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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

DFC-LR-4

**Correspondence with the Postal Service,
including Freedom of Information Act,
Concerning Collection Services in the Area
Near John F. Kennedy International Airport
in New York.**

PO Box 7868
Santa Cruz CA 95061-7868
December 27, 2001

Postmaster
United States Postal Service
Jamaica NY 11431-9998

Dear Sir or Madam:

During a recent visit to New York, I discovered problems with the posted collection times outside Station B in Jamaica. I hope that the information I am providing in this letter will assist you in correcting these problems.

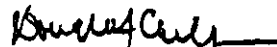
The final weekday collection time on the collection box in front of Station B is 4:00 PM. The final Saturday collection time on this collection box is 9:00 AM. Section 322.1 of the *Postal Operations Manual* requires a final weekday collection at 5:00 PM or later for every collection box that is located at a station. The final collection time on Saturdays must be as late in the day as possible, but the final collection time cannot be prior to 1:00 PM. The collection times at Station B do not comply with POM requirements.

These deficiencies take on added significance with the recent removal of collection boxes from the terminals at John F. Kennedy International Airport. Station B is accessible by airport buses from the terminal to the Howard Beach subway station. For this reason and others, collection times at Station B must comply with the minimum standards prescribed in Chapter 3 of the POM.

I hope this information assists you in correcting these problems and improving service to customers. I look forward to learning the outcome of your review.

Thank you for your time.

Sincerely,



Douglas F. Carlson

PO Box 7868
Santa Cruz CA 95061-7868
February 5, 2002

Postmaster
United States Postal Service
Jamaica NY 11431-9998

Dear Sir or Madam:

During a recent international trip through John F. Kennedy International Airport, I was disappointed to discover that the Postal Service collection boxes have been removed from Terminals 2 and 3. The absence of collection boxes is a major inconvenience, particularly since no airport shuttle buses are available to transport passengers to the Airport Mail Center or other nearby postal facilities.

I would appreciate if you would explain why the collection boxes have been removed and whether any plans exist to provide the public with a means to deposit First-Class Mail for collection.

I look forward to receiving your reply.

Thank you.

Sincerely,

[Original signed by Douglas F. Carlson]
Douglas F. Carlson

PO Box 7868
Santa Cruz CA 95061-7868
March 4, 2002

Ms. Lily Jung
District Manager
United States Postal Service
Triboro District
142-02 20th Ave
Flushing NY 11351-9331

Dear Ms. Jung:

I have enclosed a copy of a letter that I mailed on December 27, 2001, to the postmaster of Jamaica. In my letter, I explained that the final weekday collection time on the collection box in front of Station B is 4:00 PM. The final Saturday collection time on this collection box is 9:00 AM. Section 322.1 of the *Postal Operations Manual* requires a final weekday collection at 5:00 PM or later for every collection box that is located at a station. The final collection time on Saturdays must be as late in the day as possible, but the final collection time cannot be prior to 1:00 PM. The collection times at Station B do not comply with POM requirements.

To date, I have not received a response to my letter. Therefore, I would appreciate if you would review my service complaint and advise me of the changes that you will make to the collection times for this collection box.

Thank you.

Sincerely,

[Original signed by Douglas F. Carlson]

Douglas F. Carlson

Enclosure



May 15, 2002

Douglas F. Carlson
Post Office Box 7868
Santa Cruz CA 95061-7868

Re: Removal of Collection Mailboxes

Dear Mr. Carlson:

This makes specific reference to your **formal complaint** to the Postmaster's Office, regarding the removal of collection mailboxes from Terminals 2 and 3.

We appreciate your concern and the interest expressed for the removal of these mail collection boxes and deeply regret any inconvenience or difficulties experienced by you and other customers at the **John F. Kennedy International Airport**.

However, after September 11, 2001, anthrax and war against terrorism, these two boxes and other boxes at the airport were removed for our customer's protection and airport security.

Thanks for bringing your concern and the community to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "James J. Burns".

