

October 17, 2013

Senate Majority Leader Harry Reid
522 Hart Senate Office Building
Washington, DC 20510

Dear Senate Majority Leader Reid,

I write on behalf of 270,000 active and retired members of the National Association of Letter Carriers, AFL-CIO regarding an extremely important issue to the Postal Service and its 500,000 employees nationwide. As you know, earlier this year the Senate passed S. 743, the Marketplace Fairness Act (“MFA”) to reform the taxation of goods from online merchants. The bill includes a safe-harbor provision for small businesses that uses out-of-state revenues to establish whether a business is to be exempt from the bill’s compliance costs. This provision, as currently defined, would be devastating to thousands of home businesses that rely on the Postal Service and have collectively become the biggest users of the USPS.

The Postal Service serves millions of small, home-based businesses six days a week, and letter carriers serve as an economic linchpin for hundreds of thousands of merchants who sell goods and services through the mail. More than \$2.5 billion in sales revenue is generated by e-Bay merchants alone, producing some \$1 billion in postage revenues for the Postal Service. As a result, the National Association of Letter Carriers (NALC) strongly supports small business, especially those in home-based offices.

A recent report authored by former Clinton Administration economist Jon Orszag and released by the Minority Media and Telecommunications Council (attached) concludes that the small business definition in the MFA “is not supported by any available empirical evidence” and could “impose so-called transaction costs (or compliance costs) on some businesses – many of which may be owned by women, African Americans, Hispanics, Asian Americans, Native Americans/Alaskans, Hawaiian/Pacific Islanders, and veterans – which is economically inefficient.”

Mr. Orszag recommends that any small business safe-harbor in the MFA use existing small business definitions in federal law and existing Small Business Administration regulations, concluding that such a definition would be “less likely to harm” small businesses owned by minorities and women.

Although we certainly support tax fairness, NALC generally does not take a position on the merits of the MFA. We are concerned however that a judicially untested and economically unsupported definition of small business risks harming millions of small businesses and reducing the fastest growing segment of the Postal Service's package delivery business. It could also undermine efforts to maintain effective federal and state statutes and regulations in other areas of the law.

Congress is currently debating a major overhaul of the USPS to deal with a financial crisis caused by a 2006 Congressional mandate to massively prefund future retiree health benefits and the effects of the Great Recession. The last thing the Postal Service and the economy need is a flawed provision of the MFA that would severely damage hundreds of thousands of small home-based businesses. Therefore, I am urging Congress to revisit the definition of small business in the MFA, as suggested by Orszag, to avoid these negative consequences.

I appreciate your continued dedication to the men and women I represent as well as your ongoing efforts to responsibly strengthen the Postal Service. Fixing the flawed definition of small business in the MFA is a good way to do that. Please let me know if I can be of further assistance as this issue unfolds.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fredric V. Rolando', with a stylized flourish at the end.

Fredric V. Rolando
President

October 17, 2013

House Minority Leader Nancy Pelosi
235 Cannon House Office Building
Washington, DC 20515

Dear House Minority Leader Pelosi,

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October 17, 2013

Representative John Conyers
2426 Rayburn House Office Building
Washington, DC 20515

Dear Representative Conyers,

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Representative Jerrold Nadler
2110 Rayburn Hosue Office Building
Washington, DC 20515

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Representative Steve Cohen
2404 Rayburn House Office Building
Washington, DC 20515

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Fredric V. Rolando
President

October 17, 2013

Representative Sheila Jackson-Lee
2160 Rayburn House Office Building
Washington, DC 20515

Dear Representative Jackson-Lee,

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Representative Karen Bass
408 Cannon House Office Building
Washington, DC 20515

Dear Representative Bass,

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October 17, 2013

Representative Cedric Richmond
240 Cannon House Office Building
Washington, DC 20515

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October 17, 2013

Representative Joe Garcia
1440 Longworth House Office Building
Washington, DC 20515

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Representative Hakeem Jeffries
1339 Longworth House Office Building
Washington, DC 20515

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Representative Chris Van Hollen
1707 Longworth House Office Building
Washington, DC 20515

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Fredric V. Rolando
President

October 17, 2013

Representative Steny Hoyer
1705 Longworth House Office Building
Washington, DC 20515

Dear Representative Hoyer,

I write on behalf of 270,000 active and retired members of the National Association of Letter Carriers, AFL-CIO regarding an extremely important issue to the Postal Service and its 500,000 employees nationwide. As you know, earlier this year the Senate passed S. 743, the Marketplace Fairness Act (“MFA”) to reform the taxation of goods from online merchants. The bill includes a safe-harbor provision for small businesses that uses out-of-state revenues to establish whether a business is to be exempt from the bill’s compliance costs. This provision, as currently defined, would be devastating to thousands of home businesses that rely on the Postal Service and have collectively become the biggest users of the USPS.

