

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

SIX-DAY TO FIVE-DAY STREET DELIVERY
AND RELATED SERVICE CHANGES

DOCKET NO. N2010-1

RESPONSES OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL
TO UNITED STATES POSTAL SERVICE INTERROGATORIES
(USPS/PR-T-2-1 AND USPS/PR-T-2-9)

The Public Representatives hereby provide the responses of witness Edward Luttrell (PR-T-2) to United States Postal Service interrogatories USPS/PR-T2-1 and USPS/PR-T2-9. Each interrogatory is set out in its entirety and followed by a response.

Respectfully submitted,

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**RESPONSE OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL
TO UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T2-1**

USPS/PR-T2-1

Please refer to page 7, line 11 of your testimony.

(a) Explain how the proposed elimination of Saturday mail delivery to street addresses in states whose voting procedures are subject to U.S. Department of Justice review could disproportionately affect the participation in the electoral process by persons of "minority status" in those states. In your response, explain and contrast the impact that the elimination of Saturday delivery to street addresses could have on the ability of persons who lack such "minority status" to participate in the same electoral processes. Also, in your response, explain and contrast the impact that the elimination of Saturday delivery to street addresses could have on the ability of persons of "minority status" and those without such status to participate in local electoral processes in the United States that are not subject to Department of Justice review.

(b) Explain how the proposed elimination of Saturday processing of outgoing single-piece First-Class Mail in states whose voting procedures are subject to U.S. Department of Justice review could disproportionately affect the participation in the electoral process by persons of "minority status" in those states. In your response, explain and contrast the impact that the elimination of Saturday processing of outgoing single-piece First-Class Mail could have on the ability of persons who lack such "minority status" to participate in the same electoral processes. Also, in your response, explain and contrast the impact that the elimination of Saturday processing of outgoing single-piece First-Class Mail could have on the ability of persons of "minority status" and those without such status to participate in local electoral processes in the United States that are not subject to Department of Justice review.

(c) Explain how the proposed elimination of Saturday pick-up of outgoing single-piece First-Class Mail from collection boxes in states whose voting procedures are subject to U.S. Department of Justice review could disproportionately affect the participation in the electoral process by persons of "minority status" in those states. In your response, explain and contrast the impact that the elimination of Saturday pick-up of outgoing single-piece First-Class Mail from collection boxes could have on the ability of persons who lack such "minority status" to participate in the same electoral processes. Also, in your response, explain and contrast the impact that the elimination of Saturday pick-up of outgoing single-piece

First-Class Mail from collection boxes could have on the ability of persons of “minority status” and those without such status to participate in local electoral processes in the United States that are not subject to Department of Justice review.

RESPONSE:

(a)-(c) Each subpart of this question asks for an opinion and information on the main aspects of the Postal Service’s proposal in this docket (eliminating Saturday street delivery, eliminating Saturday processing of outgoing single-piece First-Class Mail, and eliminating Saturday pickup from collection boxes) could produce a negative effect on voting participation of minorities relative to non-minorities in elections, under alternative Department of Justice review scenarios.

The line in my testimony cited in the lead-in to subparts (a)–(c) expresses the Grange’s concern that changed delivery conditions could negatively affect vote by mail participation of minority voters. This is an issue that does not appear to have been raised by others in connection with the Postal Service’s proposal, and my testimony suggests that the Commission should examine the possibility that a change in delivery could open states that use Vote by Mail to legal challenge under the Voting Rights Act before it approves the requested change in service. It was not meant to suggest that I am an expert on the Voting Rights Act.

**RESPONSE OF PUBLIC REPRESENTATIVES' WITNESS LUTTRELL
TO UNITED STATES POSTAL SERVICE INTERROGATORY USPS/PR-T-2-9**

USPS/PR-T-2-9

Please refer to your testimony at page 6, line 25.

a) Explain how the elimination of Saturday delivery of single-piece First-Class Mail to street addresses would disenfranchise members of the United States Armed Forces serving their nation far away from home who wished to participate in elections conducted by “governing entities they are affiliated with.”

b) Explain how the elimination of Saturday collection box pick-up would disenfranchise members of the United States Armed Forces serving their nation far away from home who wished to participate in elections conducted by “governing entities they are affiliated with”?

c) Explain how the elimination of Saturday processing of outgoing Single-Piece First-Class Mail would disenfranchise members of the United States Armed Forces serving their nation far away from home who wished to participate in elections conducted by “governing entities they are affiliated with”?

d) Please state your understanding of the changes to the processing of Single-Piece First-Class Mail (which would include election ballots) that the Postal Service is proposing in this docket.

RESPONSE:

(a) As many vote by mail ballots are delivered to election officials during the last days of an election period, reducing delivery by one day could increase the chance that votes transmitted via the U.S. Mail miss the voting deadline and thus are not counted. This adds an element of uncertainty to the voting process, and therefore may discourage voting. It is in this sense that I speak of disenfranchisement. It is also my understanding that concern about military vote disenfranchisement resulted in passage of the Military and Overseas Voting Empowerment (MOVE) Act, so it seems advisable for the Commission to address the consistency of the Postal Service’s proposal with this Act.

(b) Elimination of Saturday collection box pick-up is unlikely to hinder participation of overseas military voters.

(c) As many vote by mail ballots are delivered to election officials during the last days of an election period, eliminating Saturday processing of outgoing Single-Piece First-Class Mail may delay delivery by one or more days, and thus increase the chance that votes transmitted via the U.S. Mail miss the voting deadline and are not counted. Like the elimination of Saturday delivery, this adds an element of uncertainty to the voting process, and therefore may discourage voting. It is in this sense that I speak of disenfranchisement. Please see my answer to USPS-T-2-9(a) with respect to consistency with the MOVE Act.

(d) My understanding is that single-piece mail accepted on Saturday over the counter, in a lobby drop box or at an automated postal center will not be processed until the following Monday (or Tuesday if Monday is a federal holiday). Also, as mail will not be picked up from blue collection boxes on Saturdays, it follows that this mail will not be processed on Saturdays.