James J. Burns
A/Postmaster
88-40 164th Street
Jamaica, New York 11431-9998

cc: Congressional Offices
New York City Councilman's Office
Postmaster General Office
District Manager, Triboro District
Jamaica Plant Maintenance
File

PO Box 7868
Santa Cruz CA 95061-7868
June 1, 2002

Mr. James J. Burns
A/Postmaster
United States Postal Service
88-40 164th St
Jamaica NY 11431-9998

Dear Mr. Burns:

I received your letter dated May 15, 2002, concerning removal of collection boxes from John F. Kennedy International Airport.

You characterized my letter as a "formal complaint," then sent a copy of your letter to several officials within and outside the Postal Service. I take exception to your characterization of my letter as a "formal complaint" and your decision to share your characterization in a communication transmitted to persons outside the Postal Service. A fair reading of my February 5, 2002, letter indicates that I was seeking information, not submitting a "formal complaint."

In my letter, I expressed my disappointment upon discovering that collection boxes had been removed from the airport, and I explained that the removal of collection boxes is a major inconvenience. However, instead of concluding that the Postal Service erred in removing the collection boxes, I asked to know "why the collection boxes have been removed and whether any plans exist to provide the public with a means to deposit First-Class Mail for collection." My information request clearly establishes that I was reserving judgment on this decision until I received more information.

Perhaps a parallel example will clarify this point. I consider additional screening of airline passengers to be a disappointing development in our nation and an inconvenience to some passengers. Random searches of passengers and luggage at the gate sometimes are a "major" inconvenience. But I *support* the additional security, including random searches at the gate, because the security is necessary under the current circumstances. If I determine that a security measure is an inconvenience, I do not automatically conclude that those security measures also are unreasonable and worthy of a complaint. Your public characterization of my letter as a "formal complaint" unfairly presupposes my conclusion and opinion.

Your disclosure of my letter, whether you described the contents accurately or not, appears to violate section 351.42 of the *Administrative Service Manual*, which prohibits postal employees from disclosing "information from the cover or contents of any particular customer's mail[.]" In this case, you improperly disclosed

Mr. James J. Burns
June 1, 2002
Page 2

the contents of my letter to you. I feel compelled to share the actual text of my letter with the persons to whom you sent a copy of your letter to me. Therefore, I would appreciate if you would send me a list of the names and addresses of the persons to whom you sent a copy of your May 15, 2002, letter to me.

Also, I would appreciate receiving an explanation of why the collection boxes were removed from JFK Airport and whether any plans exist to provide travellers with a means to deposit First-Class Mail for collection. I do not understand why the presence of Postal Service collection boxes would pose a threat to either postal customers or airport security. Collection boxes remain at many other airports in the country, both inside and outside the secured area. A wall-mounted Postal Service collection box with a slot large enough to accept only letter-sized mail that was located inside the secured area arguably would provide security against any conceivable threat. Indeed, such a collection box would pose less of a threat than the trash cans in the airport. As I trust you will agree, our government must respond in a rational and measured way to the terrorist attacks of 2001. I remain deeply concerned that removing collection boxes from airports is an inappropriate response that will inconvenience travellers while providing no significant increase in security.

I look forward to receiving the information that I have requested. Moreover, I request that you refrain from further public disclosure of our correspondence.

Thank you.

Sincerely,



Douglas F. Carlson

cc: Lily L. Jung

PO Box 7868
Santa Cruz CA 95061-7868
June 1, 2002

Mr. David L. Solomon
Vice President, Area Operations
United States Postal Service
New York Metro Area
142-02 20th Ave Rm 318
Flushing NY 11351-0001

Dear Mr. Solomon:

I have enclosed a copy of a letter dated December 27, 2001, that I mailed to the postmaster of Jamaica, New York. My letter discusses a deficiency in the posted collection time on the collection box located outside Station B in Jamaica. The collection times at this station, 4:00 PM on weekdays and 9:00 AM on Saturdays, fall short of the mandatory minimum national service standards prescribed in Chapter 3 of the *Postal Operations Manual*. According to section 322.1 of the POM, the final weekday collection time at a station must be 5:00 PM or later, and the final Saturday collection time must be as late in the day as possible, but the final Saturday collection time must not be earlier than 1:00 PM. To date, I have not received a response to my letter. I also did not receive a response to my March 4, 2002, follow-up letter to Lily L. Jung, district manager of the Triboro District.

