

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

PUBLIC INQUIRY ON CHANGES ASSOCIATED  
WITH THE “DELIVERING FOR AMERICA” PLAN

Docket No. PI2023-4

COMMENTS OF THE NATIONAL ASSOCIATION OF POSTAL SUPERVISORS RELATING TO UNITED STATES  
POSTAL SERVICE RESPONSE TO QUESTION 7A OF CHAIRMAN’S INFORMATION REQUEST NO. 9  
(May 9, 2024)

The National Association of Postal Supervisors (NAPS) is a management association representing approximately 47,000 postal supervisors, managers, and postmasters. These postal personnel oversee the acceptance, processing, and delivery of United States mail. NAPS members strongly believe a viable, sustainable, accessible, and universal postal system is a vital part of our country’s essential infrastructure.

In April 2023, the Commission opened this docket to explore the reasoning underlying certain aspects of the “Delivering for America” (DFA) Plan and to provide a *public forum* in which postal stakeholders can learn more about and evaluate the initiative. NAPS has long been concerned about features of the DFA that could impact postal performance and costs. In September 2022, NAPS President Ivan D. Butts brought some of these concerns to the attention of the House of Representatives Oversight and Reform Subcommittee on Government Operations when he testified before the panel. (Attachment 1, see pages 4-7) On November 16, 2022, NAPS Executive Vice President Chuck Mulidore provided additional insight regarding the DFA to the House Oversight and Reform Committee in submitted testimony. (Attachment 2, see pages 4-5) And, most recently, on April 16, 2024, President Butts focused on the DFA in his statement shared with the Senate Committee on Homeland Security and Governmental Affairs. (Attachment 3)

In these comments, NAPS felt it necessary to comment on the USPS’ response to question 7a of CHIR No. 9. On page 17 of the CHIR of April 11, 2024, the chairman shared a chart that depicted the on-time performance for the Georgia District to be 18.29% for in-bound mail, 12.32% for outbound mail, and 11.25% for mail within the same ZIP code. CHIR No. 9 question 7a asked the USPS to “explain all the factors that have contributed to the poor performance in the Georgia District.”<sup>1</sup> On May 3, the USPS responded to this question, asserting, in part, that “Supervisory Competency” contributed to the woeful performance in the Georgia District. The USPS cited “a standing management competency gap, with many managers and supervisors providing insufficient supervision and accountability.”<sup>2</sup>

NAPS is compelled to respond to this inaccurate, incomplete, and unsubstantiated claim. The USPS should not attempt to shift responsibility and deflect blame for its unsuccessful implementation of

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<sup>1</sup> PI2023-4, CHIR 9, Question 7a, April 11, 2024

<sup>2</sup> PI2023-4, USPS Reply to CHIR 9, Question 7a, May 3, 2024.





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Statement of  
  
Ivan D. Butts, National President,  
  
National Association of Postal Supervisors  
  
Hearing Before  
  
House Oversight and Reform  
  
Subcommittee on Government Operations  
  
on Postal Performance, Safety and Theft

September 7, 2022

Chairman Connolly and members of the committee, thank you for inviting me to provide the views of the National Association of Postal Supervisors (NAPS) regarding postal performance, and the safety and security of postal personnel, postal property and the mail.

My name is Ivan Butts. I have the honor of serving as President of the National Association of Postal Supervisors, representing approximately 48,000 supervisors, managers, and postmasters employed by the U.S. Postal Service. NAPS members help ensure the high quality of the postal services American citizens expect and deserve. Accompanying me is Butch Maynard, who recently retired with the rank of Captain from the U.S. Postal Police. He serves as president of NAPS Branch 51, which represents managerial-level members of the U.S. Postal Police.

Thank you for holding today's hearing in Philadelphia, the home of our nation's first Postmaster General, Benjamin Franklin. The venue of this hearing is a homecoming for me. My entire postal career, prior to being elected to NAPS national office, was in the Philadelphia area. I began my career as a distribution clerk machinist at the Southeastern Pennsylvania Management Sectional Center (MSC) and was promoted through a series of supervisory and management level positions at the MSC and within the postal district encompassing Philadelphia.

### **The Challenges Facing USPS Supervisors, Managerial Personnel and Postmasters**

For over a century, the National Association of Postal Supervisors has strived to enhance the operations and finances of the Postal Service, as well as to improve the compensation and working conditions of supervisory and managerial-level postal employees. NAPS members manage and supervise mail processing and delivery operations. We also represent men and women engaged in every functional unit in the Postal Service, including customers service, marketing, human resources, training, corporate relations, law enforcement, and health and safety. A federal appeals court earlier this spring affirmed that NAPS is entitled to represent postmasters in consultation with the Postal Service over pay and benefits.

