



NAPM Postal Policy, Regulatory & Legislative Update

Feb. 10, 2021



NAPM Postal Policy, Legislative, & Regulatory Update

About NAPM (<http://www.presortmailer.org>)

- Established in **1984** to provide a more effective and efficient mailing supply chain.
- Major NAPM Objectives:
 - **Improve the industry** in which we operate
 - **Educate members about the USPS** – products, services, initiatives and regulatory changes
 - **Promote** professional and ethical business practices
 - **Partner with the USPS** to increase efficiency and profitability through workshare



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About NAPM (<http://www.presortmailer.org>)

- Our members include Mail Service Providers (printers, mailers, comminglers, etc.), mail owners, and mailing industry equipment, software and supply vendors.
- Our members process ALL classes and shapes of mail (FCM, Mktg Mail, Pers, Package Svcs – letters, flats and parcels!)
- Our members process over 40% of all the USPS FCM Presort volume
- Our MSP members serve tens of thousands of businesses in the U.S. (and growing)



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USPS Oversight – Who's on First?





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USPS Oversight

- **USPS Board of Governors**

- designed to be comparable to a board of directors of a publicly held corporation
- directs the exercise of the powers of the USPS, directs and controls its expenditures, reviews its practices, conducts long-range planning, approves officer compensation and sets policies on all postal matters. The Board also takes up matters such as service standards and capital investments.

- **USPS Postmaster General**

- leads the USPS and its workforce in its daily operations as well as setting and implementing strategy
- selected by and takes direction from the USPS Board of Governors on matters where the Board has final authority
- like the CEO of a private company, has the ability to set policy and strategy for most facets of the USPS' business, within its legislative and regulatory constraints



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USPS Oversight (cont'd)

- **The President**

- can issue Executive Orders, or veto legislation that can impact the laws governing the Postal Service.
- Past Presidents have issued orders creating Commissions or Task Forces to study the USPS and make recommendations

- **Congress**

- crafting and implementing the laws that govern how the USPS operates
- The Postal Accountability Enhancement Act (2006) is the current set of comprehensive laws the USPS must operate under – and represented the first comprehensive postal reform bill passed by Congress since the 1970 Postal Reorganization Act (PRA).
- The requirement for the USPS to deliver mail 6 days per week, for example, is a law passed each year in Congress as part of broader legislation.



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USPS Oversight (cont'd)

- **Postal Regulatory Commission (PRC)**
 - Regulatory oversight role
 - can approve or deny requests from the USPS around changes to its products/services, postage prices, and other areas key to its business
- **USPS Office of Inspector General (OIG)**
 - Audits of postal programs and operations help to determine whether the programs and operations are efficient and cost-effective.
 - Investigations help prevent and detect fraud, waste, and misconduct and have a deterrent effect on postal crimes.
- **Government Accountability Office (GAO)**
 - Reports (usually at request of Congress or The White House) on federal agencies and programs (including USPS), and makes recommendations



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**But...there are still shades of grey
in USPS oversight**





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USPS Board of Governors

- **6 out of 9** Governor positions currently filled
 - 4 Republican (Duncan, Barger, Martinez, Zollars)
 - 2 Democrat (Bloom, Moak)
 - 3 Vacant
- Gov. Bloom (D) term expired 12/8/20; now in holdover year
- Total of 4 current Governors (2-D, 2-R) have terms expiring before next Presidential election
- No more than 5 Governors can be from same political party
- Potential to see 3 new Gov nominations for the vacancies...but must be confirmed by the Senate
- Only the Board of Governors can appoint the PMG



Robert M. Duncan

Chairman, Board of Governors



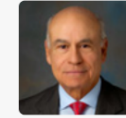
John M. Barger

Member, Board of Governors



Ron A. Bloom

Member, Board of Governors



Roman Martinez IV

Member, Board of Governors



Donald L. Moak

Member, Board of Governors



William D. Zollars

Member, Board of Governors



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USPS Reorganization

- 2 organizational restructuring announcements since new PMG took office
- Definitely more to come...
- Still some key vacancies (including Deputy PMG)



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USPS Reorganization (cont'd)

