

GAO

Fact Sheet for the Chairman, Committee  
on Post Office and Civil Service  
House of Representatives

April 1993

POSTAL  
PROCUREMENT

Information on Bid  
Protest Activities



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General Government Division

B-252631

April 29, 1993

The Honorable William L. Clay  
Chairman, Committee on Post  
Office and Civil Service  
House of Representatives

Dear Mr. Chairman:

This fact sheet responds to your request for statistical information on the recent bid protest activities of the General Counsel of the U.S. Postal Service and on the agency's related procurement activities. Specifically, you asked for information on the (1) number and dollar amount of contracts awarded, (2) average time taken to award contracts, (3) number of bid protests filed and their disposition, (4) number of requests for reconsideration filed and their disposition, (5) average time taken to conclude protests and requests for reconsideration, and (6) the Postal Service's policy to delay contract award or performance when protests are filed. (App. I defines and explains the terms used in this fact sheet.)

BACKGROUND

For firms seeking government contracts, administrative bid protests provide an easy and inexpensive forum for resolving disputes concerning the award or proposed award of federal contracts without going to court. For about 70 years, GAO has provided an independent bid protest forum. Initially, GAO carried out its bid protest function under its general authority to determine the legality of public expenditures. With the enactment of the Competition in Contracting Act of 1984, however, Congress provided a statutory underpinning for GAO's bid protest function. Under the act, protesters can file protests with GAO or, in the case of automated data processing procurements, either GAO or the General Services Administration's Board of Contract Appeals.

However, the Postal Service is exempt from many of the procurement laws that are applicable to executive branch entities, including the Competition in Contracting Act and GAO's bid protest jurisdiction. Under the Postal Reorganization Act of 1970, Congress established the Postal Service as an independent entity and permitted it to operate like a private business when it is advantageous to do so.

When the Postal Service reorganized, it promulgated its own procurement rules and regulations and also established its own bid protest forum. The Postal Service's bid protest policies and procedures are contained in the Postal Service Procurement Manual, which is applicable to all Postal Service purchasing activities.

In our report Procurement Reform: New Concepts Being Cautiously Applied at the Postal Service (GAO/GGD-91-103, Aug. 6, 1991), we said that the independence of the Postal Service's bid protest process was open to criticism. That criticism basically addressed the organizational structure in the Postal Service's Law Department that permitted the Associate General Counsel responsible for overseeing day-to-day contracting activities to also make bid protest decisions. In both of these functions, he reported to the Postal Service's General Counsel.

At the time of our report, the office of the Associate General Counsel had about 16 attorneys who provided legal assistance to Postal Service procurement staffs in all aspects of contracting, from reviewing proposals to litigating contractor claims. In an effort to provide impartiality, the Associate General Counsel said he assigned an attorney who was not previously involved with the solicitation to analyze any protests arising from the contract action.

With the Postal Service's mid-1992 reorganization, however, the Associate General Counsel, who handled bid protests, became the Senior Counsel, Contract Protests and Policies, who heads an office that deals only with protests and broad matters of postal contracting policy. He reports to the General Counsel through the Deputy General Counsel, separately from the attorneys who provide advice to postal contracting personnel on specific contract matters.

Before the Postal Service's mid-1992 reorganization, the Postal Service's three headquarters procuring departments were identified as the Procurement and Supply Department; the Facilities Department; and the Delivery, Distribution and Transportation Department. Since the reorganization, the above departments are now identified as Purchasing, Facilities, and Transportation, respectively.

RESULTS IN BRIEF

For the six issues you identified, we found the following data:

- During fiscal years 1989 through 1992, the Postal Service awarded an average of about 135,000 contracts each year, ranging from about 130,000 in 1990 to about 141,000 in 1991. The average annual value of the contracts awarded in those years was about \$3.8 billion, ranging from about \$3.3 billion for 1992 to about \$4.3 billion for 1991. (See app. II.)
- The Postal Service took an average of about 21 calendar days to award contracts during fiscal years 1989 through 1992. Some awards were made the same day that requisitions were received, while others averaged up to 145 calendar days. (See app. III.)
- Protesters filed a total of 342 bid protests during calendar years 1989 through 1992 (an annual average of about 86). The annual number ranged from 71 in 1990 to 94 in 1992. The Postal Service resolved 295 (about 86 percent) of these bid protests by issuing written decisions. Of the 295 protests, it (1) dismissed or denied, in whole or in part, 252 (about 85 percent); and (2) sustained, in whole or in part, 43 (about 15 percent). (See app. IV.)
- Protesters filed a total of 35 requests for reconsideration regarding bid protests initially filed during calendar years 1989 through 1992 (an annual average of about 9). The annual number ranged from 5 in 1991 to 12 in 1992. Of the 35 requests for reconsideration, none of which resulted in a reversal, the Postal Service (1) denied 15 (about 43 percent), (2) affirmed the initial decisions for 19 (about 54 percent), and (3) dismissed 1 (about 3 percent). (See app. V.)
- Bid protests filed during calendar years 1989 through 1992 and associated requests for reconsideration were concluded in an average of about 58 and 25 calendar days, respectively. (See app. VI.)

Postal Service policy states that when a timely protest has been filed with either the contracting officer or the General Counsel before contract award, award may not be made until the matter has been resolved, unless the responsible vice president (formerly known as an assistant postmaster general), after consulting with counsel, determines that the Postal Service will be seriously

injured, financially or otherwise, if award is delayed until the protest has been resolved.

In evaluating the Postal Service's calendar year 1992 bid protest activity, we found that the award policy applied to 19 of the 94 protests filed. The policy did not apply in the remaining 75 cases, most of which involved either protests filed after the awards were made or cancelled solicitations that did not result in awards. We found that 3 of the 19 bid protests involved contracts awarded between the time the protests were filed and the time the protests were resolved. In each case, documentation existed showing that the responsible vice president had approved the contracting officer's request and justification to make the award.

#### OBJECTIVE, SCOPE, AND METHODOLOGY

Our objective was to provide the Committee with statistical data on the recent bid protest activities of the Postal Service's General Counsel and on the agency's related procurement activities.

To determine the (1) number of contracts awarded, (2) dollar amount of contracts awarded, and (3) average time taken to award contracts, we obtained corresponding summary data from Postal Service purchasing officials concerning the agency's procurements during fiscal years 1989 through 1992. The data include procurements by both the headquarters and field components of each of the Postal Service's three procuring departments. The data also include purchase orders, simplified purchasing, and noncompetitive procurements. Although we did not attempt to verify these data, we did analyze the information for obvious errors in completeness and internal consistency.

To determine the (1) number of bid protests and requests for reconsideration filed, (2) disposition decisions rendered, and (3) average time taken to conclude protests and requests for reconsideration, we reviewed the bid protest and related document files maintained by the Senior Counsel for Contract Protests and Policies. For example, we examined files of "correspondence log" forms to identify each bid protest that was filed, when it was filed, and its assigned bid protest number. Further, by examining bid protest files, we were able to compile information on the final disposition of each protest and when it was completed.

We made a limited test of the Postal Service's policy to delay contract award or performance when protests are filed by reviewing the most recent bid protests filed, which was calendar year 1992. We focused on those cases in which award was made between the time the protest was filed and the time the protest was resolved to see if the responsible vice president had approved the contracting officer's request and justification to make the award.

We provided Postal Service officials an opportunity to review a draft of this fact sheet. They agreed with the accuracy and completeness of the facts presented, and their suggested revisions have been included where appropriate.

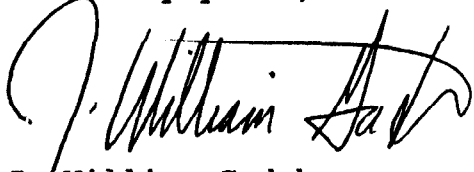
We did our work between November 1992 and February 1993.

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We are sending copies of this fact sheet to interested congressional committees, the Postmaster General, and other interested parties. Copies will be made available to others upon request.

The major contributors to this fact sheet are listed in appendix VII. Please contact me at (202) 512-8387 if you or your staff have any questions.

Sincerely yours,



J. William Gadsby  
Director, Government Business  
Operations Issues

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INFORMATION ON TERMS USED IN THE  
POSTAL SERVICE'S BID PROTEST ACTIVITIES

The following information defines and explains the technical terms used in this fact sheet. The Postal Service's Senior Counsel, Contract Protests and Policies, provided almost all of the information. The source of the remaining information is the Postal Service Procurement Manual.