NAPS members manage the economic and operational footprint of the Postal Service. That footprint represents a national network of post offices, processing facilities, transport

vehicles and delivery routes, staffed by expert, efficient and dedicated employees. The reliability and integrity of the postal network enables our Postal Service to be ranked among the most trusted and approved of federal agencies. The trust of the American people is critical to the success of the Postal Service. But trust is not self-assured; it must continue to be earned every day by every postal employee.

Earlier this year, Postal Service employees and postal leadership earned that trust in the fulfillment of over 500 million COVID test kits, delivering them to more than 180 million households. Distribution was carried out in partnership with the White House and federal public health agencies. This vital collaboration continues, as the pandemic has yet to be eradicated. Most important, this initiative validates the confidence that Americans entrust in the agency and its employees. The Postal Service's success in responding to this national crisis demonstrates how nimble and effective that agency can be. NAPS believes that Postal leadership should take the logical next step and solidify its relationship with federal agencies, being their "preferred shipper." NAPS encourages the Postal Service to develop a master negotiated service agreement with the General Services Administration for the delivery of government parcels. In this way, the agency can offer volume discounts to carry government parcels. NAPS believes this innovative endeavor dovetails with Postmaster General's initiative to expand the USPS' share of the parcel market and would raise needed revenue for the Postal Service.

As we all know, the agency sustained a number of bumps and bruises over the past few years – some politically motivated, others caused by short-sighted legislation, and some even self-inflicted. But with this committee's valuable assistance through enactment of the Postal Service Reform Act of 2022, the agency's operations and finances have been put on a more stable footing. Even then, further work is needed to improve postal operations, particularly in how the agency assures sufficient staffing capacity to serve its 163 million delivery points.

At times, postal supervisors and postmasters are wrongly being forced to cover the delivery routes of carriers, in conflict with standard operating practices and carrier collective bargaining agreements. A recent Postal Inspector General audit report recommended that the

Postal Service implement more robust supervisory staffing and retention strategies to ensure that qualified, experienced and well-trained postal managers are on the job. Too many facilities lack appropriately trained supervisors or employ “acting capacity” personnel who are in need of appropriate training.

Chairman Connolly, permit me to thank you for your leadership in championing two pieces of legislation that are immensely important to NAPS members: H.R. 1623, the Postal Managers and Supervisors Fairness Act; and H.R. 1624, the Postal Employees Appeal Rights Amendment Act. These measures provide fairness and due process rights to Executive and Administrative Schedule (EAS) postal employees. As this subcommittee knows, earlier this year, NAPS won a significant legal victory before the U.S. Circuit Court of Appeals for the District of Columbia, which unanimously concluded the Postal Service violated the law relating to the consultative and representational rights of EAS postal employees, whom NAPS represents. That decision castigated the Postal Service for its conduct in determining the pay and compensation of EAS postal employees. Enactment of H.R. 1623 would respond to the underlying situation that led to the lawsuit and preclude future litigation over EAS pay and benefits by clarifying the timetable, scope and process by which pay consultations between the Postal Service and NAPS takes place. Enactment of H.R. 1624 would deliver due process to postal managers who work in headquarters positions and are currently unable to appeal adverse personnel actions to the Merit Systems Protection Board. We need to pass both H.R. 1623 and H.R. 1624 soon.

### **Elections and the Important Role of the Postal Service**

Congress underscored the importance of its oversight role during the summer of 2020 when the Postal Service pursued changes in mail transport schedules and decommissioned hundreds of mail processing machines. Both of these actions would have had a devastating impact on postal operations and – most important – the 2020 general election. The timing of these changes in postal operations could have compromised the timely delivery of millions of absentee ballots. Fortunately, aggressive Congressional oversight, widespread public attention and the Postal Service’s suspension of its plans led to a successful election. Postal employees delivered democracy by conveying more than 139 million ballots. The success of the Postal

Service's participation in delivering democracy for America illustrates the commitment of agency and its employees to the speedy and accurate delivery of essential mail.

As we approach the 2022 election season, absentee balloting continues to be a popular and secure alternative to in-person voting. As you may know, I have served in my capacity as NAPS president on the Postal Service advisory panel that helps facilitate the Postal Service's efficient delivery of absentee ballots. Experience has shown that the current arrangement authorizing states to decide on their own design for vote-by-mail ballot envelopes complicates postal election mail operations. These problems would be avoided by a uniform approach in the design of vote-by-mail ballot envelopes. That is why NAPS supports H.R. 1307, "the Vote by Mail Tracking Act," that would require each state to use a standard envelope design and a distinct barcode that enables the tracking of each individual ballot. The provisions of H.R. 1307 are consistent with the Postal Service Inspector General's 2021 recommendation that the USPS leverage its partnerships with state and local election authorities to create a unique simplified postal product for election mail. NAPS urges Congress to pass this important legislation.