- Separation of Retail/Delivery and Processing/Logistics
- Split of IT group
 - Application Technology (IT solution centers, enterprise data warehouse and commercial payments and systems)
 - Network & Compute Technologies (telecommunication technologies of digital networks and compute technologies of servers, software, cloud, data center ops)
- HR vs Organization Development
 - HR: planning and implementation of national HR programs/policies in the areas of safety and injury compensation, health and medical services, hiring, staffing and retention, among other responsibilities.
 - Org Dev: leading learning and development, compensation and benefits, human resources technology, talent acquisition and diversity, and employee engagement at the headquarters level



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USPS Reorganization



Louis DeJoy

Postmaster General and Chief Executive Officer



Kristin Seaver

Chief Retail & Delivery Officer and Executive V.P.



Isaac Cronkhite

Chief Logistics & Processing Operations Officer and Executive V.P.



Jacqueline Krage Strako

Chief Commerce & Business Solutions Officer and Executive V.P.



Scott Bombaugh

Chief Technology Officer and Executive V.P.



Pritha Mehra

Chief Information Officer and Executive V.P.



Steven Monteith

Chief Customer & Marketing Officer and Executive V.P.



Joseph Corbett

Chief Financial Officer and Executive V.P.



Luke Grossmann

Finance and Strategy Senior V.P.



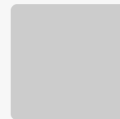
Douglas Tulino

Chief Human Resources Officer and Executive V.P.



Thomas Marshall

General Counsel and Executive V.P.



Vacant

Deputy Postmaster General



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USPS HQ Structure (as of 2/5/21)



POSTMASTER GENERAL AND CHIEF EXECUTIVE OFFICER
Louis DeJoy













































Chief Postal Inspector
Gary Barkdale



VP Government Relations & Public Policy
Polar Postro



VP Corporate Communications
Jeffery Adams

 Chief Retail & Delivery Officer & Exec. VP Kristin Seaver	 Chief Logistics & Processing Operations Officer & Exec. VP Isaac Cronkite	 Chief Commerce & Business Solutions Officer & Exec. VP Jacqueline Krage Shako	 Chief Technology Officer & Exec. VP Scott Bombaugh	 Chief Information Officer & Exec. VP Priya Mehra	 Chief Customer and Marketing Officer & Exec. VP Steven Morlath	 Chief Financial Officer & Exec. VP Joseph Corbett	 Chief Human Resources Officer & Exec. VP Douglas Tullio	 Deputy Postmaster General & Government Relations Officer (Vacant)	 General Counsel & Exec. VP Thomas Marshall
 VP Delivery Operations Joshua Golin	 VP Processing & Maintenance Operations Mike Barber	 VP Facilities Tom Samra	 VP Engineering Systems Linda Malone	 VP Chief Information Security Officer Gregory Drabb	 VP Customer Experience Kelly Sigmon	 SVP Finance & Strategy Luke Grossmann	 VP Human Resources Simon Storey	 Judicial Officer A/Alan Caramella	
 VP Retail & Post Office Operations Angela Curtis	 VP Logistics Robert Clinton	 VP Transportation Strategy Peter Roubolias	 VP Enterprise Analytics Jeffrey Johnson	 VP Technology Applications Marc McChary	 VP Marketing Sheila Holman	 VP Controller Cara Greene	 VP Labor Relations Katherina Atridgo		
 VP Area Retail & Delivery Operations Atlantic Salvatore Vazco	 VP Regional Processing Operations Eastern Doree Coleman	 VP Business Solutions (Vacant)	 VP Innovative Business Technology Gary Rebin	 VP Network & Compute Technology William Koetz	 VP Sales A/Christina Bailey	 VP Supply Management Mark Gulliford	 VP Organization Development Jonny Uttarback		
 VP Area Retail & Delivery Operations Southern Timothy Costello	 VP Regional Processing Operations Western Larry Munoz	 VP Business Development (Vacant)	 VP Product Solutions Thomas Foti	 VP Pricing & Costing Sharon Owens					
 VP Area Retail & Delivery Operations Central Krista Finazzo									
 VP Area Retail & Delivery Operations Western Pacific Gregory Graves									