The problem with the collection times at Station B is particularly significant because this collection box is now the only collection box accessible from John F. Kennedy International Airport via free public transportation. For reasons that are far from clear, the Postal Service has removed the collection boxes from the airport terminals at JFK Airport, even though collection boxes remain in many other airports nationwide. Since the airport does not offer shuttle buses to the Airport Mail Center, Station B represents customers' closest link to postal services. International travellers are particularly dependent on convenient airport postal services. Although Station B hardly represents convenient postal services to airport travellers, it is their only option. Customers must receive at least the minimum required level of service.

I look forward to your assistance in resolving this problem.

Thank you for your time.

Sincerely,



Douglas F. Carlson

Enclosure

PO Box 7868
Santa Cruz CA 95061-7868
July 30, 2002

Mr. James J. Burns
A/Postmaster
United States Postal Service
88-40 164th St
Jamaica NY 11431-9998

Re: Freedom of Information Act/Privacy Act Request

Dear Mr. Burns:

I am writing to follow up on my letter to you dated June 1, 2002. I regret that you have not replied to my letter or responded to my concerns.

In my letter dated June 1, 2002, I requested a list of the names and addresses of the persons to whom you sent a copy of your May 15, 2002, letter to me. Pursuant to the Freedom of Information Act and Privacy Act, I request a copy of records that will provide the name and mailing address of every person or agency to whom you sent a copy of your May 15, 2002, letter to me. This request includes, but is not limited to, the persons or agencies who appear in the "cc" list on your letter; this request includes *any* person or agency to whom you sent a copy of your May 15, 2002, letter to me. Please note that any document, e-mail message, or electronic file that contains these names and addresses — even a Rolodex card on which the address of a congressman appears — is an agency record subject to FOIA. I will consider this part of my FOIA request to be satisfied if, in lieu of compiling these records, you simply send me the name and mailing address of every person or agency to whom you sent a copy of your May 15, 2002, letter to me.

Also pursuant to the Freedom of Information Act and Privacy Act, I request a copy of any correspondence that you sent to any person or agency concerning me or my correspondence regarding collection boxes at John F. Kennedy International Airport. You do not, however, need to provide another copy of your May 15, 2002, letter to me. Please provide the records requested in this paragraph regardless of how you decide to respond to my request contained in the first paragraph of this letter.

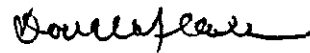
At this time, I am not willing to pay any fees for the provision of this information. Under FOIA, fees shall not be charged for the first 100 pages of duplication and the first two hours of search time. Under the Privacy Act, no charge may be imposed for search time. Please search for the information until either of these limits is reached, then contact me with an estimate of the total cost, if any.

Mr. James J. Burns
July 30, 2002
Page 2

I look forward to receiving a response to this request within the time period prescribed by law.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Douglas F. Carlson".

Douglas F. Carlson

PO Box 7868
Santa Cruz CA 95061-7868
August 10, 2002

VIA FACSIMILE AND U.S. MAIL

Mr. Roy E. Gamble
Manager
Delivery Support
United States Postal Service
475 L'Enfant Plz SW Rm 7142
Washington DC 20260-2802

Dear Mr. Gamble:

I am writing to request your assistance in resolving a problem with the posted collection times on the collection boxes located in front of Station B in Howard Beach, New York. The Jamaica post office, the Triboro District, and the New York Metro Area have failed to respond to my service complaint.

I have enclosed a copy of my June 1, 2002, letter to Mr. David L. Solomon, vice president, area operations, and my December 27, 2001, letter to the Jamaica postmaster. Since these letters explain the problem clearly, I will refer you to the text of those letters for a detailed explanation. Although I do not have the location ID number of this collection box, please note that Station B is located at 102-12 159th Avenue, Howard Beach NY 11414.

My service complaint has remained unresolved for more than seven months. Meanwhile, the Postal Service is failing to comply with its statutory mandate to provide adequate service to postal customers living in or travelling through this area. To resolve this problem, I would appreciate if you would direct the New York Metro Area to comply with the Postal Service's minimum national service standards for collections and post appropriate collection times at this station.

To avoid delays in the delivery of this letter caused by procedures to sanitize mail destined to government agencies, I will transmit the text of this letter and the enclosures to you by fax as well.

Please inform me of the outcome of your review.