### **Postal Service Performance and Facility Consolidations**

We encourage the committee to continue to closely monitor postal delivery performance, meaning the speed with which mail transits from its collection point to its delivery point. While delivery performance appears to have improved over the past two years, that progress may actually be the result of the Postal Service's change in its yardstick to measure speed, rather than the actual speed. That is because the Postal Service reduced the number of zip code pairs for 2-day delivery and expanded the number of pairs for 3–5-day delivery. The net result of that change, as explained by the Postal Service to the Postal Regulatory Commission, added 1 to 2 additional days for delivery for about one-third of all First-Class mail. Congress should also be concerned about the unequal impact on different communities and demographic groups resulting from the change in performance standards. The Postal Inspector General raised this very issue in its July 2022 report on the Postal Service's "Delivering for American Plan." In addition, the Postal Regulatory Commission, in its 2021 Advisory Opinion on the change in performance standards, raised similar concerns and the

Commission expressed doubt about the timeline for the attainment of the plan's goals. In fact, early this year, the Postal Service conceded, in a separate filing to the PRC, that the agency would require additional time to reach its performance goals.

Against this backdrop, NAPS is concerned about the effect of the USPS' recently announced plan to consolidate and realign mail processing operations throughout the country. We believe, consistent with the law, the Postal Service should be transparent with regard to the reasons it decided to initiate this plan. What are the specific goals of the plan? Are there costs savings? If so, how much will be saved? And, how will success be measured?

Members of Congress from Pennsylvania should know that this proposal would impact mailing processing and delivery in southeast Pennsylvania through the consolidation of 12 USPS Associate Offices into the Tri-County Facility (formerly Southeastern P&DC). In addition, a similar consolidation in northwest Pennsylvania would impact another 12 Pennsylvania postal facilities. NAPS believes that the Postal Service should not proceed with these consolidations and realignments without first performing the necessary feasibility studies and receiving public input as required by Public Law 109-435, the Postal Accountability and Enhancement Act (PAEA).

Along these lines, we note that Section 302(c)(5) of the PAEA states:

*Effective on the date of enactment of this Act, the Postal Service may not close or consolidate any processing or logistics facility without using procedures for public notice and input with those described under paragraph (3)(D).*

Subsection (3)(D) includes the following procedures:

- (i) provide adequate public notice to communities potentially affected by a proposed rationalization decision*
- (ii) make available information regarding any service changes in the affected communities, any other effects on customers, any effects on postal employees, and any cost savings; [emphasis added]*
- (iii) afford affected persons ample opportunity to provide input on the proposed decision; and*
- (iv) take such comments into account in making a final decision.*



As stated above, subsection (ii) clearly requires a feasibility study to provide information as to the consolidation's impact upon communities, customers, and postal employees, as well as any potential cost savings.

NAPS has justified reservations on Postal initiatives, based on the reality of history. The Delivery Unit Optimization (DUO) plan, initiated by the USPS in 2010 and revised in 2013, exhibited the same operational objectives as the soon-to-be-implemented Sorting and Delivery Center consolidation plan. In its August 2014 evaluation of the DUO, the Postal Inspector General (IG) cast serious doubt about the projected cost-savings. In addition, the IG recorded the USPS' failure to comply with its own implementation guidelines, and the agency's inability to provide a legitimate operational rationale for specific consolidations. Furthermore, the IG made a series of recommendations relating to assessing the DOU plan. Regrettably, the Postal Service dismissed the recommendations and proceeded with its plans. The ill-fated implementation of DUO served as the opening act for two other postal actions that caused the quality of mail service to fall off a cliff: the implementation of POSTPlan that reduced service to America's rural areas; and the Area Mail Process Facility consolidations that took place about six years ago that slowed delivery time.

NAPS is calling for the congressional oversight necessary to ensure that the present proposed consolidation and realignment plan is not "DUO on steroids." NAPS wants to be certain the USPS plans will not increase USPS expenses. We believe Congress and postal stakeholders need to know the methodology by which the Postal Service will evaluate the success of the initiative. Consequently, we request Congress to require the Postal Service to suspend implementation of the plan until a transparent and comprehensive analysis can be completed.

