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VIA E-MAIL & FAX

The Honorable Louis DeJoy
Postmaster General
USPS – Headquarters
475 L'Enfant Plaza SW
Washington, DC 20260-0010

Re: Mail Theft of Campaign Contributions to Elise for Congress

Dear Postmaster General DeJoy:

We are writing you on behalf of our clients, Congresswoman Elise Stefanik and her campaign committee, Elise for Congress, concerning the repeated, targeted theft of campaign contributions from packages sent through the United States Postal Service (“USPS”). On four separate occasions between June 2022 and November 2022, packages sent by Elise for Congress containing campaign contributions were ripped open and the contents stolen while in the custody of USPS or its contractors. Three of these incidents occurred in a single week. In each case, the evidence indicates that Elise for Congress’s packages were plundered by a USPS employee or contractor while the packages were in transit. These repeated security failures by USPS have not only resulted in the loss of nearly \$20,000 in campaign contributions, but also—and more alarmingly—have exposed hundreds of Congresswoman Stefanik’s campaign supporters to potential identity theft or financial fraud.

Our clients have been disappointed by USPS’s response thus far to these brazen incidents. The US Postal Inspection Service—which recovered the discarded, ripped open packages in Memphis—has not returned our client’s calls. Although the USPS Office of the Inspector General (“USPS OIG”) is investigating the mail theft, they indicated it would be difficult to identify the USPS employees or contractors who perpetrated these crimes unless and until one or more of Elise for Congress’s supporters becomes the victim of identity theft or financial fraud. Our clients were told months ago to expect a report from senior USPS OIG officials addressing the June 2022 mail theft incident, but to date have not received a report and recently learned it has not been finalized or sent. It is unacceptable that USPS has repeatedly allowed these targeted thefts to occur and cannot identify who committed the thefts, let alone where or how the thefts occurred.

Given the systemic nature of this serious problem, Congresswoman Stefanik and Elise for Congress feel compelled to elevate this issue to you. Our clients hereby demand that USPS provide the following information in writing by close of business December 8, 2022: (1) a list of all concrete actions taken by USPS to investigate these thefts; (2) the particular steps that USPS will take to ensure that Elise for Congress will not be the victim of mail theft in the future; and (3) a list of the actions that USPS will take to more effectively prevent, detect, and prosecute mail theft both in New York's 21st Congressional District and nationwide.

Congresswoman Stefanik and her campaign supporters are not the only Americans who have been victimized by mail theft. Mail theft is rampant in the United States, and USPS appears unwilling or unable to effectively deter or prevent it. News outlets from Houston to Chicago and from the District of Columbia to Sacramento have reported on the growing mail theft crisis gripping America.¹ Mail thieves often specifically target packages they believe contain cash or checks, which are then "washed," re-written, and cashed.² Thieves also target the personal information of the individual who wrote the check, selling that information or using it themselves to facilitate identify theft.³ The Evidence-Based Cybersecurity Research Group at Georgia State University, a non-governmental watchdog organization, reported a staggering rise of approximately 1,654% in the number of stolen checks for sale on the dark web, with the volume rising from approximately 114 checks per week in the fall of 2020 to approximately 2,000 checks per week in 2022.⁴ This astonishing increase in mail theft appears, in part, to be the result of criminals moving from small-scale theft targeting individual mail boxes to large-scale theft targeting mail once it has been entrusted to the custody of USPS.⁵ Theft of mail that is already in USPS custody is reportedly often

¹ Amy Davis & Andrea Slaydon, *KPRC 2 Investigates Update: Huge Mail Theft Issue in Houston Area Sparks New Investigation Team*, KPRC 2, Sep. 7, 2022, <https://www.click2houston.com/news/investigates/2022/09/07/kprc-2-investigates-update-huge-mail-theft-issue-in-houston-area-sparks-new-investigation-team>; Brian Althimer, *Solving Chicago's Problem with Rising Mail Theft*, WGN RADIO, Oct. 13, 2022, <https://wgndradio.com/lisa-dent/solving-chicagos-problem-with-rising-mail-theft>; Alisa Tang & Razzan Nakhlawi, *The Stolen-Mail Scheme Now Targeting a Wealthy D.C. Suburb*, THE WASHINGTON POST, Apr. 30, 2022, <https://www.washingtonpost.com/dc-md-va/2022/05/01/chevy-chase-mailbox-stolen-checks/>; Greta Serrin, *Dozens Accused of Statewide Mail Theft and Postal Fraud Scheme in California*, KCRA 3, Oct. 7, 2022, <https://www.kcra.com/article/dozens-accused-statewide-mail-theft-postal-fraud-scheme-california/41561848#>.

² Tang & Nakhlawi, *supra* note 1; Jack Gillum, *Signed, Sealed, Snatched: A Georgia State Professor and His Students Are Tracking a Thriving Underground Market for Stolen Checks*, BLOOMBERG, Mar. 28, 2022, <https://www.bloomberg.com/features/2022-mail-thieves-checks-scam/?leadSource=uverify%20wall>.

³ *Id.*

⁴ Jataro McGee, *Cincinnati-Area Residents Out Millions as Mail Theft Surges; Local Checks Being Sold Online*, WLWT 5, Oct. 4, 2022, <https://www.wlwt.com/article/cincinnati-area-residents-out-millions-as-usps-mail-theft-surges/40983602>.

⁵ Tang & Nakhlawi, *supra* note 1.

facilitated or conducted by USPS employees or contractors, sometimes working with other criminals or criminal organizations.⁶

Mail theft can devastate small business owners and those on fixed incomes, including the elderly. By failing to prevent or deter mail theft, USPS is exposing hardworking, innocent Americans to predatory criminals just as rising inflation and a cooling economy have left them at their most financially vulnerable.

We hope that you and USPS are taking these systemic issues as seriously as they deserve to be taken. Our clients look forward to receiving the information from USPS specified above and continuing to work with both you and the relevant investigative authorities to ensure the scourge of mail theft is adequately addressed.

Sincerely,

Michael E. Toner

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Brandis L. Zehr
Christopher J. White

⁶ See, e.g., Camille Furst, *This N.J. Post Office is a Hotbed of Mail Fraud, Stolen Checks, Congressman Says*, NJ.COM, Nov. 29, 2022, <https://www.nj.com/news/2022/11/this-nj-post-office-is-a-hotbed-of-mail-fraud-stolen-checks-congressman-says.html> (describing persistent mail theft at a New Jersey postal office); *U.S. Attorney Announces the Indictment of 11 Former FedEx Express Employees and Two Former Contractors for the U.S. Postal Service on Federal Mail Theft Charges*, U.S. DEP'T OF JUSTICE, Sep. 17, 2018, <https://www.justice.gov/usao-wdtn/pr/us-attorney-announces-indictment-11-former-fedex-express-employees-and-two-former> (announcing indictment of eleven former FedEx employees and two contractors for mail theft in Memphis, Tennessee); *Multiple U.S. Postal Service Employees and Others Arrested For \$1.3 Million Fraud and Identity Theft Scheme*, U.S. DEP'T OF JUSTICE, Sep. 29, 2022, <https://www.justice.gov/usao-sdny/pr/multiple-us-postal-service-employees-and-others-arrested-13-million-fraud-and-identity> (announcing indictment of USPS workers in New York on mail fraud and mail theft charges).