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October 17, 2013

Senator Charles Schumer
322 Hart Senate Office Building
Washington, DC 20510

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October 17, 2013

Senator Debbie Stabenow
133 Hart Senate Office Building
Washington, DC 20510

Dear Senator Stabenow,

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Fredric V. Rolando
President

October 17, 2013

Senator Michael Bennet
458 Russell Senate Office Building
Washington, DC 20510

Dear Senator Bennet,

I write on behalf of 270,000 active and retired members of the National Association of Letter Carriers, AFL-CIO regarding an extremely important issue to the Postal Service and its 500,000 employees nationwide. As you know, earlier this year the Senate passed S. 743, the Marketplace Fairness Act (“MFA”) to reform the taxation of goods from online merchants. The bill includes a safe-harbor provision for small businesses that uses out-of-state revenues to establish whether a business is to be exempt from the bill’s compliance costs. This provision, as currently defined, would be devastating to thousands of home businesses that rely on the Postal Service and have collectively become the biggest users of the USPS.

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Fredric V. Rolando
President

October 17, 2013

Senator Sherrod Brown
713 Hart Senate Office Building
Washington, DC 20510

Dear Senator Brown,

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October 17, 2013

Senator Robert Casey
393 Russell Senate Office Building
Washington, DC 20510

Dear Senator Casey,

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October 17, 2013

Senator Ben Cardin
509 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cardin,

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October 17, 2013

Senator Barbara Mikulski
503 Hart Senate Office Building
Washington, DC 20510

Dear Senator Mikulski,

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October 17, 2013

Senator Bernie Sanders
332 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Sanders,

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October 17, 2013

Senator Carl Levin
269 Russell Senate Office Building
Washington, DC 20510

Dear Senator Levin,

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Senator Kay Hagan
521 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Hagan,

I write on behalf of 270,000 active and retired members of the National Association of Letter Carriers, AFL-CIO regarding an extremely important issue to the Postal Service and its 500,000 employees nationwide. As you know, earlier this year the Senate passed S. 743, the Marketplace Fairness Act (“MFA”) to reform the taxation of goods from online merchants. The bill includes a safe-harbor provision for small businesses that uses out-of-state revenues to establish whether a business is to be exempt from the bill’s compliance costs. This provision, as currently defined, would be devastating to thousands of home businesses that rely on the Postal Service and have collectively become the biggest users of the USPS.

The Postal Service serves millions of small, home-based businesses six days a week, and letter carriers serve as an economic linchpin for hundreds of thousands of merchants who sell goods and services through the mail. More than \$2.5 billion in sales revenue is generated by e-Bay merchants alone, producing some \$1 billion in postage revenues for the Postal Service. As a result, the National Association of Letter Carriers (NALC) strongly supports small business, especially those in home-based offices.

A recent report authored by former Clinton Administration economist Jon Orszag and released by the Minority Media and Telecommunications Council (attached) concludes that the small business definition in the MFA “is not supported by any available empirical evidence” and could “impose so-called transaction costs (or compliance costs) on some businesses – many of which may be owned by women, African Americans, Hispanics, Asian Americans, Native Americans/Alaskans, Hawaiian/Pacific Islanders, and veterans – which is economically inefficient.”

Mr. Orszag recommends that any small business safe-harbor in the MFA use existing small business definitions in federal law and existing Small Business Administration regulations, concluding that such a definition would be “less likely to harm” small businesses owned by minorities and women.

Although we certainly support tax fairness, NALC generally does not take a position on the merits of the MFA. We are concerned however that a judicially untested and economically unsupported definition of small business risks harming millions of small businesses and reducing the fastest growing segment of the Postal Service's package delivery business. It could also undermine efforts to maintain effective federal and state statutes and regulations in other areas of the law.

Congress is currently debating a major overhaul of the USPS to deal with a financial crisis caused by a 2006 Congressional mandate to massively prefund future retiree health benefits and the effects of the Great Recession. The last thing the Postal Service and the economy need is a flawed provision of the MFA that would severely damage hundreds of thousands of small home-based businesses. Therefore, I am urging Congress to revisit the definition of small business in the MFA, as suggested by Orszag, to avoid these negative consequences.

I appreciate your continued dedication to the men and women I represent as well as your ongoing efforts to responsibly strengthen the Postal Service. Fixing the flawed definition of small business in the MFA is a good way to do that. Please let me know if I can be of further assistance as this issue unfolds.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fredric V. Rolando', with a stylized flourish at the end.

Fredric V. Rolando
President

October 17, 2013

Senator Mark Warner
475 Russell Senate Office Building
Washington, DC 20510

Dear Senator Warner,

I write on behalf of 270,000 active and retired members of the National Association of Letter Carriers, AFL-CIO regarding an extremely important issue to the Postal Service and its 500,000 employees nationwide. As you know, earlier this year the Senate passed S. 743, the Marketplace Fairness Act (“MFA”) to reform the taxation of goods from online merchants. The bill includes a safe-harbor provision for small businesses that uses out-of-state revenues to establish whether a business is to be exempt from the bill’s compliance costs. This provision, as currently defined, would be devastating to thousands of home businesses that rely on the Postal Service and have collectively become the biggest users of the USPS.

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October 17, 2013

Senator Tom Udall
110 Hart Senate Office Building
Washington, DC 20510

Dear Senator Udall,

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October 17, 2013

Senator Mark Begich
111 Russell Senate Office Building
Washington, DC 20510

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