

[REDACTED]

[REDACTED]

RE: Freedom of Information Act Request - 2021-FPRO [REDACTED]

Dear [REDACTED]

This is in reference to your Freedom of Information Act request dated February 6, 2021 for access to certain records in the custody of the Postal Service.

In particular you are requesting the following:

1. A copy of all records pertaining to the bulk mailing piece of attached Bolingbrook Reporter mailed to [REDACTED] January 2021.
2. A copy of all permit/indica paperwork pertaining to the postage paid SIWC.
3. A copy of all records pertaining to the bulk mailing piece of the attached "Paid for by Citizens Against Benford" postcard mailed [REDACTED] during January-February 2021.

We have identified 2 pages of documents responsive to your request. Both pages will be released with redactions pursuant to the exemptions cited below.

FOIA Exemption 3 provides that agencies may withhold records that are exempted from disclosure by another statute which "establishes particular criteria for withholding or refers to particular types of matters to be withheld" 5 U.S.C. § 552(b)(3). Section 410(c)(2) of Title 39, U.S. Code, provides that information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good practice would not be publicly disclosed is exempt from disclosure requirements of the FOIA. This section was enacted as part of the Postal Reorganization Act, (PRA), 39 U.S.C. § 101 et seq. (1970), which designated the Postal Service as an independent establishment of the executive branch and generally directed it to conduct its operations in accordance with sound business principles. Section 410(c)(2) operates both independently and as an exempting statute within the scope of Exemption 3.

To determine what constitutes "good business practice" under § 410(c)(2), courts consider the customs of the commercial world, management techniques, and business law, as well as the standards of practice adhered to by large corporations. The Postal Service may withhold information of a commercial nature if large businesses would do the same.

The Postal Service's ability to withhold such information is also consistent with Congress' intent, expressed through the PRA, that the Postal Service "be managed in a businesslike way," as well as Congress' intent, expressed through the Postal Accountability and Enhancement Act of 2006 (PAEA), that the Postal Service become a profit-oriented, rather than breakeven, enterprise. Accordingly, the type of information requested meets the "commercial" and "good business practice" tests under 39 U.S.C. §410(c)(2). Unlike other federal government agencies, the Postal Service under the PRA receives no tax dollars for payment of operating expenses, and instead must fund its operations through revenue it receives from its customers for the sale of both competitive and non-competitive postage, products and services.

FOIA Exemption 6 permits withholding documents where release of personnel and similar files would constitute a clearly unwarranted invasion of personal privacy. Any records which contain information concerning particular individuals, may qualify for the exemption's protection.

If you are not satisfied with the response to this request, you may file an administrative appeal within 90 days of the date of this response letter by writing to the General Counsel U.S. Postal Service 475 L'Enfant Plaza SW Washington, DC 20260-1100 or via email at [FOIAAppeal@usps.gov](mailto:FOIAAppeal@usps.gov). Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. The letter of appeal should include, as applicable:

- (1) A copy of the request, of any notification of denial or other action, and of any other related correspondence;
- (2) The FOIA tracking number assigned to the request;
- (3) A statement of the action, or failure to act, from which the appeal is taken;
- (4) A statement identifying the specific redactions to responsive records that the requester is challenging;
- (5) A statement of the relief sought; and
- (6) A statement of the reasons why the requester believes the action or failure to act is erroneous.

For further assistance and to discuss any aspect of your request, you may contact FOIA Public Liaison listed below:

HQ FOIA REQUESTER SERVICE CENTER  
PRIVACY & RECORDS OFFICE  
475 L'ENFANT PLAZA SW RM 1P830  
WASHINGTON DC 20260-1101  
Phone: (202) 268-2608  
Fax: (202) 268-5353

FOIA Public Liaison: Nancy Chavannes-Battle  
Email: [FOIA12@usps.gov](mailto:FOIA12@usps.gov)

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Thank you for your interest in the Postal Service.

Sincerely,

*Merl L. Stanley*

Merl L. Stanley



[Personal Profile](#) | [Logout](#)

Restricted Information

[Reports](#) > [Mailing Activity \(Search\)](#) > [Mailing Activity Report](#) > [Display](#) 

Today's Date: \_\_\_\_\_

### Mailing Group Summary Information

Mailing Group ID:	(b)(3):39 USC 410
Preparer:	
Description:	(c)(2)

Matter's Job #: (b)(3):39 U  
PO of Mailing Finance No: 410 (c)(2)  
Submission Type:

Open Date: (b)(3).39  
Close Date: USC 410

(b)(3):39 USC 410 (c)(2)