Thank you for your time. I look forward to your assistance.

Sincerely,



Douglas F. Carlson

Enclosures



August 20, 2002

Mr. Douglas F. Carlson
PO Box 7868
Santa Cruz, CA 95061-7868

Dear Mr. Carlson:

This responds to your August 10 letter concerning the collection schedule for collection boxes in front of Station B in Howard Beach, New York.

We realize your December 27, 2001 letter to the Postmaster, Jamaica, New York, and June 1, 2002 letter to the Vice President, Area Operations in Flushing, New York were prior to my recent letter advising you to include certain information with your inquiries to this office.

Station B in Howard Beach serves a shorefront village. According to our inquiries, for over twenty years, by mutual agreement with the community, the Postal Service has provided limited service in the form of a one-person operation at Station B. The station is closed when the retail associate takes lunch, and closes at 4:00 p.m. The last truck from Station B leaves at 4:30 p.m. to meet processing and dispatch schedules in Queens, New York. The station is closed on Saturdays. Extraordinary costs and transportation requirements would be generated by implementing the "solution" you request. The one *Postal Operations Manual* (POM) standard on which you base your complaint is taken out of context. The needs of the community, need for timely processing of the mail, and need to meet outgoing dispatches must also be considered, as described by a second POM standard outlined below. Continued service to the community with a one person finance station would simply not be viable, with the additional costs and logistics that you suggest are mandatory under your interpretation of the POM.

Your letter states that Section 322.1 of the POM requires a mandatory minimum final weekday collection of 5:00 p.m. or later, and a Saturday collection not earlier than 1:00 p.m. However, Section 313.7 of the POM states that any decision made under this chapter that affects collection schedules or the locations of collection boxes must take into account and be consistent with the needs of the community, the volume and type of mail affected, the need for timely processing of the mail, and the need to meet outgoing dispatches. The collection schedule at Station B in Howard Beach meets the unique needs of this community. According to the acting postmaster in Jamaica, New York, residents in the community have expressed satisfaction with service provided from Station B in Howard Beach.

Based on my review of your complaint and applicable POM standards, I see no grounds to consider your letter from Santa Cruz, California, a valid complaint about service meeting the needs of customers in Howard Beach. Also, I find your assertion that "the Postal Service is failing to comply with its statutory mandate to provide adequate service to customers" is not accurate.

Your letter indicates you are unclear about airport policies related to collection boxes. After the events of September 11, 2001 each airport reviewed its operations. In some cases airports directed removal or relocation of any fixtures that could be considered a security risk, including collection boxes. You should contact individual airports or the Federal Aviation Administration to discuss airport policies on collection boxes or other security issues.


Your letter also indicates a connection between collection box relocation or removal from John F. Kennedy International Airport, customers traveling through the area, and the collection box at Station B in Howard Beach. As noted earlier, Howard Beach is a small shorefront village. As noted in your letter, it is not convenient to JFK Airport. Unless the community was their destination, travelers would generally not seek out small communities for services they might need. Travelers have a variety of resources available to them, including but not limited to their transportation provider's employees, other business or personal contacts the traveler is meeting, telephone books, hotel information or reservations personnel, travelers' aid facilities, travelers' information desks, telephone books, and telephone information. Travelers and new residents in a community generally seek out a variety of local contacts to obtain information about resources for services they may need.

In addition, our inquiries about postal services available at JFK Airport disclosed that a contract station is available in Terminal 4 for passengers, and the public Q-6 bus can take passengers to the Airport Mail Facility, open from 8:00 a.m. to 10:00 p.m. Travelers using JFK Airport should have this information readily available through a variety of information resources available at the airport, and would not be expected to seek out small stations in a shorefront community.

I do not see any connection between the collection schedule at Station B in Howard Beach and any perceived limitations on service available for travelers at JFK Airport.

We appreciate your interest in postal operations, and can more effectively and efficiently respond to your inquiries if the procedures described are followed.

Sincerely,



Roy E. Gamble
Manager, Delivery Support

cc: Vice President, Area Operations, New York Metro Area
Postmaster, Jamaica, NY

PO Box 7868
Santa Cruz CA 95061-7868
September 27, 2002

General Counsel
United States Postal Service
475 L'Enfant Plz SW
Washington DC 20260-1100

Re: Freedom of Information Act Appeal

Dear Sir or Madam:


On July 30, 2002, I mailed a Freedom of Information Act and Privacy Act request to Mr. James J. Burns, "A/Postmaster" of Jamaica, New York. I have enclosed a copy of my FOIA request and related prior correspondence.