USPS Leadership Team

Shading – Executive Leadership Team (12 Members)
VP - 34



USPS
01/12/2021



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USPS MEPT Restructure – Business Mail Acceptance

- Mail Entry & Payment Technologies (MEPT) group dissolved as standalone group at USPS hq
- Some functions moved under the IT organization
- Some functions moved under the new Product Solutions organization
- No change so far to field BMEU/DMU functional areas except reporting relationship (now with Product Solutions)

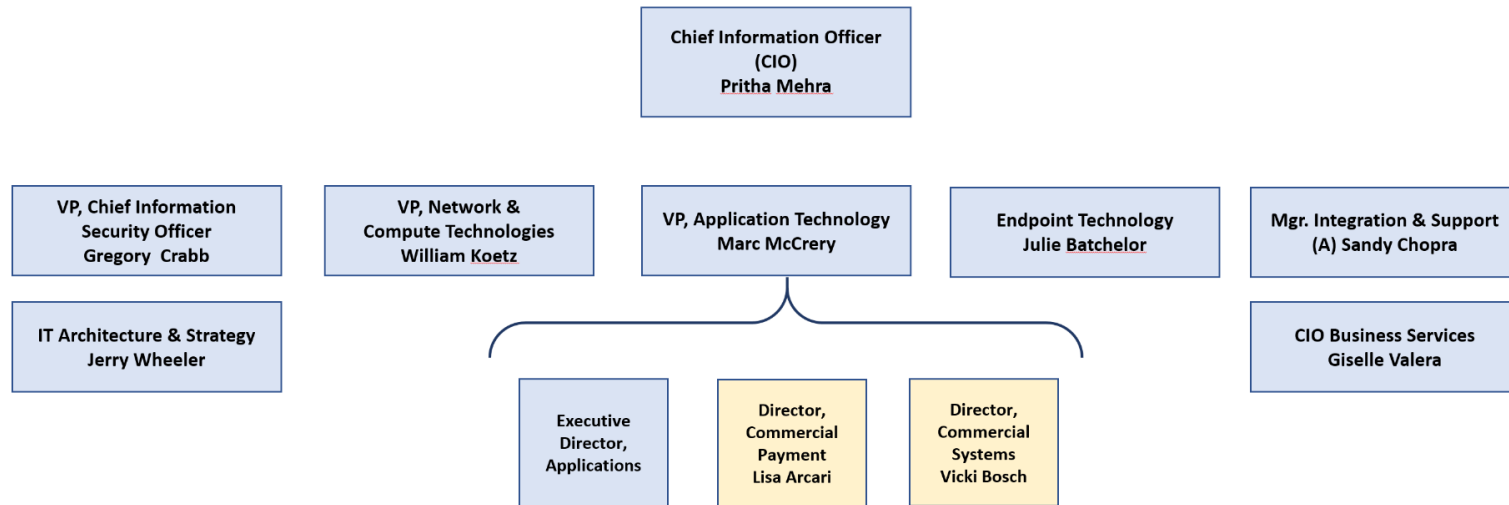


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USPS MEPT Restructure – Business Mail Acceptance



