

Before the
Postal Regulatory Commission
Washington, D.C. 20268–0001

Amendments to Rules Regarding Materials
Provided to the Commission
in Connection with Activities Under
39 U.S.C. 407(b)(2)(A)

Docket No. RM2023-6

Comments of the Lexington Institute
(April 6, 2023)

The Lexington Institute has examined international postal issues for 20 years and is a member of the U.S. Department of State's International Postal and Delivery Services Advisory Committee. We were strong advocates for terminal dues reform adopted at the Universal Postal Union's (UPU's) 2019 Extraordinary Congress and continue to engage in developments on other potential UPU reforms.

We appreciate the opportunity to offer the following comments for the above referenced docket and ask that the Postal Regulatory Commission (PRC) adopt the crux of the rule proposed in Order No. 6451.

Today, and in the years ahead, there will be many international commerce opportunities for the U.S. Postal Service (USPS), private carriers, U.S. businesses and consumers as international e-commerce significantly expands. The United States, through the U.S. Department of State, is already exploring systemic changes at the UPU with the aim of promoting transparency and market efficiencies. Current UPU practices harm and impair opportunities for USPS, private carriers, and U.S. businesses through opaque rules and regulations that benefit a handful of large, often privately-owned international postal services at the expense of the United States and most other countries.

To best serve American interests, it is imperative that the U.S. Department of State (DOS) have all available relevant information from USPS, via the PRC, so it can best negotiate in U.S. interests and respond with agility to proposals from the UPU and foreign governments on international postal matters. Such agility was especially important during the all-night terminal dues negotiations in 2019.

Candidly, this should be an issue of common sense. In the international realm, DOS, the PRC, and USPS have clearly aligned, joint interests. All are on the same team, making the availability of such information important. Furthermore, as USPS's regulator, the PRC is uniquely able to vet information from USPS that is most pertinent to DOS and most important to the national interest. The PRC is also uniquely able to compel other relevant information from USPS, including through subpoenas, if necessary.

As such, the thrust of Order No. 6451, whereby the PRC would exempt from public disclosure information it receives from USPS and other government agencies relevant to policy coordination under 39 U.S.C. 407(b)(2)(A) should be adopted. There should be appropriate safeguards in place so that USPS cannot lump in information it wishes to keep non-disclosed, but which is clearly outside DOS's need for information. The provided information should allow DOS to meet its statutory obligation, "to conduct foreign policy with respect to international postal services and international delivery services, including the determination of United States positions and the conduct of United States participation in negotiations with foreign governments and international bodies."

Thank you for your consideration and attention to these matters.

Respectfully,

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