

LAW DEPARTMENT



August 1, 2011

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**Via E-mail Only:** [rtwallace@aclu-co.org](mailto:rtwallace@aclu-co.org)

Re: Gypsum Post Office – PO Box Application Requirements

Dear Rebecca:

Thank you for taking time to speak with me last week to discuss the ACLU's concerns regarding the Postal Service's requirements to acquire Post Office box service generally and Gypsum, Colorado Post Office's interpretation of those requirements specifically.

First, as discussed and memorialized in your July 29, 2011 correspondence addressed to me, Gypsum Post Office personnel will accept Ms. Gricelda Duarte's B1/B2 Visa as sufficient documentation to meet the Domestic Mail Manual (DMM) Section 508.4.3.2(a) requirements of at least one form of photographic identification. Further, Gypsum Post Office personnel will accept Ms. Duarte's Alpine Bank Statement as sufficient documentation to meet the DMM Section 508.4.3.2(b) requirements, which requires a second form of identification that is current and "contain[s] sufficient information to confirm that the applicant is who he or she claims to be *and must be traceable to the bearer.*"

To be clear, the presentation of Ms. Duarte's Mexican Federal Election Institute card is also an acceptable form of photographic identification. The handwritten rent receipt reportedly presented by Ms. Duarte would also have been an acceptable second form of identification were the Gypsum Post Office able to confirm with Ms. Duarte's landlord—or trace back to the bearer—that the Ms. Duarte standing in front of the Gypsum postal employee was indeed the Ms. Duarte who pays the rent at the identified Gypsum, Colorado address.

I trust that given our conversation and the above clarification, Ms. Duarte will have (or has had) no additional difficulty in renewing her Gypsum Post Office box. Please contact me immediately should any additional issues arise in connection with Ms. Duarte's application for Post Office box service.

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Second, and to your general question of other acceptable forms of photographic and secondary identification that may be presented for verification when applying for Post Office box service, the list of acceptable forms of identification contained within DMM Section 508.4.3.2(a) was not intended to be exhaustive. General terms were applied to various forms of photographic and non-photographic identification in order to give Postal Service personnel examples of documents that may be presented by individuals applying for Post Office box service.

Pursuant to policy, an application for Post Office box service may not be approved until the applicant's identity and current permanent physical address where he or she resides or conducts business is verified. For verification purposes, applicants must present two items of valid identification; one item must contain a photograph of the applicant. See DMM Section 4.3.2(a). Specific to the issue at hand, paragraph 3 under DMM Section 4.3.2(a) indicates that acceptable forms of identification are: passports, alien registration cards or certificates of naturalization. Paragraphs 2 and 5 of that same section indicate that government identification cards and voter registration cards are also acceptable forms of identification.

Given the above and to respond to your question directly, a Mexican passport, a Mexican Consulate card and a Mexican Federal Election Institute card are acceptable forms of identification for the purposes of obtaining Post Office box service as all are documents issued by either the United States government or a foreign governmental entity. Again, a Post Office box applicant must present two forms of identification; one form must contain a photograph of the applicant. The document containing the photograph must enable the postal employee to verify that the individual completing the Post Office box service application is the individual depicted on the photographic identification. A second form of identification must be presented to corroborate the physical address listed on the photographic identification presented or to provide evidence of a physical address if an address is not indicated on the photographic identification document. These requirements were promulgated in an effort to dissuade the use of Post Office boxes for evasion of responsibility or law or unlawful activities.

Finally, Ms. Duarte, like many residents of Gypsum, Colorado is applying for a Free Box Service or "Group E" Post Office box service. Pursuant to DMM Section 508.4.6.2, customers qualify for free Post Office box service if their physical address meets certain criteria. Because this free box service is dependent upon a local physical address, any customer applying for this service must present current identification evidencing a local address. Such identification must also be "traceable to the bearer" or, to be direct, another authority must be able to vouch for the applicant's physical address. Mortgage and utilities companies, banks and landlords can be contacted to provide verification of an applicant's physical address, should it

become necessary in order to determine whether the applicant meets all of the required criteria to obtain Free Box Service.

I regret that Ms. Duarte's application for renewal of her Gypsum Post Office box service was initially denied. In defense of Gypsum Post Office personnel, the use of general terms to identify acceptable documentation has created an issue of interpretation and has required Postal Service employees to request assistance of other departments to determine whether the documentation presented falls within the specified generalities. To the extent our employees interpreted our policies too narrowly, I apologize for the misunderstanding such an interpretation created. I also regret the use of the vernacular "from here" uttered by Gypsum Post Office personnel to explain the requirements to Ms. Duarte. It is clear from my conversations with Gypsum Post Office employees that they were attempting to convey to Ms. Duarte the application requirements detailed above and no slight on Ms. Duarte's nationality was intended.

Discussions among my office, the Postal Service headquarters retail department, the Colorado/Wyoming District Office and the local Post Offices are currently underway. It is anticipated that a more detailed list of acceptable forms of identification will be completed and disseminated throughout the Colorado/Wyoming District within the next few weeks. However, I assure you that Gypsum Post Office employees now understand that should any questions arise in connection with acceptable forms of identification for Post Office box service, they are to contact this office or the District Retail Office in the presence of the customer for confirmation or further direction on how to proceed. To that end, I appreciate your willingness to create a non-exhaustive list of possible documents that Mexican immigrants (or other foreign nationals) may have in their possession as acceptable forms of photographic or secondary identification. I look forward to your next communication.

To conclude, Gypsum Post Office employees, as well as myself, genuinely apologize for any perception of discrimination and hope that this communication serves to satisfy your and ACLU's concerns with respect to Post Office box service requirements and, specifically, with respect to Ms. Duarte's application for Group E Post Office box service.

Sincerely,



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