Chief Information Officer



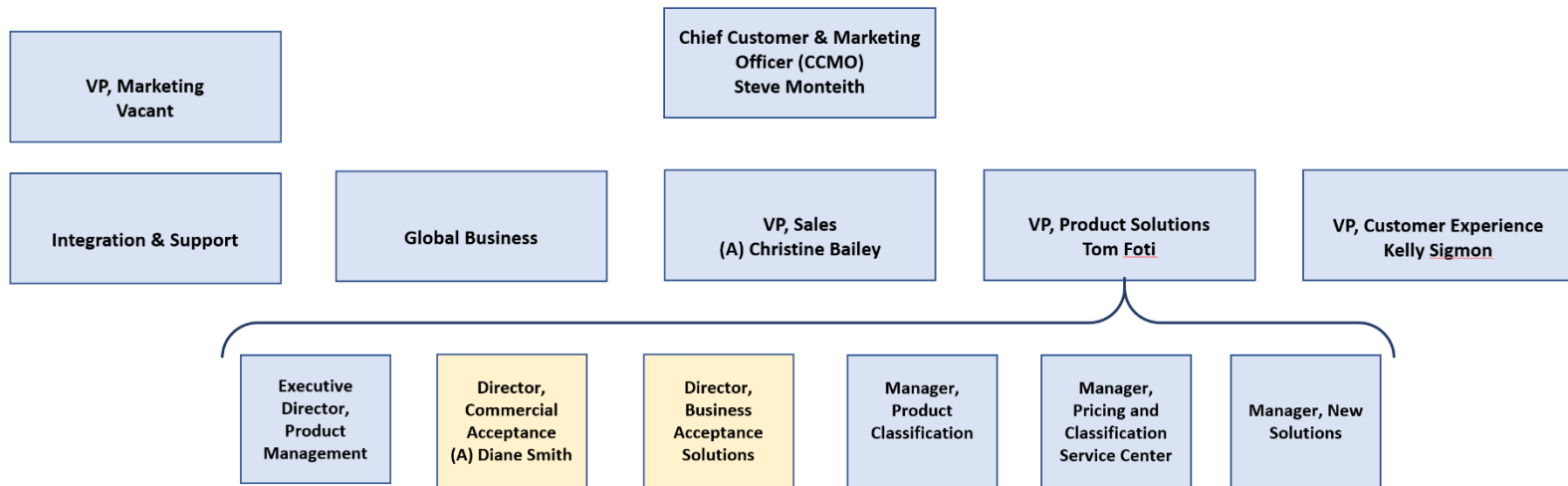


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USPS MEPT Restructure – Business Mail Acceptance



Chief Customer & Marketing Officer





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USPS MEPT Restructure – Business Mail Acceptance



Commercial Acceptance

(A) Director, Commercial Acceptance



Diane Smith

(A) Manager, Mail Preparation and Payment

James Duffy

Develops policy and procedures for acceptance, preparation and payment of the mail and ensure payment and invoicing systems under Commercial Mail Acceptance meet the needs of internal and external Customers.

Manager, Major Mailer Support



Chip Brown

Major Mailer team works with assigned mailers to facilitate successful transition to the Mail Entry programs, in addition to any acceptance related issues that may arise.

Manager, Shipping Preparation & Acceptance



Kellie Painter

Leads the development and deployment of Package Platform in addition to coordinating training and implementation of USPS programs with internal and external stakeholders.

Manager, Quality Assurance



Ike Onoh

Leads efforts around customer acceptance testing and post-production release validation of MEPT applications.



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USPS MEPT Restructure – Business Mail Acceptance



Business Acceptance Support

(A)Director, Business Acceptance Support



Randy Workman

(A)Manager, Business Solutions Support



Janine Egloff

Manages the BSS team to oversee the development and enhancement of new and existing technology, quality metrics, data analysis and reporting to create customer value, promote adoption, and drive operational efficiency.

Manager, Business Acceptance Performance



Roshonda Jackson

Manages the BAP team to support internal and external stakeholders by identifying the best mailing solutions for customer's commercial mailing needs through consultation, diagnostics, research, and hands-on assistance.

Manager, Mailing & Shipping Solutions Center



Travis Hayes

Manages the MSSC to support internal and external customers' commercial mailing and shipping needs by delivering first contact solutions, centralized support, and world-class service.

Manager, Mailing & Shipping Solutions Center MDA



Lolita Starling

Manages the MDAs to Provide technical assistance and solutions on mailpiece design to customers ensuring compliance with mailing standards, automation readability, and compatibility with automated mail.