Postal transparency and statutory compliance are also implicated in the Postal Service's obligation, under the law, to seek an "Advisory Opinion" from the Postal Regulatory Commission on such matters. Based upon what has been revealed thus far, the Postal Service's consolidation and realignment plan would "affect service on a nationwide or substantially nationwide basis." We encourage the Committee to press the Postal Service for full

transparency and to assure full compliance with the law. I would also mention that Postal Reform Act of 2022 reinforces the need for transparency through the directive to the Postal Service in section of 201 of the Act to make available a publicly available internet portal that identifies postal performance by zip code. In addition, section 207 of the Act requires semi-annual operational reports to the Congress and the PRC.

### **Mail Security and Theft**

Finally, I would like to address the issue of mail security and the protection of postal personnel and property. About two years ago, the US. Postal Inspection Service, which is charged with the security of the U.S. mail and the management of the Postal Police, dramatically narrowed the Postal Police force's law enforcement authority, restricting its coverage to investigate only crimes committed on postal real estate or postal-leased property. This policy change dramatically exposes postal employees who deliver and transport our mail, postal vehicles and the mail itself to criminal acts. These crimes include assaults on letter carriers and drivers of postal vehicles, and the theft of the mail and postal-owned property and vehicles. The targeting of letter carriers and their "arrow keys" by criminals has become increasingly prevalent. Physical attacks against letter carriers and the robbery of their arrow keys in some neighborhoods has skyrocketed. These keys provide access to collection boxes, relay boxes, and cluster box units. Representative Andrew Garbarino and Representative Eleanor Holmes Norton have introduced bills (H.R. 5587 and H.R. 8186, respectively) that would clarify that federal law authorizes Postal Police to protect postal personnel, postal property and the U.S. mail beyond the perimeter of postal-owned or leased property. Moreover, these bills would make clear that Postal Police are empowered to investigate crimes against the mail, postal personnel and postal property, whether such crimes are committed on or off USPS-owned or leased real estate. NAPS strongly supports these necessary proposals and has devoted advocacy toward their passage.

Our advocacy has brought about disturbing collateral consequences by the Postal Inspection Service. At the outset of my testimony, I introduced retired Postal Police Captain Butch Maynard, the president of NAPS Branch 51, who, we believe, was forced to retire from

the Postal Police due to Inspection Service retaliation against him for his support of the Postal Police legislation. Captain Maynard's support of the legislation was in his capacity as a NAPS branch president, not as an employee of the USPS. Nevertheless, the Postal Inspection Service conducted a nationwide review of Postal Police divisions that culminated with the abolishment of its Newark Division, a division managed by Captain Maynard, and transferred its operations to a smaller division here in Philadelphia. Captain Maynard was the only management employee impacted by the realignment. Rather than accept the reassignment, Captain Maynard retired from the Postal Service after 42 years of loyal service. Circumstances strongly suggest that the Postal Inspection Service forced Captain Maynard into retirement. NAPS believes this act of retaliation against him for the lawful exercise of his First Amendment rights is worthy of further Congressional inquiry.

Mr. Chairman, thank you for the opportunity to appear before you today. NAPS looks forward to working with the Committee to sustain a vital, sustainable and vibrant Postal Service. I look forward to your questions.



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Statement of  
Charles Mulidore, Executive Vice President,  
National Association of Postal Supervisors

Hearing Before  
House Oversight and Reform  
Subcommittee on Government Operations

November 16, 2022

Chairman Connolly and members of the committee, thank you for providing me the opportunity to share the views of the National Association of Postal Supervisors (NAPS) regarding postal performance and a variety of other postal-related issues as the Postal Service ramps up for the holiday mail season.

My name is Charles Mulidore. I have the honor of serving as Executive Vice President of the National Association of Postal Supervisors, representing approximately 48,000 supervisors, managers, and postmasters employed by the U.S. Postal Service. For over a century, NAPS has strived to enhance the operations and finances of the Postal Service, and improve the compensation and working conditions of supervisory and managerial level postal employees. NAPS members manage and supervise mail processing, retail and delivery operations. We also represent men and women engaged in every functional unit in the Postal Service, including customer service, marketing, human resources, training, corporate relations, law enforcement, and health and safety. In sum, NAPS members help ensure the high quality of the postal services Americans expect and deserve.

As you may recall, NAPS National President Ivan Butts testified at the September 7, 2022, Philadelphia field hearing. His testimony outlined NAPS' views about the challenges confronting frontline postal supervisors, managers, and postmasters. In addition, President Butts expressed our concerns about: ongoing postal headquarters plans to consolidate and realign sorting and mail delivery facilities across the country; USPS preparation for the 2022 election; and the importance of protecting postal personnel and property. Please consider this testimony as a supplement to our September statement.