Bid Protest

A bid protest is a written objection by an interested party concerning the terms of a solicitation, the award or proposed award of a contract, or any other action relating to the solicitation or award of a contract.

A protest must be in writing and timely filed with and for the consideration of either the General Counsel or the contracting officer, who will, if appropriate, issue a decision on the protest.

Dismissed

A protest is "dismissed" when it is concluded that there is a jurisdictional reason why the merits of the protest cannot be reached. (Reasons could include the following: the protest was not timely, the protester lacks standing to bring the protest, the action complained of cannot properly be the subject of a protest, etc.) Dismissal occurs on procedural, rather than substantive, grounds.

Denied

A protest is "denied" when it is concluded that although a jurisdictional basis for the protest exists, the substantive basis alleged for the protest is insufficient to establish that the particular action complained of was incorrect.

Sustained

A protest is "sustained" when it is concluded that the protest properly has demonstrated some error in the process of solicitation or award. The fact that a protest is sustained does not necessarily mean that relief or a remedy will be available to the protester; relief is separately considered and ruled upon when a protest is sustained.

Request for Reconsideration

The protester, any interested party that submitted comments on the protest, or the contracting officer may request reconsideration of a protest decision. The request for reconsideration must contain a detailed statement of the factual and legal grounds upon which reversal or modification is deemed warranted and specify any errors of law made or information not considered.

Actions on requests for reconsideration can generally include the following categories, which the Postal Service does not view as necessarily distinct. As the definitions suggest, it is not always possible to draw a precise line between a decision in which a request for reconsideration is denied and a decision in which, on reconsideration, the previous decision is affirmed.

-- The request for reconsideration is dismissed.

These dismissals are similar to dismissals in the cases of initial protests, and they are made on clearly procedural grounds (untimeliness, efforts of someone who has not participated in the initial protest to request reconsideration, etc.).

-- The request for reconsideration is denied.

The request for reconsideration is "denied" when it is concluded that there is no appropriate basis for reconsideration set out in the request. (For example, the request does not set out "the factual and legal grounds upon which reversal or modification is deemed warranted," or the request does no more than repeat arguments previously presented.) Denial of a request for reconsideration can be thought of as a procedural, rather than a substantive, treatment of the request.

-- The initial decision in the protest is affirmed or adhered to.

A decision on reconsideration that "affirms" or "adheres to" the previous decision has considered on the merits at least one of the factual and legal points raised in the request for reconsideration but has concluded that the point or points do not require any modification of the previous decision. The decision may also note that no appropriate grounds for reconsideration have been presented.

-- The initial decision in the protest is reversed.

Summary Disposition

Summary disposition is generally used when there is clearly no basis for jurisdiction (in which case the protest is "summarily dismissed") or there is clearly no legal or factual basis to the protest on its merits (in which case it is "summarily denied").

NUMBER AND VALUE OF CONTRACTS AWARDED BY  
THE POSTAL SERVICE, FISCAL YEARS 1989-1992  
(Dollars in millions)

<u>Procuring department/ fiscal year</u>	<u>Organizational component</u>					
	<u>Headquarters</u>		<u>Field</u>		<u>Total</u>	
	<u>Number</u>	<u>Value</u>	<u>Number</u>	<u>Value</u>	<u>Number</u>	<u>Value</u>
<b>Procurement and Supply:</b>						
1989	4,966	\$ 915	114,423	\$ 837	119,389	\$ 1,752
1990	5,360	952	112,392	874	117,752	1,826
1991	7,165	1,252	120,757	880	127,922	2,132
1992	<u>6,709</u>	<u>687</u>	<u>118,838</u>	<u>802</u>	<u>125,547</u>	<u>1,489</u>
Subtotal	24,200	\$ 3,806	466,410	\$3,393	490,610	\$ 7,198
Average	6,050	\$ 951	116,603	\$ 848	122,653	\$ 1,800
<b>Facilities:</b>						
1989	1,798	1,164	6,936	144	8,734	1,308
1990	2,031	408	7,897	172	9,928	580
1991	2,166	867	8,416	214	10,582	1,081
1992	<u>1,522</u>	<u>636</u>	<u>8,087</u>	<u>148</u>	<u>9,609</u>	<u>784</u>
Subtotal	7,517	\$ 3,075	31,336	\$ 679	38,853	\$ 3,755
Average	1,879	\$ 769	7,834	\$ 170	9,713	\$ 939
<b>Delivery, Distribution and Transportation:</b>						
1989	1,977	1,033	2,552	62	4,529	1,095
1990	117	869	2,624	68	2,741	937
1991	140	1,017	2,721	63	2,861	1,080
1992	<u>114</u>	<u>1,001</u>	<u>2,249</u>	<u>66</u>	<u>2,363</u>	<u>1,066</u>
Subtotal	2,348	\$ 3,920	10,146	\$ 259	12,494	\$ 4,178
Average	587	\$ 980	2,537	\$ 65	3,124	\$ 1,045
<b>Total Postal Service:</b>						
1989	8,741	3,112	123,911	1,043	132,652	4,155
1990	7,508	2,229	122,913	1,115	130,421	3,343
1991	9,471	3,136	131,894	1,158	141,365	4,294
1992	<u>8,345</u>	<u>2,324</u>	<u>129,174</u>	<u>1,015</u>	<u>137,519</u>	<u>3,339</u>
Total	<u>34,065</u>	<u>\$10,801</u>	<u>507,892</u>	<u>\$4,331</u>	<u>541,957</u>	<u>\$15,131</u>
Average	8,516	\$ 2,700	126,973	\$1,083	135,489	\$ 3,783

