

Postal Service Daily Update #2
Committee on Oversight and Reform Republicans
Ranking Member James Comer
August 19, 2020

Please find below the following items:

- Summary of H.R. 8015, the USPS position on this legislation;
- The USPS' position on legislation before Congress;
- A link to Chief of Staff Meadow's comments regarding USPS to the press; and
- Press articles of interest from today's news.

Please email Ashlee Vinyard if you would like additional background information related to the USPS.

I. Summary of H.R. 8015, Delivering for America Act

- On Saturday, the House will consider an updated version of H.R. 8015, the **Delivering for America Act**.
- This bill is a pure attempt to capitalize on the social media and mainstream media uproar surrounding the USPS.
- It is nothing more than the Democrats pandering to the unions and the trial lawyers.
- **Bill Summary:**
 - The bill attempts to prohibit the USPS from making any changes during the COVID-19 public health emergency, which is defined as the public health emergency declared by Health and Human Services Secretary Alex Azar on January 27, 2020.
 - It also now includes \$25 billion in unneeded bailout appropriations as well as overly stringent prohibitions barring the PMG from dealing with underused or inadequate mailboxes or retiring unnecessary mail sorting machines.
- Additionally, the bill is confusing.
 - It is unclear whether any change, even obviously good ones, would be prohibited, or if the prohibitions only apply to changes that would "impede prompt, reliable, and efficient services".
 - Such potential legislative confusion is ripe for litigation that would cause even greater service issues and unnecessary disruptions.

- The bill also creates a private right of action which would appear to allow individual voters or voter groups the right to file suit against the USPS, if election anomalies occur. This is concerning since it would embroil the USPS in litigation and potentially cost the Postal Service money that could be used to improve operations.

Some of the specific “changes” prohibited by the bill include the following:

- Any change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis;
 - Any changes to service standards;
 - Any closure, consolidation, or reduction of post office or business hours at USPS’ facilities;
 - Any change or reduction in the payment of overtime for USPS’ employees;
 - Any change that would prevent the Postal Service from meeting its service standards or cause a decline in performance relative to those standards; and
 - Any change that would in effect delay the mail or increase the amount of undelivered mail.
- **The bill purports to prioritize ballots however if this action would diminish or change service in any other way, it may be prohibited.**
 - This contradictory language and intent likely arose as a result of this bill not being subjected to regular order committee-level vetting.
 - **Necessary safety measures to protect Postal workers from COVID and dangerous delivery conditions**
 - The bill prohibits or could be interpreted to prohibit the Postal Service from implementing changes to post office closures from what was in place at the beginning of the year.
 - **Example:** If a post office needs to temporarily shut down to a COVID positive employee for cleaning, it would or could be interpreted to be banned from doing so under this bill. USPS would also be prevented from reducing post office hours due to employee availability as a result of the pandemic.

II. USPS Position on Legislation

Yesterday evening the Postal Service provided Committee staff with the following position statement on the Democrat's legislation.

Postal Service Position re: "Delivering for America" Act

The urgency behind the Delivering for America Act should be allayed by the recent announcement that no operational initiatives will be instituted and we are halting other efforts until the election, to avoid even the appearance of any impact on the election. It should be abundantly clear that we intend to fulfill our role in the electoral process by doing everything we can to handle and deliver Election Mail, including ballots, in a manner consistent with the proven processes and procedures that we have relied on for years.

However, this bill goes much farther than the election. By limiting our ability to implement operational changes through the end of the pandemic, the bill will prevent us from improving operational efficiency to become self-sustaining, consistent with our statutory mandate. If Congress wants a Postal Service that is viable for the long term, it is imperative that we have the flexibility to operate efficiently and effectively, while continuing to provide service that fulfills our universal service mandate and meets the needs of our customers.

Taking steps to enhance operational efficiency and reduce costs is particularly important in today's environment, considering the Postal Service's dire financial condition. 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.

Moreover, Congress and the Postal Regulatory Commission must enact legislative and regulatory reforms to help address the situation. Instead of pursuing efforts to limit our operational discretion, Congress should focus on meaningful postal reform legislation that addresses our underlying statutory problems, such as our unaffordable retirement payments.

Postmaster DeJoy has articulated his goal to change and improve the Postal Service to better serve the American public. That goal cannot be achieved if legislative efforts like this succeed. Limiting the Postal Service's operational discretion and ability to pursue efficiency measures, while doing nothing to improve the broken business model imposed by Congress, will just worsen our financial situation.

III. Chief of Staff Meadow's Comments on USPS

[Also, yesterday Chief of Staff Mark Meadows had this helpful back and forth with the pool reporters.](#) Essentially, Mr. Meadows told reporters that President Trump has not interfered in postal operations, the minor changes being made are part of a plan initiated in 2011, and the USPS has plenty of funds to operate beyond the date of the election.

IV. USPS News of the Day

[Washington Post on States Threats to Sue USPS](#)

[Free Beacon on Democrats who Previously Attacked the USPS now Praise Them](#)

[Roll Call on Postal Service Bill](#)