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Statement of

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Subcommittee on Government Operations

on Postal Performance, Safety and Theft

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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.