Note 1: The data generally represent the value, as of various dates during the period November 16 to 23, 1992, of the contracts awarded in the designated fiscal year. However, the value of the Delivery, Distribution and Transportation Department's air transportation contracts is as of February 2, 1993.

Note 2: The department names were those in effect before the Postal Service's reorganization in mid-1992.

Note 3: The Delivery, Distribution and Transportation Department's number of contracts awarded data do not include air transportation data, which were not available. Also, the relatively higher number of contracts awarded by the Department's "Headquarters" in fiscal year 1989 is attributable to the fact that 1,911 of the 1,977 contracts awarded were made up of 13 rail contracts, each having a significant number of semiautonomous segments.

Note 4: "Value" totals may not add due to rounding.

AVERAGE NUMBER OF DAYS THE POSTAL SERVICE TOOK  
TO AWARD CONTRACTS, FISCAL YEARS 1989-1992

<u>Procuring department/ fiscal year</u>	<u>Organizational component</u>		
	<u>Headquarters</u>	<u>Field</u>	<u>Total</u>
Procurement and Supply:			
1989	18	23	22
1990	19	21	22
1991	11	20	20
1992	12	20	19
Annual average	15	21	21
Facilities: (See note 2)			
Delivery, Distribution and Transportation:			
1989	43	42	42
1990	85	43	44
1991	86	43	45
1992	62	45	46
Annual average	69	43	44
Total Postal Service:			
1989	18	23	23
1990	20	21	21
1991	12	21	20
1992	13	20	20
Annual average	16	22	21

Note 1: The department names were those in effect before the Postal Service's reorganization in mid-1992.

Note 2: Data are not available for the Facilities Department, which does not have a database that keeps track of the time required to award contracts.

POSTAL SERVICE NOTES FOR PROCUREMENT AND SUPPLY DEPARTMENT

Note 3: "Days to award contracts" means the number of calendar days from the procuring organization's receipt of a customer's requisition to contract award.

Note 4: The average processing times are low because of a large number of awards of \$50,000 and below (that could be made using simplified purchasing procedures), compared to a small number of awards above \$50,000.

Note 5: The number of awards of \$50,000 and below, on the average, represents 88 percent of the total "Headquarters" awards and 98 percent of the total "Field" awards. The average number of days to process awards in the \$50,000 and below category ranges from 8 to 22 days, while awards above \$50,000 range from 13 to 145 days.

Note 6: The average number of days does not include requisitions received and awarded in the same day and includes all delay days.

Note 7: These data are subject to a 5-10 percent error rate.

POSTAL SERVICE NOTES FOR DELIVERY, DISTRIBUTION AND  
TRANSPORTATION DEPARTMENT

Note 8: "Days to award contracts" means the number of calendar days from the posting of a solicitation to contract award.

Note 9: The "Headquarters" function awards air, rail, and water transportation contracts. However, the data represent only water transportation contracts. The actual number of days to award air and rail transportation contracts was not available. Data on rail contracts were available only in the form of a range of days.