### **Election Performance**

I would start off by heralding postal employee performance during the 2022 election season. It was exemplary and NAPS expects that high level of service to continue for the December 6 Senate Georgia runoff election. NAPS is privileged to serve on the USPS Election Mail Task Force and was pleased to contribute to the election effort and supervise postal operations during the election season. The Postal Service's role during elections is conveying absentee ballots from an election authority to voters and the return of the completed ballots

back to the election authority. It is important to recognize just how complicated the election process is for the Postal Service. Each one of the 50 states has different election requirements and timelines, and each county within a state and the 16 United States territories may have their own rules for absentee ballots. Moreover, the Postal Service transports ballots cast overseas, including the ballots of military personnel. Indeed, voters have entrusted the Postal Service with sacred responsibility of delivering democracy for America. Postal employees have not let them down.

As President Butts testified in September, NAPS supports H.R. 1307, “The Vote by Mail Tracking Act,” that would require each state to use a standard envelope design and a distinct barcode that enables the tracking of each individual ballot. Uniformity in envelope design would alleviate some of the complicating factors in the carriage of absentee ballots. The provisions of H.R. 1307 are consistent with the Postal Service Inspector General’s recommendation that the USPS leverage its partnerships with state and local election authorities to create a unique simplified postal product for election mail. NAPS urges Congress to pass this important legislation prior to the next election.

One issue that was brought to NAPS’ attention during the election involved the timeliness of postmarks in rural locations, particularly in Alaska. Many small Alaskan post offices, upon receipt of an absentee ballot, do not affix the postmark at the local post office; rather, the ballot is forwarded to the regional mail processing facility where it is postmarked. Consequently, if there is a delay in getting the ballot to the processing plant, the ballot could be postmarked after the designated deadline and, therefore, be disallowed by the election authority. It may be prudent to have absentee ballots that are cast in remote locations to be hand postmarked at the local post office, so there is less chance that the ballot would be disallowed due to weather or other types of delays.

### **Protection Postal Property**

Another issue that I would like to bring to the attention of the committee are numerous late-October media reports that postal officials were cautioning Americans against using mail collection boxes for depositing outgoing mail, particularly in the afternoon (i.e., after the last

mail pickup) and during weekends. Such mail would include ballots, particularly during the end of October and beginning of November. NAPS fears that the 2020 Postal Inspection Service policy of restricting postal police to postal owned or leased real estate resulted in the exposure of postal property to criminal acts. The U.S. Postal Service's capability to protect mail, property and personnel associated with our national postal system is paramount and is written in statute. For many Americans, post offices may be inconveniently located or inaccessible, and office hours have been reduced. The mail collection box fills the void. Moreover, mail collection boxes serve as ballot boxes for countless Americans. The abandonment of conveniently located mail collection boxes not only reduces postal accessibility, but can become a target for those who want to undermine high voting performance. NAPS is working side-by-side with the Postal Police Officers Association, an affiliate of the Fraternal Order of Police, to restore the full authority of the postal police force to protect, enforce and investigate all crimes against mail, and postal personnel and property. NAPS supports H.R. 8186, legislation introduced by Representative Eleanor Holmes Norton (D-DC), and H.R. 5587, legislation introduced by Rep. Andrew Garbarino (R-NY) to clarify that postal police protection of mail, property and personnel, is not at the discretion of the Inspection Service's leadership. It's part of the service's core mission.

#### **Fair and Equitable Calculation of Postal Pension Liability**

NAPS, once again, thanks Chairwoman Maloney and Ranking Member Comer for their leadership in shepherding the Postal Service Reform Act of 2022 through Congress, and the members of the committee for working in a bipartisan fashion in perfecting the measure prior to passage. However, as we all can appreciate, the job is not complete. One of the outstanding fiscal issues that needs to be addressed is correcting the unfair way in which the Office of Personnel Management calculates the Postal Service's federal pension liability. For well over a decade, it has been suggested by both the Office of the Postal Inspector General and the Postal Regulatory Commission that OPM adopt accounting standards that treat Postal Service fairly in its annual valuation of the USPS' pension liability. The PRC-commissioned report, conducted by the Segal Company in 2010, concluded that the OPM methodology is not "fair and equitable." For example, the OPM postal pension methodology assumes a lower accrual rate during the

beginning of postal employment and fails to account for the increased future compensation that increased the value of pension credit earned during employment by Post Office Department (i.e., before the Postal Service was established). Adopting a private sector standard or standards used by other public sector employers would significantly reduce, if not eliminate, the Postal Service's pension liability. As a result, the pension amortization payments, which total over \$3 billion per year could be dramatically reduced, if not erased. NAPS believes that modernizing the methodology for calculating the Postal Service's pension liability does not require legislation; it could be implemented by administrative action by the White House.