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USPS Strategic Plan

- USPS in process of developing a 5-10 year strategic plan which it will share in coming weeks with industry
- USPS has been vetting “a couple of hundred” different initiatives internally; some require regulatory or legislative change
- Basic tenets:
 - USPS to operate with more precision (increase performance and save \$)
 - 6-days per week delivery
 - USPS to be self-sustaining
 - Ideas on revenue growth
 - Some things require regulatory or legislative change
- 7 Focus Areas: retail, delivery, transportation & networks, commerce, employee engagement, communications, and financial sustainability



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Postal Regulatory Commission (PRC) Update

PRC Leadership



- PRC has 5 Commissioners (all currently filled)
 - Chairman Michael Kubayanda (D) – term expired 11/22/20 (now in 1 year holdover)
 - Vice Chairman Ashley Poling (D)
 - Commissioner Mark Acton (R)
 - Commissioner Ann Fisher (R)
 - Commissioner Robert Taub (R)
- 4 Commissioners have terms expiring before the next Presidential election (nominations by President, confirmed by Senate)
- No more than 3 can be from same political party



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PRC Update (cont'd)

10-Year Rate System Review Final Rules Issued

- Statutorily-required review began in 2016
- 4 Years since initial PRC findings, 2 sets of proposed rules
- PRC on 11/30/20 published [final rules](#) from its 10-year review of the USPS rate system
- 484 pages
- No dissenting opinions
- ***“Pricing decisions under the modified regulatory system will be made at the discretion of the Governors of the Postal Service.” [PRC]***





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PRC 10-Year Final Rules Highlights

CPI Price Cap

- PRC final rules revise rate system to allow the USPS additional rate authority (aka ability to increase prices beyond the CPI)
- In *final* rules, PRC creates two new categories for USPS additional rate authority:
 - **Density** (volume changes vs. delivery point changes)
 - **Retirement** (designed to require USPS to raise prices to generate additional revenue and pay down its retirement liability debt)
- PRC modification from last proposed rules – allows USPS to “bank” the density rate authority



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PRC 10-Year Final Rules Highlights (cont'd)

CPI Cap (cont'd)

- **Density:** PRC calculated what it would have been FY2013-2019 and the percent ranged from 0.36% - 1.72% per year...**HOWEVER because volumes have significantly declined in FY2020 due to the pandemic...that percentage could be as high as 4-5% in 2021...**
- **Retirement:** PRC can't predict volume/revenue changes, but laid out "estimates" for next 5 years ranging from 0.827% to 1.11% per year (This rate authority will be phased in over 5 years – optional for USPS to use it, but once they do, they must do it in each of the 5 years or lose it)



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PRC 10-Year Final Rules Highlights (cont'd)

CPI Cap (cont'd)

- Potential increases for mid-year 2021...across **ALL** mail classes
 - CPI: only half a year CPI available, so maybe **0.5-0.6%**
 - Density rate authority (USPS forecasting significant volume declines to continue): could be as high as **4-5%**
 - Retirement rate authority: likely about **1%**
 - Total: **5.5 – 6.5% price increase mid-2021**
- Potential increase for **mid-year 2022**...across ALL mail classes – **even higher** because full year of CPI and potentially more volume loss so increased density rate authority
- “Underwater” products...even higher than above



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PRC 10-Year Final Rules Highlights (cont'd)

“Underwater” Products

- “Underwater” (aka “non-compensatory”) products are those where the price does not cover the USPS’ costs
- For “underwater” **classes** (where ALL products in the class are “underwater,” the 2% additional rate authority is **optional (and USPS can bank it)**)
- For “underwater” **products** (products in a mail class where not all the products are underwater), USPS must increase prices 2% higher than the class average increase

What does it mean? USPS could increase all Market Dominant prices by the CPI cap (e.g., 2%), **PLUS** a percentage for density changes (e.g., 4-5%), **PLUS** a percentage for retirement (e.g., 1%), **PLUS** (for “underwater products”) another 2%



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PRC 10-Year Final Rules Highlights (cont'd)

“Underwater” Products (cont'd)

- The PRC will determine which products/classes are “underwater” (and can do so outside of the ACD process)
- For FY2019, the PRC identified 8 “underwater” products: (1) Periodicals In-County, (2) Periodicals Outside County, (3) **USPS Marketing Mail Flats**, (4) USPS Marketing Mail Parcels, (5) USPS Marketing Mail Carrier Route, (6) Inbound Letter Post, (7) Media Mail/Library Mail, and (8) Stamp Fulfillment Services.
- All except Periodicals are products within a class that is NOT underwater as a whole, so USPS must increase prices an additional 2% above the average increase for the mail class