Note 10: The "Field" function primarily awards highway transportation contracts. The data include emergency contracts that take approximately 3 days to award. Emergency contracts, on an average, represent 36 percent of the total number of highway transportation contracts awarded annually.

BID PROTESTS FILED WITH THE POSTAL SERVICE  
IN CALENDAR YEARS 1989-1992 AND THEIR DISPOSITION

Table IV.1: Number of Bid Protests Filed With  
the Postal Service, Calendar Years 1989-1992

<u>Procuring department/ organizational component</u>	<u>Calendar year protest filed</u>				<u>Total</u>	<u>Annual average</u>
	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>		
<b>Procurement and Supply:</b>						
Headquarters	18	13	24	18	73	18
Field	<u>25</u>	<u>34</u>	<u>37</u>	<u>27</u>	<u>123</u>	<u>31</u>
Subtotal	43	47	61	45	196	49
<b>Facilities:</b>						
Headquarters	0	1	0	0	1	0
Field	<u>21</u>	<u>11</u>	<u>14</u>	<u>11</u>	<u>57</u>	<u>14</u>
Subtotal	21	12	14	11	58	15
<b>Delivery, Distribution and Transportation:</b>						
Headquarters	3	2	1	10	16	4
Field	<u>21</u>	<u>10</u>	<u>13</u>	<u>28</u>	<u>72</u>	<u>18</u>
Subtotal	24	12	14	38	88	22
<b>Total Postal Service:</b>						
Headquarters	21	16	25	28	90	23
Field	<u>67</u>	<u>55</u>	<u>64</u>	<u>66</u>	<u>252</u>	<u>63</u>
Total	<u>88</u>	<u>71</u>	<u>89</u>	<u>94</u>	<u>342</u>	<u>86</u>

Note 1: The department names were those in effect before the Postal Service's reorganization in mid-1992.

Note 2: "Annual average" totals may not add due to rounding.



Table IV.2: Number of Calendar Year 1989-1992  
Bid Protests Resolved by the Postal Service

<u>Type of decision or other disposition</u>	<u>Calendar year protest filed</u>				<u>Total</u>	<u>Annual average</u>
	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>		
<b>Written decision:</b>						
Summarily dismissed	6	2	6	11	25	6
Summarily denied	4	0	3	2	9	2
Dismissed	9	13	14	13	49	12
Dismissed in part and denied in part	5	13	10	9	37	9
Denied	38	29	36	29	132	33
Sustained	9	5	4	7	25	6
Sustained in part	<u>3</u>	<u>2</u>	<u>6</u>	<u>7</u>	<u>18</u>	<u>5</u>
Subtotal	74	64	79	78	295	74
<b>Other disposition:</b>						
Withdrawn	11	4	8	7	30	8
Closed--protest moot	3	2	2	4	11	3
Closed--no action	0	1	0	0	1	0
Open (as of 1/15/93)	<u>0</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>5</u>	<u>1</u>
<b>Total Postal Service:</b>	<u>88</u>	<u>71</u>	<u>89</u>	<u>94</u>	<u>342</u>	<u>86</u>

Note 1: "Annual average" totals may not add due to rounding.

Note 2: The "Summarily denied" category includes a protest that was summarily denied in part and summarily dismissed in part.

Note 3: The "Sustained in part" category also includes protests that were sustained in part and (a) dismissed in part, (b) dismissed in part and denied in part, and (c) denied in part.

Note 4: The "Withdrawn" category is measured from the date the protest was filed to the date of the protester's withdrawal letter.

REQUESTS FOR RECONSIDERATION ASSOCIATED WITH  
BID PROTESTS FILED WITH THE POSTAL SERVICE  
IN CALENDAR YEARS 1989-1992 AND THEIR DISPOSITION

Table V.1: Number of Requests for Reconsideration  
Associated With Bid Protests Filed With the Postal  
Service in Calendar Years 1989-1992