### **Postal Staffing for Peak Season**

The Bureau of Labor Statistics reported an increase of 2,000 postal employees over the past month. The data does not reflect whether the employees are career-based employees. Despite these numbers, NAPS believes that Postal Headquarters efforts to onboard new employees are falling short and may impact service. As President Butts explained in September, at times, postal supervisors and postmasters are wrongly being forced to cover the delivery routes of carriers to cover the staffing shortfall. In addition, a greater effort needs to be made in hiring competent supervisors and ensuring that qualified, experienced and trained postal managers are on the job. Too many facilities lack appropriately trained supervisors or employ "acting capacity" personnel who are in need of appropriate training.

### **Consolidation and Realignment of Postal Facilities**

Finally, I would like to reiterate President Butt's critique of the Postal Service's sorting and delivery center consolidation and realignment plan, unveiled earlier this year. As we now recognize, it was not ready for prime time and the Postal Service has taken its foot off the gas. Headquarters has delayed consolidation and realignment plans for certain communities due to "unforeseen" or "unanticipated" issues. However, the plan has not been suspended, so Congress needs to exercise its oversight responsibility to take a closer look at the initiative. Equally important, the process for implementing the plan must comply with law, which requires public transparency and stakeholder input. NAPS continues to believe that the Postal Service should not proceed with these consolidations and realignments without first performing the



necessary feasibility studies and receiving public input as required by Public Law 109-435, the Postal Accountability and Enhancement Act (PAEA).

Mr. Chairman, thank you for the opportunity to share NAPS' views with you today. NAPS looks forward to working with the Committee to sustain a vital, sustainable and vibrant Postal Service.



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**Statement of**  
**Ivan D. Butts, National President**  
**National Association of Postal Supervisors**

**Hearing Before**  
**Senate Committee on**  
**Homeland Security and Governmental Affairs**

**April 16, 2024**

Chairman Peters, Ranking Member Paul, and members of the committee, thank you for providing the National Association of Postal Supervisors (NAPS) the opportunity to share our views regarding postal finances and performance. In addition, NAPS intends to restate our well-documented and enduring concerns about the safety of our employees who serve the American public, the protection of postal property under our care, and the security of mail in our custody.

As members of the Committee may know, NAPS represents approximately 47,000 postal supervisors, managers and postmasters employed by the U.S. Postal Service (USPS). These frontline stewards of our nation's mail system manage mail processing, delivery, and retail and support functions of the USPS. These dedicated and diligent individuals are integral to our nation's most trusted federal agency and are grateful for the vital congressional oversight conducted by this Committee. Congressional oversight is among the most consequential responsibilities of the legislative branch of government. Therefore, I am confident that NAPS' past and ongoing engagement with the Senators and staff members of this Committee has and will continue to contribute to constructive and meaningful congressional USPS oversight. Ultimately, NAPS hopes congressional attention leads to appropriate legislative and regulatory efforts.

In September 2022, I had the privilege of testifying before the House Committee on Oversight and Government Reform, at which time I raised two major concerns that,

regrettably, have come to fruition. First, those portions of the USPS' "Delivering for America" (DFA) plan calling for expedited postal processing and logistics facility consolidations and realignments were premature. Second, eliminating postal police officers' law enforcement authority to protect postal employees, property, and mail outside a postal facility would adversely impact employee safety and the sanctity of the mail.

In 2022, NAPS pointed to the lack of transparency, stakeholder engagement, regulatory review, and beta-testing regarding plant realignment and consolidations. NAPS anticipated the current performance challenges. At the House hearing, and subsequently, NAPS urged Postal Service leadership to take its foot off the gas pedal to consider the feasibility of the plans more carefully, and to evaluate how each consolidation would impact performance and expenses. We also implored Congress to exercise its legitimate oversight authority because NAPS foresaw the unanticipated troubles that likely would occur during the rollout. NAPS identified and shared these issues with Postal Service leadership, but, for the most part, our cautions were dismissed.

Moreover, NAPS believed and continues to believe that the Postal Service failed to comply with section 302 of the Postal Accountability and Enhancement Act that requires the agency to "make available any service changes in the affected communities, any other effect on customers, any effects on postal employees, and any costs" prior to the closing or consolidation of any postal processing or logistics facility. In addition, section 302

requires the Postal Service to “afford affected persons ample opportunity to provide input on the proposed decision.”