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PRC 10-Year Final Rules Highlights (cont'd)

Efficiency & Service Rate Authority

- In its revised rules, the PRC combined this into **one** additional rate category of **1%** per year, with separate requirements (but USPS had to achieve both to get the additional 1% rate authority)
 - Service component: USPS must retain same service *standards* (and business rules) as the year prior to its request
 - Efficiency component: USPS must exceed the prior year TFP (Total Factor Productivity)
- In final rules, PRC does **not** include this additional rate authority category; says it will review in a separate proceeding (initiated in Jan 2021 – comments due in April)



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PRC 10-Year Final Rules Highlights (cont'd)

Workshare

- The higher the workshare “passthrough,” the more of the avoided costs the USPS is sharing with mailers.
- Lower passthroughs mean USPS is keeping more of the savings it gets as a result of the mailer’s work.
- Industry for years has been advocating for workshare discounts to be set as close to 100% passthrough as possible
-



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PRC 10-Year Final Rules Highlights (cont'd)

Workshare

- PRC implementing workshare passthrough restrictions in final rules designed to force the USPS to price more efficiently (i.e., closer to 100% passthroughs)
- USPS restricted from
 - **changing** workshare discounts set **equal** to avoided costs,
 - **reducing** workshare discounts set **below** avoided costs, and
 - **increasing** workshare discounts set **above** avoided costs.



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PRC 10-Year Final Rules Highlights (cont'd)

Workshare (cont'd)

- USPS can file a waiver for exceptions
- USPS waiver request must be filed at PRC at least 60 days prior to USPS filing for price increase and must include data/info required by the PRC to justify. PRC will rule on whether to grant such USPS requests



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PRC 10-Year Final Rules Highlights (cont'd)

Workshare (cont'd)

What will it mean for workshare discounts in 2021?

- If USPS changes prices later in 2021...workshare discounts would be subject to the new PRC rules (barring anything that stops or delays implementation)
- The USPS identifies the passthroughs in the USPS' FY2020 Annual Compliance Report (ACR) filed at the PRC late Dec.
- PRC reviews the USPS' ACR and issues final determination, typically in late March



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PRC 10-Year Final Rules Highlights (cont'd)

New USPS Reporting Requirements

- At the time it files its ACD, USPS must provide the input data and calculations used to produce the annual Total Factor Productivity estimates, and provide a description and explanation of any changes to the service standards (including relevant business rules), or certify that no changes have occurred.
- New annual reporting requirements on USPS costs and cost-reduction initiatives



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PRC 10-Year Final Rules Highlights (cont'd)

Other

- USPS must update annually its schedule for price adjustments and provide information to increase transparency on future planned price changes
- USPS can use no more than 2 percentage points of banked rate authority per class per year, and banked authority expires after 5 years
- USPS must file proposed price adjustment notice 90 days from effective date (vs. 45 as today)
- PRC to review revised system after 5 years – sooner if necessary



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PRC 10-Year Final Rules Highlights (cont'd)

Implementation Timeline

- PRC final rules “effective” **Jan. 14, 2021**
- USPS filed its proposed calculations of density and retirement rate authority by end of December (which it was required to do if it wants to use it in 2021; PRC validates and determines rate authority)
 - FY2020 Density Additional Rate Authority: **4.6%**
 - FY2020 Retirement Additional Rate Authority: **1.062%**
- Presuming the PRC makes its determinations no later than March 2021 (when it typically issues the ACD), additional rate authority would be available to the USPS to file a price change **March 2021 (for implementation 90 days later)**



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PRC 10-Year Final Rules Highlights (cont'd)

What happens next?

- Taking it to the courts!
 - Litigation has been filed by
 - USPS
 - Mailing Industry
 - How will it impact implementation?
- Not everything is **required** for USPS to do, so...





