suspension of further changes until at least after the November election.

Despite Postmaster General DeJoy's statement, I have reason to believe that further changes may be underway, and that the extent of previously enacted operational and equipment changes in Virginia are more significant and severe than previously known.

Specifically, I have reason to believe that the following reductions and changes have been made or are about to be made:

- **Dulles Processing and Distribution Center:** The USPS recently removed at least a delivery barcode sorter, a flat sequence order machine, and an automated flat sorter machine.
- **Merrifield Processing and Distribution Center:** The imminent removal of necessary processing equipment.

These two facilities handle hundreds of thousands of pieces of mail each day, and a reduction in their capacity will inevitably have an adverse effect on Virginians' ability to receive needed deliveries, including medication, bills and payments, necessary goods, and even electoral mail. I also fear that these are simply the changes we know about, and that additional changes and reductions may have occurred, be under way, or be imminent at other facilities through the Commonwealth.

In order to accurately assess the changes that have been made in Virginia and the resulting impact on service I request the following information from Postmaster General DeJoy and the USPS:

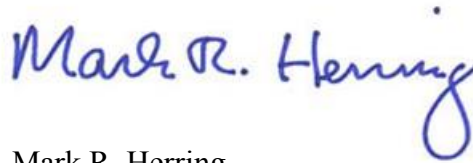
- 1) Please confirm the removal from the Dulles Processing and Distribution Center of a delivery barcode sorter, a flat sorter, an automated flat sorter, and any other significant pieces of infrastructure or equipment, as well as the date of such removal.
  - a. If this or other equipment has been removed or idled, please explain the timeline for reinstalling or restoring this equipment to its previous functionality.
- 2) Please explain whether processing equipment has been, or is about to be, removed from the Merrifield Processing and Distribution Center, and when such removal occurred or is expected to occur.
  - a. If this or other equipment has been removed or idled, please explain the timeline for reinstalling or restoring this equipment to its previous functionality.
- 3) Please describe any other equipment that has been removed, idled, decommissioned, or otherwise taken out of service at Virginia postal facilities within the last six months, including the date of such action and the facility at which it occurred.
  - a. Please explain the timeline for reinstalling or restoring any such equipment to its previous functionality.
- 4) Please explain any significant changes in the last six months to staffing levels at Virginia's USPS facilities or in operations, including any layoffs, hiring freezes, or furloughs.
- 5) Please explain any significant changes in the last six months to operating hours or overtime policies that could affect mail delivery in Virginia.
- 6) Please identify any mailboxes or collection points that have been removed, closed, or decommissioned in the last six months.
- 7) Please explain any changes in the way that electoral mail is to be handled, and provide a copy of any such guidance.
- 8) Please share any additional information that you believe may be useful in helping Virginians understand what changes are occurring in USPS operations in the Commonwealth.

I request a reply to these inquiries by Thursday, August 27, as changes may already be having an impact on service in the Commonwealth, and electoral mail is about to be distributed in just a few weeks.

You may send your responses to these inquiries to Chief of Staff Michael Kelly at [mkelly@oag.state.va.us](mailto:mkelly@oag.state.va.us) or you may reach him by phone at (804)786-5874.

I thank you in advance for helping us understand what is happening in the Commonwealth.

Sincerely,

A handwritten signature in blue ink that reads "Mark R. Herring". The signature is written in a cursive style with a large, looping "H" and a small dot above the "i" in "Herring".

Mark R. Herring  
Virginia Attorney General