

File D



August 27, 1999

Hon. Margaret P. Crenshaw, Secretary  
Postal Rate Commission  
1333 H Street, NW, Suite 300  
Washington, D.C. 20268-0001

Dear Ms. Crenshaw:

This responds in part to your letter to Mary Elcano, General Counsel, dated August 24, 1999, pertaining to the request made by the law firm of Piper & Marbury, under the Freedom of Information Act (FOIA), for certain internal Postal Service records currently in the Postal Rate Commission's possession. You informed Ms. Elcano of the Commission's decision not to comply with the Postal Service's request that the Commission refer the FOIA request for these records to the Postal Service for direct response. Rather, the Commission intends to respond to the request itself, after considering the Postal Service's views on the matter. You asked the Postal Service to provide the Commission, by September 1, 1999, a description of the specific portions of these records that it believes are exempt from mandatory disclosure under the FOIA, together with a detailed justification for not providing them. This would follow a procedure outlined in your letter to Ms. Elcano dated August 4, 1999.

As I explained to Mr. Sharfman on the telephone, this is a bad time for expeditious consideration of this particular FOIA request. The records in question are internal Postal Service records which pertain to the Postal Service's international mail business. Many key personnel who work in this area, including managers who would need to be consulted and to consider the request for these commercially sensitive records, are currently attending the Universal Postal Union Congress in Beijing, China. Furthermore, the request encompasses hundreds of pages of records that must be individually reviewed. Although we have begun reviewing them to the extent possible, it will take some time to complete the process.

In light of these circumstances, it will not be possible to provide a response by September 1. I am told that personnel needed to review the request and make decisions concerning disclosure will not return from the Congress until mid-September.

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Given the need for internal consideration, we currently do not anticipate being able to provide specific guidance on these records until the week of September 20, 1999. We will, however, explore ways to accelerate response, and will inform you promptly if the situation changes.

Sincerely,

A handwritten signature in cursive script that reads "Daniel J. Foucheaux, Jr.".

Daniel J. Foucheaux, Jr.  
Acting Managing Counsel  
International and Ratemaking Law