Under 5 U.S.C. § 552(a)(6)(A)(i), within 20 working days after receipt of a FOIA request an agency must (1) determine whether to comply with the request and (2) notify the requester of this determination. As of today, I have received no communication from Mr. Burns concerning my FOIA/Privacy Act request, nor have I received the records that I requested.

Therefore, I hereby appeal for a response to my FOIA request. This appeal is limited to the Postal Service's failure to respond to my FOIA request within 20 working days. I reserve the right to appeal any subsequent Postal Service determination not to comply with my request after I have reviewed the determination and the reasons advanced in support of it.

Thank you for your attention to my appeal.

Sincerely,



Douglas F. Carlson

Enclosures

PO Box 7868
Santa Cruz CA 95061-7868
October 7, 2002

Postmaster
United States Postal Service
88-40 164th St
Jamaica NY 11431-9998

Re: Freedom of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, I request a copy of every record, including documents and electronic-mail messages, relating to the removal of Postal Service collection boxes from any terminal at John F. Kennedy International Airport after September 11, 2001.

At this time, I am not willing to pay any fees for the provision of these records. According to FOIA, fees shall not be charged for the first 100 pages of duplication or the first two hours of search time. If fees will need to be charged, please notify me in advance.

I look forward to receiving the records that I have requested within 20 working days of the date on which you receive this request. The certified mail article number of this letter is 7001 0360 0003 1852 2239.

Please contact me if you need to clarify any part of my request.

Thank you for your time.

Sincerely,



Douglas F. Carlson



November 6, 2002

DOUGLAS CARLSON
PO BOX 7868
SANTA CRUZ CA 95061-7868

Dear Mr. Carlson:

We have been advised by our Headquarters Delivery Support Office that you have already exhausted your two hour limit of search time concerning collection box issues. Not being immediately aware of where your requested documents might exist, especially in light of security issues related to terrorism, an estimate of fifty hours of search time is provided for your perusal. At current rates, the charge for this activity will amount to \$1,070.00.

After the events of September 11, 2001, the FAA advised each airport to review its operations and take appropriate action on all aspects of security. In some cases airports directed removal or relocation of any fixtures that could be considered a security risk, including collection boxes.

You should contact individual airports or the Federal Aviation Administration to discuss airport policies on collection boxes or other security issues.

Your continued concern is appreciated.

A handwritten signature in black ink, appearing to read "Lily L. Jung Burton".

Lily L. Jung Burton

cc: Jim Burns
Dave Ewen

PO Box 7868
Santa Cruz CA 95061-7868
November 9, 2002

General Counsel
United States Postal Service
475 L'Enfant Plz SW
Washington DC 20260-1100

Re: Freedom of Information Act Appeal

Dear Sir or Madam:

I am writing to appeal the Postal Service's failure to comply with the FOIA statute in processing my October 7, 2002, FOIA request to the postmaster in Jamaica, New York. I have enclosed a copy of my FOIA request and the response dated November 6, 2002, from Ms. Lily L. Jung Burton, district manager of the Triboro District.

Ms. Jung's letter charges, based on information received from the "Headquarters Delivery Support Office," that I have already exhausted my "two hour limit of search time concerning collection box issues." Ms. Jung estimates 50 hours of search time at a cost of \$1,070.

The FOIA statute mandates that "No fee may be charged by any agency under this section • • • for *any request* • • • for the first two hours of search time or for the first one hundred pages of duplication" [emphasis added]. 5 U.S.C. § 552(a)(4)(A)(iv). The FOIA statute does not permit the Postal Service to limit a requester to two free hours of search time for all FOIA requests on a particular subject. The free search time and duplication apply to every FOIA request. Although I have, in the past, submitted FOIA requests to the Postal Service — but not the Jamaica postmaster — for records related to collection boxes, those FOIA requests are irrelevant to the current FOIA request. Moreover, the FOIA request in question is my first and only FOIA request for records related to removal of collection boxes from terminals in JFK Airport.