Finally, section 3661 of Title 39 provides a key tool to assess major operational changes contemplated by the Postal Service. NAPS believes the Postal Service should have requested the Postal Regulatory Commission (PRC) to issue an “Advisory Opinion” prior to implementing the processing and delivery realignment initiative. Section 3361 clearly states that when “there is a change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis” it shall submit the proposal to the PRC prior to the effective date of the proposal. If the USPS had complied with this provision, the PRC would have solicited comments from stakeholders, issued an advisory opinion and made constructive recommendations on the proposal. Clearly, this was an avoided opportunity to solicit consequential advice. The mailing public and business community now are experiencing performance difficulties that could have been anticipated and prevented had the law been followed.

House Oversight and Accountability Committee Chairman James Comer authored a critical provision in the 2020 Postal Reform Act that has provided much-needed, high-intensity sunlight on postal performance. NAPS has been monitoring the data and performance in states where major realignments already have been implemented, and in areas where smaller consolidations also have been executed. Using the publicly available

data exposed to the sunlight through Chairman Comer's provision, the American public and Congress can note clearly how on-time first-class mail delivery has suffered – significantly in several regions. For example, first-class on-time performance in Georgia cratered to 42.3% in March; the postal district encompassing Idaho, Montana, and Oregon fell to 82.3%, and North Carolina slipped to 85.4%.

Finally, as the committee knows, the Postal Inspector General recently concluded an independent review audit of the Richmond, Virginia realignment. The operational challenges faced by the Richmond facility contributed to a peak mailing season performance in Virginia of only 76.5%. The USPS on-time first-class fiscal year 2024 target is 92.5%. I hope the committee can understand the angst shared by your constituents and the mailing community because the USPS is not pausing its DFA implementation in light of the performance issues. NAPS believes a temporary halt is necessary to better evaluate the feasibility of each planned consolidation and realignment. Prior to implementation, the Postal Service should solicit and consider the input of postal stakeholders, as well as Congress. This is consistent with the recent request made by Chairman Peters in his March 19 letter to the Postmaster General. However, the DFA juggernaut continues unabated.

NAPS has heard from our members about sizeable staffing challenges experienced in the newly configured processing units as the consolidations unfold. These challenges are shared both in the managerial complement and in the employee workforce. The absence of

meaningful supervisory and employee training also hinders effective implementation of the DFA. Moreover, NAPS also has been advised of facilities not being able to accommodate new machinery. As a result, facilities needed to be modified, further impairing mail processing.

The nature of consolidation plans can and will create major pinch-points if something goes wrong at a particular plant; mail can be delayed for days. This happened at multiple locations. Facility modifications and staff quick fixes elevate implementation costs of the DFA. It would be appropriate to have an accounting of these additional expenditures. In addition, we have heard from our postmasters that rural services could be compromised by shifting postal services out of post offices and into larger facilities, rendering the post offices expendable.

Therefore, as I previously stated, NAPS concurs with Chairman Peter's wise request to suspend further implementation of plant realignment and consolidations until operational challenges can be effectively anticipated and addressed. Moreover, we respectfully request the USPS constructively engage with the skilled and experienced supervisors, managers, and postmasters – all who have a vested interest in the DFA's success – to develop solutions to the current logistical problems experienced by DFA implementation. This is a superior strategy than to presenting the plan to frontline managers as a fait accompli.

NAPS also wants to alert the Committee of beneficial bipartisan legislation to clarify the law enforcement authority of the uniformed members of the Postal Inspection Service – postal police officers. Apparently, Title 18 of the United States Code needs to be clarified to confirm that postal police officers are permitted to protect postal employees, postal assets, and the mail, whether inside or outside a USPS facility, because the USPS changed its rules regarding postal law enforcement.

Until about four years ago, postal police had the authority to prevent and investigate postal-related crime on and off USPS property. In 2020, such authority was restricted to postal facilities. NAPS knows of no pre-2020 issues with the exercise of the broader authority. Senators Dick Durbin and Susan Collins introduced S. 3356, the Postal Police Reform Act, legislation to restore postal police law enforcement authority to its pre-2020 status. NAPS appreciates committee members Sinema, Blumenthal and Rosen for co-sponsoring the bill. We hope more committee members will support the bill and expeditiously move it to the Senate floor.

The measure is strongly supported by the Postal Police Officers Association, the National Association of Police Organizations, the Fraternal Order of Police, and the Federal Law Enforcement Officers Association. The harm of pulling police off the street has been stark. Ever since the USPS removed postal police officers from their historic role of protecting



employees, property, and the mail, postal crimes have escalated to the point that financial institutions are advising postal customers to find alternatives to the Postal Service.