[Confirmation Page](#) | [Register](#) | [Piece-Weight Information](#)

PS Form 3602-R - USPS Marketing Mail - Permit Imprint

## Final

### Postage Summary

Account Holder:	SPELL IT WITH OR INC 1340 ENTERPRISE DR ROME OVILLE, IL 60446 - 1016	Mailing Agent:	(b)(3); 39 USC 410 (c)(2); (b)(6)	Mail Owner:	(b)(3); 39 USC 410 (c)(2); (b)(6)		
Account Number:	(b)(3); 39 USC 410 (c)(2); (b)(6)						
Permit:	(b)(3); 39 USC 410 (c)(2)		(b)(3); 39 USC 410 (c)(2)	Processing Category:	(b)(3); 39 USC 410 (c)(2); (b)(6)		
Statement PS Fee Waiver %:		Mailer's Mailing Date:					
Post Office of Mailing:		Mailer Declared Total Pieces:		Mailer Declared Total Weight:			
Post Office of Permit:		USPS Determined Total Pieces:		USPS Determined Total Weight:			
Mailer Declared Weight of Single Piece:				Total Postage:			
USPS Determined Weight of Single Piece:		Address Matching Date - Automation		Address Matching Date - Carrier Route:			
Sequencing Date:							
No of Containers:	1' MM Tray (b)(3); 39 USC 410 (c)(2)	2' MM Tray	2' FMM Tray	Flat Tray	Sacks	Pallets	Other
Customer Reference ID:	(b)(3); 39 USC 410 (c)(2)						
Statement Sequence No							
Move Update Method:	Alternative Method						
Political Mail	NSA: (b)(3); 39 USC 410 (c)(2)						
Mailpiece is a product sample	Official Election Mail: (b)(3); 39 USC 410						
Incentive/Discount Claimed	Mailpieces contain a DVD/CD or other Disk: (b)(3); 39 USC 410						
Mail Arrival Date and Time	Type of Fee: (b)(3); 39						
Comments:	Caps Transaction Number: (b)(3); 39						
Copal Mailing Type:							
SSF TID Number:							

[illegible]

For Extra Services and Other Fees

Total Postage From All Parts  
Total From Attached Form 3540-S

Total Postage

39 USC 410

(b)(3); 39 USC 410  
(c)(2);

Total Incentive/Discount Claimed (b)(3):39 USC 410

\* May contain both Full Service Intelligent Mail and other discount - see instructions page for additional information.

### Certification

The mailer's signature certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent signs this form, the agent certifies that he or she is authorized to sign on behalf of the mailer, and that the mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control.

I hereby certify that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and that the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation.

I understand that anyone who furnishes false or misleading information on this form or who omits information requested on the form may be subject to criminal and/or civil penalties, including fines and imprisonment.

Signature of Mailer or Agent	Name of Mailer or Agent	Telephone
(b)(3); 39 USC 410 (c)(2); (b)(6)		

Facsimile Form 3602-R

## USP5 Use Only

Weight of a Single Piece		Are figures at left adjusted from mailer's entries? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, Give Reason	
Total Pieces (b)(3)(2)(U)SC 440	Total Weight (b)(3)(3) USC	Data Mailer Notified	
Total Postage (b)(3)(2)(U)SC 440		Contact	
Presort Verification: Check One (If Applicable) <input type="checkbox"/> Not Scheduled <input checked="" type="checkbox"/> Performed		By (Initials)	
I CERTIFY that this mailing has been inspected concerning (1) eligibility for postage price claimed; (2) Proper preparation (and presort where required); and (3) proper completion of postage statement; and (4) payment of annual fee (if required).			
Verifying Employee's Signature		Verifying Employee's Name Round Stamp Required	
Optional Procedure (b)(3)(3)		Location Code (b)(3)(3)	
		Mailing Date	

Facsimile Form 3602-R

No signature or round stamp required statement has been submitted electronically through the PostalOne! System.

Verification	Request Source	Performance Status	Disposition	Performance Type	Performance Percentage	Additional Postage	Cost Avoidance
eMR Curtesy review	(b)(3) 39 USC 410 (c)(2)						
Manual Barcode							
Manual Presort							
Content Eligibility							
Mailing Review							
Labeling Review							
Nalpiece Review							
Documentation/Postage Statement Review							
Total:						(b)(3) 39 USC 410 (c)(2)	

This mailing has been inspected concerning:

- (1) eligibility for postage prices claimed;
- (2) proper preparation (and presort where required);
- (3) proper completion of postage statement; and
- (4) payment of annual fee (if required).

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(b)(3):39 USC 410 (c)(2)