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PRC 10-Year Final Rules Highlights (cont'd)

Required vs Optional Additional Rate Authority:

	Required	Optional	Rate Authority
Density Rate Authority	Yes, but can be banked	No, but can be banked	4-5% (est based on FY2020 data)
Retirement Rate Authority	No, but if use in one year, must do in next 4 years or lose it	Yes	1% (est)
Underwater Class	No	Yes, and USPS can bank it	2%
Underwater Products	Yes	No	2% above average price increase for the mail class



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PRC 10-Year Final Rules Highlights (cont'd)

Potential Scenarios

- USPS could decide not to change prices until Jan. 2022, which would also delay the underwater price changes (but also would delay the workshare improvements)
- USPS could change prices in summer 2021 but not use the full new additional rate authority (bank some of it)
- Court decision could delay or change things
- Congressional legislation could be passed that changes USPS financial position



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PRC 10-Year Final Rules Highlights (cont'd)

Potential Scenarios (cont'd)

- What will the USPS do...?
 - Service issues at an all time high
 - Stimulus bill gave USPS \$10 billion for COVID-related expenses
 - New Congressional leadership
 - Ultimately, the USPS Board of Governors make pricing decisions
 - PMG last week said USPS lost \$10 billion in FY2020 and on track for similar outcome this year
 - PMG said pricing is one of the strategies USPS is looking at, particularly given the new rate authority granted it from the PRC...



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PRC 10-Year Final Rules Highlights (cont'd)

What can YOUR BUSINESS do?

- If you think fighting it in court is a good strategy, support associations bearing the cost to do that
- If you think USPS implementing all or part of the additional rate authority in 2021 will have a significant negative impact on your business...communicate that to the USPS (Board of Governors/PMG)
- Communicate your concerns to Congress



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Legislative Update

Biden-Harris Agency Transition Teams Established

(<https://buildbackbetter.gov/the-transition/agency-review-teams/>)

- USPS on the Transition Team list (and covers PRC as well)
- Teams responsible for understanding agency, ensuring smooth transition, preparing Administration to “hit the ground running on Day One”
- USPS/PRC Transition Team members:
 - Ron Stroman (former USPS Deputy PMG)
 - Xavier Briggs, NYU
 - Aneesh Chopra, CareJourney
 - Jim Sauber, NALC
 - Mat Hernandez, Boston Consulting Group



NAPM Postal Policy, Legislative, & Regulatory Update

Legislative Update (cont'd)

Congressional Committees with USPS Oversight:

- **Senate Committee on Homeland Security & Government Affairs**
 - New Chairman: Gary Peters (D-MI)
- **House Committee on Oversight & Reform**
 - Current Chairman: Carolyn Maloney (D-NY)
 - Subcommittee on Gov't Operations (includes USPS)
 - Chair Gerry Connolly (D-VA)



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Legislative Update (cont'd)

- Postal legislation introduced in last Congress needs to be re-introduced in the new Congress
- 50+ new members of Congress
- President-elect Biden in October had said he would work with Congress to provide funding to USPS and remove the pre-funding requirement BUT...lots of priorities for this new Administration
- Sen. Committee leader Gary Peters identified USPS as one of the Committee's top priorities for this Congress
- USPS Fairness Act reintroduced on 2/3/21 in the House (had broad bipartisan support in the last Congress; passed in the House but not taken up in the Senate)
 - Simple bill that ends the requirement for USPS to prefund its retiree health benefits



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What to Expect in 2021

- Court Case Appealing PRC 10-Year Final Rules
- USPS may attempt to utilize additional rate authority (mid-year price change)
- Stimulus relief for USPS may help it get on better financial footing
- Comprehensive postal reform legislation possible
- USPS to continue operational & logistics changes
- USPS to share 5-10 year strategic plan
- Additional USPS organizational re-structuring





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What Should Your Company be Doing?

- Stay close to your association for information, guidance
- Stay informed on activities that can impact your business
- Stay involved (groups, associations, committees, etc.)
- Think about the impact of the potential changes on your business
- Share **YOUR** Voice & Feedback





For More Information Contact:

- Bob Galaher, Executive Director
(bob.galaher@presortmailer.org)
- Kathy Siviter, Asst. Executive Director
(kathleen.siviter@presortmailer.org)

Or Visit the NAPM web site: <http://www.presortmailer.org>