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# Congress of the United States

## House of Representatives

Washington, DC 20515-4611

February 6, 2013

The Honorable Patrick R. Donahoe  
Postmaster General of the United States  
United States Postal Service  
475 L'Enfant Plaza SW  
Washington, DC 20260-0010

Dear Postmaster General Donahoe:

This morning you announced that the United States Postal Service (USPS) plans unilaterally to transition to a new delivery schedule during the week of August 5, 2013, seemingly challenging the legislative powers conferred upon the Congress in Article I of the United States Constitution by dismissing the need for statutory authority to eliminate Saturday mail delivery, and directly violating Public Law 112-74, the Consolidated Appropriations Act of 2012, which specifically states that "6-day delivery and rural delivery of mail shall continue at not less than the 1983 level."

Based on your own comments at today's announcement, USPS has clearly recognized that this provision contained in annual appropriations acts for nearly three decades prohibits the agency from administratively transitioning to a 5-day delivery mail schedule based on USPS testimony before Congress requesting that authority, Presidential budget submissions expressly requesting that Congress grant USPS that authority, and a plain reading of the law, precedent, and congressional intent.

As you are aware from our past conversations, I believe 6-day delivery remains a critical strength and competitive advantage for USPS that will enable it to grow business and bolster revenue over the long-run. Accelerating a decline in mail volume by moving to 5-day delivery could result in further steep revenue losses, wiping out any operational cost-savings, while worsening the condition of USPS' balance sheet.

As a confidential 2012 USPS-commissioned market research survey concluded, service cuts resulting in a 7.7 percent mail volume reduction would lead to a revenue loss of \$5.2 billion in the first year alone. To date, USPS has failed to account for the revenue losses when pursuing so-called cost savings reforms and has consistently failed to provide Congress with any substantive empirical data to make its case for a 5-day rather than a 6-day delivery mail schedule.

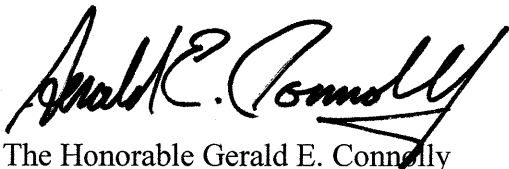
Logic dictates that when USPS and the Administration repeatedly request that Congress explicitly provide USPS the authority to reduce mail service from 6-days to 5-days, it is clear acknowledgement that, absent Congressional action, USPS lacks the statutory authority to do so.

Letter to the Honorable Patrick R. Donahoe  
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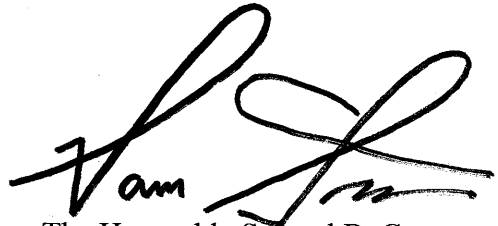
Accordingly, I am requesting that USPS immediately provide a legal justification for this proposed action, including all documents related to this decision, whether produced internally, contracted out, or by another government entity, and the opinion of counsel upon which you relied to make this important decision.

By way of providing a copy of this letter, I further make the same request of the Attorney General of the United States and the Chairman of the U.S. Postal Regulatory Commission as to their respective opinions regarding the statutory authority whereby you proposed to make such a decision.

Sincerely,



The Honorable Gerald E. Connolly  
Member of Congress



The Honorable Samuel B. Graves  
Member of Congress

CC:

The Honorable Eric H. Holder, Jr.  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
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The Honorable Ruth Y. Goldway  
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