The aggregation provision in 39 C.F.R. § 265.9(d) is inapplicable because I have submitted no other FOIA requests to the Jamaica postmaster for records relating to removal of collection boxes. Therefore, I clearly have not broken down a single request to a particular custodian of records into multiple requests to avoid payment of fees. I also note that the aggregation provision may be inconsistent with 5 U.S.C. § 552(a)(4)(A)(iv).

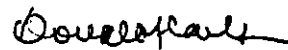
Finally, Ms. Jung's estimate of search time is excessive. Fifty hours would constitute more than six full eight-hour workdays for one employee to search for

records that surely must be located in one of a small number of files in the Jamaica post office or the Triboro District office. This excessive estimate is inconsistent with the letter and spirit of FOIA.

For the reasons explained herein, I appeal the Postal Service's failure to comply with FOIA in processing my FOIA request.

Pursuant to 5 U.S.C. § 552(a)(6)(A)(ii), I look forward to receiving your response to my appeal within 20 working days.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas F. Carlson".

Douglas F. Carlson

Enclosures

PO Box 7868
Santa Cruz CA 95061-7868
November 7, 2002

Mr. Roy E. Gamble
Manager
Delivery Support
United States Postal Service
475 L'Enfant Plz SW Rm 7142
Washington DC 20260-2802

Dear Mr. Gamble:

I am writing in response to your letter dated August 20, 2002, in which you replied to my concerns about mail collection services at JFK Airport and Station B in Jamaica, New York.

First, I am disappointed that your letter focused on criticizing my concerns, rather than providing even a brief apology for the failure of the Jamaica postmaster, the district manager of the Triboro District, and the vice president of area operations for the New York Metro Area — three levels of postal management — to respond to my previous service complaints between December 2001 and June 2002.

Second, I was dismayed that you took the position that a resident of Santa Cruz, California, could not state a valid complaint about postal services in Howard Beach, New York. I received your letter one day after I returned to the United States through JFK Airport from an international trip. During my short layover at JFK Airport, I expended considerable effort to reach the collection box at Station B before departing on my connecting flight to San Francisco. Despite my best efforts, I arrived at this collection box at 4:30 PM, 30 minutes after the final collection time. One day later, I received your letter and learned that you did not consider my complaint to be valid in part because I reside in California.

I believe that every postal customer is entitled to receive postal services without discrimination based on the residence of that customer. If a postal customer in California does not receive postal services consistent with postal regulations or operating policies while in New York, the customer in California has a complaint that is as valid as a complaint from a customer in New York.

Third, your letter misinterprets the POM. As Mr. W. J. Bothwell, formerly manager of Delivery Policies and Programs, correctly observed in his memo to field offices dated July 23, 1999, POM section 322.1 requires a final collection on weekdays at 5:00 PM or later and a final collection on Saturdays at 1:00 PM or later for every collection box that is located at a station. This provision is mandatory for all city-delivery offices, including Jamaica. While section 313.7

provides some general principles for decisions on collection schedules, section 313.7 must, under standard principles of statutory interpretation, be read consistent with the other provisions in Chapter 3. Section 322.1 specifies certain minimum levels of service, including 5:00 PM collections on weekdays at stations. Section 313.7 may require a *higher* level of service than the minimum level that section 322.1 specifies if, for example, the community needs a collection later than 5:00 PM. But section 313.7 should not be read to undermine the specific minimum levels of service that other sections, including section 322.1, require; otherwise, sections 313.7 and 322.1 would be in conflict.

Even if you are correct in asserting that customers do not need a final collection after 4:00 PM on weekdays and 9:00 AM on Saturdays at Station B in Howard Beach — an assertion that is particularly dubious for Saturdays — the 5:00 PM collection on weekdays and 1:00 PM collection on Saturdays that section 322.1 requires would, in fact, be consistent with the needs of this community because these later collection times would serve the needs of customers who would be satisfied to deposit their mail earlier in the day. As you can see, even if the Postal Service can document that some customers require a lower level of service than specific provisions of the POM require, the minimum level of service that specific provisions of the POM require will satisfy the lesser needs of some customers. Thus, section 313.7 must not be read to overrule or create exceptions to specific minimum levels of service required by other provisions, including section 322.1.

