

THOMAS J. MARSHALL
GENERAL COUNSEL
AND EXECUTIVE VICE PRESIDENT



July 22, 2020

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
House of Representatives
Washington, DC 20515-6143

The Honorable Gerald E. Connolly
Chairman
Subcommittee on Government Operations
House of Representatives
Washington, DC 20515-4611

The Honorable Stephen F. Lynch
Chairman
Subcommittee on National Security
House of Representatives
Washington, DC 20515-2108

The Honorable Brenda Lawrence
Committee on Oversight and Reform
House of Representatives
Washington, DC 20515-6143

Dear Chairwoman Maloney, Chairman Connolly, Chairman Lynch, and Congresswoman Lawrence:

This is in response to your letter of July 20, 2020, concerning two documents that were the subject of recent news articles, and about operational efforts being implemented by the U.S. Postal Service.

As information, please know that neither document referenced in your letter should be characterized as being "official Postal Service memoranda." Neither document originated from Postal Service Headquarters. The document entitled "PMG's Expectations and Plan" was prepared by a mid-level manager in one district, and the "stand-up talk" was prepared by Southern Area leadership and was distributed in the Southern Area. Therefore, the documents should not be treated as official statements of Postal Service policy.

The Postal Service is focused on our mission of binding the nation together and providing the American people with prompt, reliable, and efficient postal services. The importance of that basic and fundamental service has never been more evident than it is today. At the same time, our long-standing financial challenges are also obvious. The Postal Service must develop a viable operating model that ensures we can continue to fulfill our public service mission in a financially sustainable manner and remain a part of the country's critical infrastructure.

To address our financial challenges, management is developing a business plan to ensure that we will be financially stable and able to continue to provide reliable, affordable, safe and secure delivery of mail and packages to all Americans. This plan will be presented to and considered by the Board of Governors, and will include new and creative ways to fulfill our mission, and a focus on the strengths of the Postal Service to maximize our prospects for success. It will seek to take advantage of the tremendous opportunities available to us to strengthen the public service we provide, while also making changes needed to place the Postal Service in a financially healthy position. Once the Board has agreed to the plan, we would be happy to brief you or your staffs on the details.

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While we develop a broader business plan, Postal Service management is also taking immediate steps to increase operational efficiency by re-emphasizing existing operational plans to provide prompt and reliable service to meet our current service standards. By running operations on-time and on-schedule, we will be better positioned to continue to provide high-quality, reasonably-priced service to all people and businesses in the country.

These management efforts are fully consistent with our legal responsibilities—both to efficiently provide service and to be self-supporting. In this regard, the Postal Service is obligated by statute to provide prompt, reliable, and efficient service to the American people, in a self-sustaining manner. See, e.g., 39 U.S.C. §§ 403(a), 403(b)(1), 404(b), 3622(b), 3661(a). Fulfilling this mandate established by Congress necessarily requires that Postal Service management continually review our operational practices and make adjustments as necessary to ensure that we operate in an efficient and effective manner. As with any such management efforts, any temporary service impacts will be monitored and the root causes of any issues will be addressed as necessary and corrected as appropriate.

Taking steps to enhance operational efficiency and reduce costs is particularly important in today's environment, considering the Postal Service's dire financial condition. Indeed, as we have repeatedly noted to Congress for many years, one essential aspect of restoring the Postal Service to financial stability, in the face of declining mail volumes, is through management efforts to improve efficiency.

These efforts are clearly within the legal authority of the Postmaster General, pursuant to the delegation of authority in 39 C.F.R. § 3.5, and such delegation is authorized by law pursuant to 39 U.S.C. § 402. In this regard, the operational efforts at issue do not constitute service standard changes that require the involvement of our Board of Governors. Nor was there any reason to delay implementation until after the Board considers the broader plan which is being developed to address the Postal Service's business model challenges.

Please be assured that we are aware of our legal obligations to request an advisory opinion before implementing a "change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis" under 39 U.S.C. § 3661(b). None of the operational efforts discussed here constitute such a change. To the extent that Postal Service management develops proposals to make any such service changes within the scope of Section 3661(b), and our Board approves such proposals, we will make the appropriate requests to the Postal Regulatory Commission.

Finally, the Postal Service is committed to delivering Election Mail in a timely manner. We employ a robust and proven process to ensure proper handling of all Election Mail, including ballots, and we are committed to our role in the electoral process where public policy decision makers choose to utilize Election Mail as part of their election system. This includes close coordination and partnerships with election officials at the local and state levels.

As we anticipate that many voters may choose to use the mail to participate in the upcoming elections due to the impacts of the COVID-19 pandemic, we are conducting and will continue to proactively conduct outreach with state and local election officials and Secretaries of State so that they can make informed decisions and educate the public about what they can expect when using the mail to vote. As part of these outreach efforts, we discuss our delivery processes and consult with election officials about how they can design their mailings in a manner that comports with postal regulations, improves mailpiece visibility, and ensures efficient and cost-effective processing and delivery.

We are also continuing outreach to political party officials to educate and build confidence in the Postal Service's preparations for the expected surge in mail-in voting during the 2020 general election. We would be happy to brief you or your staffs regarding these outreach efforts if you are interested in further information.

We appreciate your ongoing interest in the Postal Service, and look forward to working with you to ensure that we will be sustainable and that we will remain able to continue to fulfill our universal service obligation for all people and businesses in America. If I can be of assistance in other postal matters, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Thomas J. Marshall". The signature is written in a cursive style with a large, prominent initial "T".

Thomas J. Marshall