



May 1, 2025

Officer Brian P Carr
Regular Army Captain (RET)
1201 Brady Dr.
Irving, TX, 75071

Email: carrbp@gmail.com

RE: Freedom of Information Act Request – FOIA Case No. 2025-FPRO-01666

Dear Officer Carr:

This responds to your Freedom of Information Act (FOIA) request dated March 11, 2025, in which you seek access to Postal Service records regarding refunds for when an item was not delivered according to the applicable service standard. Specifically, you wrote:

I am seeking cumulative data with no personal identifying information. I am generally seeking information concerning refunds of 'Guaranteed Delivery' costs where the item was not delivered according to the applicable service standard. I am interested in refund requests submitted online and am seeking a break down of requests which were approved and denied as well as the break down of requests where an appeal was submitted.

I am seeking annual totals since Jan 2017 up to 2025 with quarterly break downs for 2024 and any completed quarter in 2025 when the results computed.

I would like the number of refunds requested online for delayed delivery with guaranteed delivery with the average refund requested as well as standard deviation, maximum, and minimum.

Further I would an additional break down with a Group By of 'Refund Approved' and 'Refund Denied' in the initial application.

For the 'Refund Denied' group, I would like an additional Group By break down with 'No Appeal Submitted' or 'Appeal Submitted'.

For the 'Appeal Submitted' group, I would like an additional Group By by with 'Refund Denied' or 'Refund Approved'.

For the each of the 'Refund Approved' groups above, I would like an additional Group By break down with the bank to which the refund was routed to with:

**Chase,
Capital One,
American Express,
Bank of America,
Citibank,
Discover,
U.S. Bank,
Wells Fargo,
Other Bank, and
No Record of Bank Transfer**

I am particularly interested in tracking number 9470103699300057573507 delivered late on 15 Apr 2021 and refund request submitted on 16 Apr 2021 and appeal updated to 'Dispute Paid' on 6 May 2021, but no transaction for the refund has been located to date (so the refund would be expected to be listed in the 'No Record of Bank Transfer').

Based on your description of records sought, a search was conducted of the files maintained within the Revenue & Field Accounting Department and forty-two (42) pages of records were located. Thirty-nine (39) pages are being withheld in full pursuant to FOIA Exemption 3 in conjunction with 39 U.S.C. § 410(c). Two (2) pages are being produced with redactions pursuant to FOIA Exemption 3 in conjunction with 39 U.S.C. § 410(c). One (1) page is being produced without redactions.

Exemption 3 provides that agencies may withhold records that are “specifically exempted from disclosure” by another statute that “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) of the Postal Reorganization Act qualifies as an Exemption 3 statute. 39 U.S.C. § 410(c).

Exemption 3 in conjunction with Section 410(c)(2) permits the withholding of “information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good business practice would not be publicly disclosed.” 39 U.S.C. § 410(c)(2). Information of a commercial nature under Section 410(c)(2) is broadly defined to include all information that “relates to commerce, trade, profit, or the Postal Service’s ability to conduct itself in a businesslike manner.” 39 C.F.R. § 265.14(b)(3). In determining whether particular information is commercial in nature, the Postal Service considers six factors relating to whether the information is more akin to its role as a business entity, a competitor in the market or a provider of basic public services. See 39 C.F.R. § 265.14(b)(3)(i). In addition, the Postal Service has identified an extensive, though not exhaustive, list of information that is commercial in nature and thus, exempt from disclosure under Section 410(c)(2). See 39 C.F.R. § 265.14(b)(3)(ii). This regulation states that “Sales performance goals, standards, or requirements” are considered information that is commercial in nature. 39 C.F.R. § 265.14(b)(3)(ii)(T).

Here we find that data related to service standards and performance qualifies as “information of a commercial nature” under Section 410(c)(2) as it related to commerce, profit and the Postal Service’s ability to conduct itself in a businesslike manner. Such information is also identified as commercial in nature by Postal regulations. 39 C.F.R. § 265.14(b)(3)(ii)(T). Additionally, this information would not be released “under good business practice”. This involves information on the number of service failures and refunds for a competitive product. This product competes against companies that provide similar service and those companies would not publicly disclose how many failures have occurred or how many refunds they have given. Accordingly, this information is exempt from disclosure under Exemption 3 of the FOIA and Section 410(c)(2).

In an email dated March 26, 2025, you accepted liability of all associated costs to process your request in the amount of \$336.00. On April 3, 2025, we received a check for the fifty percent (50%) advance payment in the amount of \$168. Actual fees to process your request consisted of 10 hours of search time at \$42.00 per hour (minus two (2) hours) or \$336.00. The remaining balance owed is \$168.00. Within 30 days, please submit a check in the amount of **\$168.00**, made payable to the “United States Postal Service” no later than June 1, 2025. Please remit your payment to the attention of:

Eboni Francis
USPS—Privacy and Records Management Office
475 L’Enfant Plaza SW, Room 1P830
Washington, DC 20260

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 or via email at 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.

If you need further assistance or would like to discuss any aspect of your request, please do not hesitate to contact the FOIA Public Liaison listed below.

PRIVACY & RECORDS OFFICE
US POSTAL SERVICE
475 L'ENFANT PLAZA SW RM 1P830
WASHINGTON DC 20260-1101
Phone: (202) 268-2608
Fax: (202) 268-5353
FOIA Public Liaison: Nancy Chavannes

You may also contact me at: Rashonda Williams at Rashonda.c.williams@usps.gov to discuss any aspect of your request.

Sincerely,



Rashonda Williams
Manager, Finance Business Support
HQ Controller