As for timely processing of mail and the need to meet outgoing dispatches, Station B is located closer to its P&DC than a substantial percentage of postal facilities in the country are located to the P&DC that serves their area. Your suggestion that a 5:00 PM collection on weekdays or a 1:00 PM collection on Saturdays would not be possible is unpersuasive.

Your interpretation of Chapter 3 of the POM differs from Mr. Bothwell's. If your interpretation represents current Postal Service policy, the Postal Service failed to obtain an advisory opinion from the Postal Rate Commission pursuant to 39 U.S.C. § 3661(b) prior to implementing this change in policy, which clearly would represent a change in the nature of postal services that would generally affect service on a nationwide or substantially nationwide basis.

In your letter, you informed me that a contract station is available in Terminal 4 of JFK Airport. After receiving your letter, I experienced considerable difficulty in obtaining any information about this contract station. However, the information that I did obtain, from a non-postal employee, suggests that no Postal Service collection boxes are available at this station and that the final collection from whichever collection receptacle exists occurs at approximately 1:00 PM on

weekdays. This person would not provide a specific time by which customers can deposit mail and be assured that it would be dispatched on the day of deposit. The information that I obtained does not inspire confidence. Moreover, at JFK Airport, most terminals are located a substantial distance from each other, and the time required to travel between terminals on a shuttle bus makes the presence of a contract station of some sort in Terminal 4 only mildly satisfying to travellers who use other terminals.

You also suggested that travellers at JFK Airport who need to mail letters should be satisfied to give their mail to non-postal employees such as hotel or airline personnel. Many travellers, including I, would not be comfortable to leave their mail with a non-postal employee for deposit somewhere else, perhaps in the mail receptacle at the employee's house or apartment. Moreover, an employee of my airline informed me in December 2001 that employees of that airline were specifically prohibited from accepting customers' outgoing mail. The fact that the airline established a policy on this subject confirms that the issue has arisen and that travellers seek outgoing mail service at JFK Airport. Your other suggestions for mailing letters are puzzling; for example, telephone books hardly seem helpful to travellers who need to mail letters.

You also asserted that passengers could use the route Q6 bus to travel to the Airport Mail Center. While this statement is strictly true in isolation, the Q6 bus does not travel from the airport terminal to the Airport Mail Center. Rather, travellers must use the Q10 bus to travel from the airport terminal to Jamaica Center, then transfer to the Q6 bus. A traveller would need to repeat this process in reverse to return to the airport. This travel requirement would be impractical for almost any person travelling through JFK Airport on a typical layover. I hope that you do not consider this expenditure of effort, time, and money to deposit First-Class Mail to be consistent with provision of adequate postal services.

In short, while I appreciate this new information, and notwithstanding your refusal to recognize a problem, I remain unconvinced that the Postal Service provides adequate collection services to the thousands of travellers who pass through JFK Airport each day.

Lastly, while you discussed the reason why collection boxes were removed from some airports, your letter does not explain why the collection boxes were removed from JFK Airport. The Jamaica postmaster has declined to answer this question as well. As I indicated in the second paragraph of this letter, I am disappointed that the Postal Service will not discuss the reason for this change in service nor even apologize for the failure of field officials at three levels to respond to my inquiries, despite the requirement for a response contained in POM § 165.1.

Moreover, I continue to believe that our country's response to terrorism must uphold our democratic principles of open discussion of important issues. Removal of collection boxes from airports is a valid subject of discussion, and I regret that the Postal Service has, thus far, declined to engage in this discussion with at least one of its customers — a person whom the Postal Service is statutorily obligated to serve.

In closing, I reject any suggestion implied by the last paragraph of your letter that my previous correspondence failed to provide the information necessary for the Postal Service to respond to my service complaint about this or any other matter. Moreover, particularly in the absence of a showing that the format of my previous correspondence has hindered your resolution of the issues discussed therein, I reject your apparent effort, communicated in the final paragraph of your letter, the second paragraph of your letter, and other letters from you, to impose requirements on me that are not contained in duly enacted regulations that apply to all other customers.

Sincerely,

A handwritten signature in cursive script, appearing to read "Douglas F. Carlson", followed by a horizontal line.

Douglas F. Carlson