<u>Procuring department/ organizational component</u>	<u>Calendar year protest filed</u>				<u>Total</u>	<u>Annual average</u>
	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>		
<b>Procurement and Supply:</b>						
Headquarters	0	2	2	0	4	1
Field	<u>4</u>	<u>1</u>	<u>3</u>	<u>4</u>	<u>12</u>	<u>3</u>
Subtotal	4	3	5	4	16	4
<b>Facilities:</b>						
Headquarters	0	0	0	0	0	0
Field	<u>6</u>	<u>2</u>	<u>0</u>	<u>1</u>	<u>9</u>	<u>2</u>
Subtotal	6	2	0	1	9	2
<b>Delivery, Distribution and Transportation:</b>						
Headquarters	0	0	0	0	0	0
Field	<u>1</u>	<u>2</u>	<u>0</u>	<u>7</u>	<u>10</u>	<u>3</u>
Subtotal	1	2	0	7	10	3
<b>Total Postal Service:</b>						
Headquarters	0	2	2	0	4	1
Field	<u>11</u>	<u>5</u>	<u>3</u>	<u>12</u>	<u>31</u>	<u>8</u>
<b>Total</b>	<u>11</u>	<u>7</u>	<u>5</u>	<u>12</u>	<u>35</u>	<u>9</u>

Note: The department names were those in effect before the Postal Service's reorganization in mid-1992.

Table V.2: Number of Requests for Reconsideration  
Associated With Bid Protests Filed in Calendar  
Years 1989-1992 Resolved by the Postal Service

<u>Type of disposition decision</u>	<u>Calendar year protest filed</u>				<u>Total</u>	<u>Annual average</u>
	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>		
Denied	5	5	3	2	15	4
Affirmed	5	2	2	10	19	5
Reversed	0	0	0	0	0	0
Dismissed	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>
Total	<u>11</u>	<u>7</u>	<u>5</u>	<u>12</u>	<u>35</u>	<u>9</u>

Note: The categories shown reflect the precise terminology used by the Postal Service in its decisions. However, as stated in appendix I, the Postal Service does not believe that the distinction between decisions that deny requests for reconsideration and decisions on reconsideration that affirm the initial decisions is necessarily significant. As a result, the Postal Service views aggregate figures with respect to the treatment of such requests as more significant than those in a category-by-category breakdown.

AVERAGE NUMBER OF DAYS FOR THE POSTAL SERVICE  
TO CONCLUDE CALENDAR YEAR 1989-1992 BID PROTESTS  
AND ASSOCIATED REQUESTS FOR RECONSIDERATION

<u>Type of decision or other disposition</u>	<u>Calendar year protest filed</u>				<u>Annual average</u>
	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	
<u>Bid protests</u>					
Written decision:					
Summarily dismissed	26	8	32	6	17
Summarily denied	5	0	49	4	19
Dismissed	57	58	60	61	59
Dismissed in part and denied in part	63	61	84	83	73
Denied	65	60	74	69	67
Sustained	56	54	73	74	63
Sustained in part	105	205	92	71	99
Subtotal	58	62	70	59	62
Other disposition:					
Withdrawn	25	14	18	26	22
Closed--protest moot	24	45	131	38	52
Closed--no action	0	48	0	0	48
Total Postal Service:	52	59	67	56	58
<u>Requests for reconsideration</u>					
Written decision:					
Denied	13	14	19	11	14
Affirmed	20	15	112	25	32
Reversed	0	0	0	0	0
Dismissed	46	0	0	0	46
Total Postal Service:	19	14	56	23	25

Note 1: With respect to the calculation of the average number of days associated with the decision of protests, it should be noted that all the parties to a protest, including the protester, interested parties, and the contracting officer, participate in activities that are necessary to the completion of the protest record and contribute to the overall time consumed by the decision-making process. The word "days" means calendar days.

Note 2: The "Summarily denied" category includes a protest that was summarily denied in part and summarily dismissed in part. The "Sustained in part" category also includes protests that were sustained in part and (a) dismissed in part, (b) dismissed in part and denied in part, and (c) denied in part. The "Withdrawn" category is measured from the date the protest was filed to the date of the protester's withdrawal letter.

Note 3: The categories shown for requests for reconsideration reflect the precise terminology used by the Postal Service in its decisions. However, as stated in appendix I, the Postal Service does not believe that the distinction between decisions that deny requests for reconsideration and decisions on reconsideration that affirm the initial decisions is necessarily significant. As a result, the Postal Service views aggregate figures with respect to the treatment of such requests as more significant than those in a category-by-category breakdown.

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Washington, D.C. 20548

Official Business  
Penalty for Private Use \$300

First-Class Mail  
Postage & Fees Paid  
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