



August 21, 2020

Vote “Yes” on H.R. 8015, the Delivering for America Act

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Dear Representative:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 220 national advocacy organizations, **we urge you to vote "yes" on H.R. 8015, the Delivering for America Act and to oppose any Motion to Recommit (MTR) when this legislation is brought up for a vote.** The United States Postal Service (USPS) is in crisis, and under the leadership of Postmaster General Louis DeJoy, the agency has undergone operational changes that have adversely affected mail delivery for people in America. Congress must act now to save the USPS and protect this institution that plays a critical role in upholding our democracy. **The Leadership Conference will score your vote on H.R. 8015 and any MTR, and include both in our Voting Record for the 116th Congress.**

The Leadership Conference has serious concerns about recent efforts by the Trump Administration and Postmaster General DeJoy to undermine the USPS at a time when people in America are depending on the agency more than ever. The USPS is an essential public institution with an obligation to serve every community in the nation and has long been the most popular federal agency in the nation, with 90 percent of people in our country holding a favorable opinion about the agency.¹ For more than 200 years, the USPS has helped to drive our economy and keep communities connected. Most recently, USPS carriers have been crucial in our nation's response to the COVID-19 pandemic, providing a lifeline to communities by continuing to deliver essential mail and parcels and serving on the frontlines. Yet, since Postmaster General DeJoy took office in June, the Postal Service has announced sweeping organizational changes that, despite recent assurances otherwise, have slowed down mail and compromised services for millions of people in America who rely on the mail for access to medicines, essential goods, voting, as well as general correspondence.

The Delivering for America Act, introduced by Representative Carolyn Maloney, includes a number of critical provisions that would protect the USPS from catastrophic operational changes as well as provide necessary fiscal relief for the agency. The legislation would provide \$25 billion in funding to the USPS and would bar the Postal Service from making changes to its operations if doing so would impede prompt and reliable services. The additional funding included in this bill would provide much needed fiscal relief to the Postal Service.

¹ Pew Research Center. "Public Expresses Favorable Views of a Number of Federal Agencies." October 1, 2019.
<https://www.people-press.org/2019/10/01/public-expresses-favorable-views-of-a-number-of-federal-agencies/>

The bill would also reverse any changes that have slowed down mail processing or delivery and prohibit the USPS from implementing any further changes to the operations or level of service it had in place on January 1, 2020, ending on the last day of the COVID–19 public health emergency or January 1, 2021, whichever is later. If enacted, the bill would bar the Postal Service from treating election mail as anything other than first class mail, removing mail collection boxes or sorting machines, closing post offices or facilities, limiting the use of overtime pay, and more. Additionally, the bill includes a private right of action to ensure that any person harmed in violation of this bill may bring a civil action against the Postal Service in an appropriate district court or injunctive and declaratory relief with respect to the violation. The Leadership Conference applauds Representative Maloney for introducing this critical piece of legislation that seeks to maintain current service standards, uphold the right to vote, and preserve the integrity of our elections.

H.R. 8015 is needed because of recent actions that have harmed the USPS. In recent months, Postmaster General DeJoy has instituted operational and services changes that have undermined the USPS and the essential employees who keep the agency running. A July 10th internal USPS memo directed employees to leave mail behind at distribution centers and to significantly curtail overtime, undermining long-established organizational norms that have ensured the timely distribution of mail for decades.² Subsequently, an August 7th memo announced a significant reorganization of Postal Service leadership and functions.³ The implementation of this guidance has led to reduced hours in retail units, delayed mail and slowed service, further removal of mail processing equipment, arbitrarily reduced work hours, and the elimination of overtime for postal workers.⁴ While the USPS cited these changes as efficiency or cost-saving measures, in practice and in the midst of a pandemic, these actions constitute an unacceptable threat to the Postal Service and the millions of people in America who depend on it. On August 18th, Postmaster General DeJoy announced that he would suspend some of the changes to “avoid even the appearance of any impact on election mail.” The Leadership Conference appreciates the Postmaster General’s remarks,⁵ but they are only a first step and insufficient to undo the harms already caused and to put the USPS back on course to meet the needs of our democracy. Congressional action is still needed to ensure that USPS operations can continue unhindered and to provide fiscal relief which would enable the agency to maintain standards and services.

