

U.S. Senate Committee on Homeland Security and Governmental Affairs

**Full Committee Hearing: “The Postal Service’s Actions During the 2016 Campaign Season:
Implications for the Hatch Act”**

July 19, 2017

Senator Claire McCaskill

Opening Statement

Thank you, Mr. Chairman, for holding this hearing.

This Committee is the principal body in the Senate responsible for rooting out waste, fraud and abuse in the federal government. One of the most important functions we serve is promoting the effective enforcement of the federal Hatch Act, which ensures that the federal government operates in a manner free from partisan political pressure, while also protecting the rights of federal workers to engage in private political activity. The Hatch Act is essential to guaranteeing that federal employees and all American citizens have confidence in our electoral process.

Unfortunately, today’s hearing reveals that the United States Postal Service has failed to implement sufficient controls to ensure compliance with the Hatch Act. Exhaustive investigations by both the USPS Inspector General and the Office of Special Counsel have uncovered that the Postal Service’s practice of approving leave without pay applications specifically requested by one of its seven unions – the National Association of Letter Carriers for union political activity – violated

agency policy and constituted an “institutional” and “systemic” violation of the Hatch Act.

I want to thank the witnesses for appearing today so that all federal agencies can benefit from OSC and the IG’s findings and so that USPS can chart a path forward. Both OSC and the USPS Office of the Inspector General conducted comprehensive reviews of this matter to identify findings and recommendations for bringing the Postal Service’s leave policy in compliance with the law.

And I want to especially thank Mr. Kopp for coming forward with the information that led to these investigations. Without his courage and persistence, it’s possible that these concerns would have never been brought to light.

According to OSC’s findings, the Postal Service’s problematic leave without pay practice for political activity has persisted for more than twenty years, a period spanning at least three Administrations and five Postmasters General. During that time frame, NALC has endorsed candidates of both parties and donated millions to both Republican and Democratic political campaigns and political action committees. As OSC’s report noted, the Postal Service’s practice is emblematic of a systemic problem, not limited to one individual or one election cycle.

The findings reached by OSC and the Inspector General demand immediate remedial action. While I find it shocking that this USPS practice has persisted for

as long as it has, I am encouraged that USPS is now focused on charting a path forward under Postmaster General Brennan's leadership.

USPS management has pledged to take corrective action to ensure that the agency maintains a leave without pay policy that is compliant with the Hatch Act and addresses the concerns raised by these investigations. I look forward to regular updates from the Postal Service about its ongoing progress in making these necessary changes.

I also look forward to working with OSC to ensure that other federal agencies throughout the executive branch abide by the lessons learned from this investigation and fully comply with the Hatch Act. I welcome any recommendations that OSC may have for Congress to improve enforcement of the Hatch Act across the government.

Protecting the integrity of our electoral process is critical to promoting confidence and participation in our democracy. As such, on February 17, 2017, every Democratic Member of this Committee wrote to Chairman Johnson requesting that the "Committee investigate and hold hearings on Russia's attempts to infiltrate and influence the U.S. presidential election on November 8, 2016, by attacking the nation's election infrastructure."

To date, the Chairman has not responded to this letter from his colleagues or scheduled any hearings examining Russia's confirmed and ongoing interference with our election infrastructure. At my request, DHS officials briefed the Committee last week in a classified setting regarding the infiltration attempts into State voter registration systems. That briefing left me more convinced than ever of the need to have an open, public discussion regarding this threat and what is necessary to ensure that future elections are free and fair. These matters are of grave national importance and squarely fall within the Committee's jurisdictional prerogative.

While today is the Committee's first hearing examining violations of federal law arising from the 2016 election cycle, my hope is that Chairman Johnson will agree to my request to examine the impact that Russian interference has had on our election infrastructure as well as what steps DHS and other federal agencies need to take to ensure that it never happens again. Thank you.