

Congress of the United States
Washington, DC 20515

April 27, 2005

The Honorable John E. Potter
Postmaster General
U.S. Postal Service
475 L'Enfant Plaza, SW
Washington, DC 20260

Dear Postmaster General Potter:

As Ranking Members of the Senate and House Committees on Veterans' Affairs, we are particularly concerned that veterans be treated fairly and receive all protections granted to them under law. Based on the information we have received, we do not believe the United States Postal Service's new repositioning rules provide the protections for veterans that Congress originally intended.

We understand the Postal Service is preparing to implement its new personnel rules governing the reassignment of non-bargaining employees to meet the organizational needs of the Postal Service. These rules will govern the reassignment of employees at facilities to be closed or consolidated into existing or new components of the Postal Service. We have taken note that there are two phases in this repositioning phase, a voluntary repositioning phase (VRP) and an involuntary repositioning phase (IRP).

We understand that during IRP, the Postal Service will not recognize or apply veterans' preference rights. Veterans' preference should be applied in all phases of repositioning, including IRP. The Postal Service's repositioning embodies many of the same characteristics of a Reduction in Force (RIF). They so strongly resemble a RIF that it constitutes a *de facto* RIF. The Postal Service seems to rely on a legal distinction which states that only an actual RIF, and not a repositioning personnel action, is illegal. However, this distinction does not pass muster and violates the spirit of veterans' preference rules.

Our young people will serve in this Nation's all-volunteer military only if they see that the veterans who have come before them are treated with the respect that they have earned through selfless service to this Nation. One arena where this holds especially true is veterans' preference in Federal employment.


We request the Postal Service justify its proposed implementation of new personnel repositioning rules that omit consideration of veteran status and may result in adverse administrative actions against RIF-protected veterans. Actual implementation of the proposed rules should be held in abeyance until our respective Committees have had the opportunity to review the Postal Service's justification. The idea to implement less disruptive procedures to mitigate workforce distribution problems in the Postal Service is laudable except for its failure to

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recognize a veteran's RIF protections in the application of the proposed rule. In this time of war, such omission is of great concern when the proposed rules serve as surrogate RIF procedures preempting the application of title 5 U.S.C. RIF protocols.

Please advise us by May 31, 2005, of your actions to correct this problem. Our Committee staffs are available to meet with your representatives if this will help facilitate an understanding and a resolution to this issue. Senate staff can be reached at 202-224-2074; House staff at 202-225-9756.

Sincerely,



Daniel K. Akaka
Ranking Member
Senate Veterans' Affairs Committee



Lane Evans
Ranking Member
House Veterans' Affairs Committee