The \$25 billion included in the Delivering for America Act is critically important to addressing the needs of the USPS. For many years, the USPS has faced financial troubles as the agency’s expenses have outpaced revenue for 13 years straight due to a number of factors, and this has been exacerbated by the COVID-19 pandemic. The USPS does not accept appropriations and is dependent on the sale of postal services and products for revenue to carry out its public service mission of connecting our country. In

² “Mandatory Stand-Up Talk: All Employees.” July 10, 2020. <https://federalnewsnetwork.com/wp-content/uploads/2020/07/071020-stand-up-talk.pdf>

³ “More details of USPS organizational realignment.” August 7, 2020. <http://postalnews.com/blog/2020/08/07/more-details-of-usps-organizational-realignment/>

⁴ American Postal Workers Union. “Message to Members from APWU National Executive Board in Response to Postmaster General Louis DeJoy’s Destructive Policy Changes.” July 20, 2020. <https://www.apwu.org/news/message-members-apwu-national-executive-board-response-postmaster-general>

⁵ United States Postal Service. Postmaster General Louis DeJoy Statement. August 18, 2020. <https://about.usps.com/newsroom/national-releases/2020/0818-postmaster-general-louis-dejoy-statement.htm>

addition, the Postal Accountability and Enhancement Act (PAEA) of 2006 includes a Congressional mandate that requires that the agency set aside \$5.5 billion per year to prepay health care benefits for future employees. This mandate alone, which Congress has attempted to repeal multiple times, has left the USPS with \$160.9 billion in debt, rendering the agency unable to turn a profit in recent years and in dire need of fiscal relief to maintain operations.⁶ At a time where people in America need the Postal Service more than ever, we must prioritize the \$25 billion offered in the Delivering for America Act to ensure that this agency has the resources it needs.

Changes to Postal Service operations have a significant impact on communities that depend on the USPS for access to essential goods and services. The Postal Service's accessibility and affordability are important to rural and Native communities, seniors, and people with disabilities, who might not otherwise be able to afford the cost of a private business to deliver essential medications and daily necessities. More than half the people who have their medicine delivered at home are over the age of 65, and 54 percent of this group takes more than four different types of medication.⁷ People with disabilities rely on the USPS to mail their prescriptions for similar reasons. Many of these individuals are unable to leave their homes, let alone travel to the closest pharmacy or city to pick up their prescriptions. A number of these individuals are veterans enrolled in the Veterans' Affairs (VA) "Meds by Mail" program, which delivers medications to their homes.⁸ Delays in mail deliveries can lead to life-altering and, in some cases, fatal outcomes for these communities.

The Postal Service is essential to the functioning of our democracy. The Census Bureau and community advocates working on census outreach depend on USPS to reach hard to count populations in communities across the country. The USPS' ability to deliver to every address makes it uniquely suited to help the Census Bureau achieve its goals; however, without effective USPS service, rural and remote communities are especially at risk of being missed in the census. Additionally, due to the ongoing impact of the COVID-19 pandemic and need for physical distancing measures, the 2020 elections will likely feature an unprecedented number of mailed-in ballots. It is outrageous that during a global pandemic, Postmaster General DeJoy is reported to be decommissioning approximately ten percent of the USPS's bulk sorting machines, removing hundreds of mail boxes, and instructing postal workers to leave certain mail behind. Voters should not be forced to choose between their health and their fundamental right to vote. Without an effective postal service, or with diminished service, many Americans will be disenfranchised. We have already seen the implications of USPS delays during the primary elections. In certain states' primaries, many voters never received their mail-in ballot, or questioned whether they were delivered to election offices in time to be counted. Most recently, the USPS issued a letter to 46 states warning that voters may experience delays in receiving mail-in ballots.⁹ As we approach the 2020

⁶ The Editorial Board. "What's an Essential Service in a Pandemic? The Post Office." The New York Times. April 14, 2020. <https://www.nytimes.com/2020/04/14/opinion/usps-coronavirus.html>.

⁷ National Community Pharmacists Association. "Medication Adherence in America: A National Report Card." http://www.ncpa.co/adherence/AdherenceReportCard_Full.pdf.

⁸ U.S. Department of Veterans Affairs. "Prescription medications delivered right to your door!" https://www.va.gov/COMMUNITYCARE/docs/pubfiles/brochures/MbM_brochure.pdf#.

⁹ Cox, Erin, Viebeck, Elise, Bogage, Jacob, and Ingraham, Christopher. "Postal Service warns 46 states their voters could be disenfranchised by delayed mail-in ballots," *The Washington Post*. August 14, 2020. https://www.washingtonpost.com/local/md-politics/usps-states-delayed-mail-in-ballots/2020/08/14/64bf3c3c-dcc7-11ea-8051-d5f887d73381_story.html.



election, it is crucial that the USPS is able to continue unimpeded service to ensure that individuals who want to cast their ballot by mail are able to do so and their votes are counted.

At this pivotal time, the USPS cannot afford to make changes that threaten service reliability and transparency. Congress must act swiftly to protect the USPS and to ensure funding that would allow the agency to continue to play its vital role in our democracy. The Delivering for America Act would prevent changes that would upend Postal Service operations and safeguard the ability of USPS to continue providing essential services to millions of people in America. For these reasons, **we urge you to vote “yes” on H.R. 8015, the Delivering for America Act and to reject any Motion to Recommit.** A vote against H.R. 8015 is an anti-civil rights vote. If you have any questions, please reach out to Emily Chatterjee, senior counsel, at chatterjee@civilrights.org

Sincerely,



Vanita Gupta
President and CEO



LaShawn Warren
Executive Vice President for Government
Affairs