Since fiscal year 2019, mail theft has increased by 87% and attacks on postal employees delivering the mail have increased by about 600%. In addition, the U.S. Treasury Department's Financial Crime Enforcement Network has reported check fraud attributable to mail theft doubled over the past year. Prior to summer 2020, the USPS successfully deployed postal police Letter Carrier Protection Patrols in areas of high-risk and high crime. Letter carriers and postal employees valued the protection and mail was safer. Such patrols significantly decreased postal-related crimes in cities such as Los Angeles and Washington, DC.

The Postal Service has sought to deflect the reasons for the increased postal-related crime to U.S. Attorney inattention and lenient criminal sentencing. The agency also levels blame at "arrow key" vulnerability. Let me just state that NAPS welcomes efforts to highlight postal crime with prosecutors, increase the penalty for assaulting postal employees, and replace "arrow keys" for postal receptacles with a more secure means of property protection. However, these strategies will have limited success without the informed deployment of uniformed, visible postal police officers.

Please permit me to address tactics that may decrease postal crime. First, the Postal Inspector General documented that U.S. Attorneys already are prosecuting postal-related crimes. A September 2023 Postal Inspector General report on postal crime indicated 92% of mail theft cases and 89% of mail robbery cases presented to an attorney for prosecution were accepted. Second, the Department of Justice's National Institute of Justice concluded, based on empirical research, the probability of being caught committing a crime is a vastly more effective deterrent than the severity of punishment. Consequently, law enforcement visibility is the most effective constraint on crime. Third, arrow key replacement will take time and does little to protect mail being carried by postal employees, or conveyed in a postal vehicle; nor will it safeguard postal employees on the street. In sum, the most successful strategy is to restore the law enforcement authority that postal police formerly enjoyed.

Finally, the Postal Service's financial condition continues to be a major concern to NAPS. Thankfully, congressional recognition of the financial harm imposed by the USPS' past requirement to prefund retiree health obligations led to the provision's repeal just two years ago. That statutory correction provided much-needed financial relief to the Postal Service. Nevertheless, the Postal Service continues to operate underwater, absorbing a loss of \$6.5 billion for fiscal year 2023. Simply raising postage rates is not the answer.

What is most alarming to the postal supervisors, managers, and postmasters whom I represent is the continued decline in mail volume. We are concerned performance and security issues are deflating volume. The mailing public doubts increased postage equates with enhanced performance. The mailing public and business community traditionally have relied on the Postal Service for dependable and timely communication and commerce. They now are compelled to seek alternative channels to communicate and conduct business. Our goal must be to restore confidence in our national mail system.

The Gallup Organization quantified that loss in confidence this past fall. Although the Postal Service is still the most valued federal agency, its approval rating has slipped from 77% in 2019 to 62% in 2023. Simply doubling down on parcels without maintaining quality first-class mail, will not result in success or rebuild public trust. Mail is touched by everyone, everywhere, every day. While about one-third of postal revenue is attributable to parcels in fiscal year 2023, its volume accounts for only 6%. Americans continue to value first-class mail.

Over the many decades, Congress and successive Administrations have acknowledged the Postal Service's vital importance as an integral part of the nation's essential infrastructure. Indeed, the underlying postal statute declares the Postal Service to be the governmental entity that "binds our nation together." In part, for this reason, Congress set aside \$10 billion to stabilize the Postal Service in the wake of the COVID-19 pandemic, providing the

resources necessary to fulfill and deliver millions of COVID tests to the American public and buttress the agency. This helped ensure our democracy would not be undermined because of the pandemic. Furthermore, Congress appropriated \$3 billion to help restore a depleted and obsolete postal delivery fleet.

NAPS recognizes this Committee's appreciation of the USPS' universal service obligation (USO), which strives to provide rural America with the same standard of service as its non-rural counterparts – at the same cost. It is important to note the Postal Regulatory Commission estimated the USO to cost \$6 billion in fiscal year 2023. NAPS believes that Congress will need to prioritize federal resources and its attention to the Postal Service. The goal should be to enhance the Postal Service's role to receive, process, and deliver those materials and information that other logistics providers cannot or will not.

In addition, during national emergencies, the nation's most-trusted governmental provider must be able to deliver vital products to the American public, no matter where an individual may live or work. And, notably, the Administration will need to correct the method used to calculate the Postal Service's retirement liability. The unfair formula, which has cost the USPS billions of dollars, has been a longstanding concern of NAPS and others in the postal community.

Absent a viable Postal Service, rural America will suffer, seniors will suffer, our friends and neighbors will suffer, and American businesses will suffer. This committee's work is essential to confirm the Postal Service performs at the level Americans expect and deserve; to ensure the security and safety of the postal workforce, postal assets, and the mail; and to equip the Postal Service with the resources it needs for years to come. NAPS looks forward to continuing to work with the Committee as it strives to accomplish these achievements.

Thank you.