

Management Instruction

Screening Highway Transportation Contractor Personnel

This Management Instruction (MI) revises standard operating procedures for screening highway transportation contractors and suppliers and their personnel to determine their eligibility to access the U.S. Mail® and mail processing facilities. The MI also revises the standard operating procedures for the drug screening requirement of contract delivery service (CDS) drivers and combination route drivers.

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11 Policy

111 General

As part of its strategy to optimize transportation and distribution networks, the Postal Service™ entrusts highway transportation contractor personnel to handle mail and operate vehicles on its behalf. Postal Service policy requires that all such contractor personnel be screened to determine their eligibility as drivers and to allow them access to the mail and mail-processing facilities.

112 Scope

This MI applies to all Postal Service highway transportation suppliers and their personnel, including part-time personnel and subcontractors, whose duties and responsibilities involve driving vehicles or require access to Postal Service facilities or to the mail.

12 Authority

121 Responsibilities

Administrative Official: The administrative official for the contract is responsible for obtaining screening information from highway transportation suppliers on contractor personnel and for verifying their eligibility. The administrative official is a Postal Service official designated by the manager, Distribution Networks (for transportation routes) or the District manager (for CDS routes) to supervise and administer the performance of mail transportation and related services by suppliers. Each contract names the responsible administrative official. The administrative official must cooperate fully with the manager, Transportation Contracts, in administering the contracts so that the Postal Service receives the best possible service and contract

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performance. For matters involving the contract, the administrative official is responsible directly to the manager, Transportation Contracts.

Manager, Transportation Contracts: Only contracting officers have the authority to enter into, terminate, and modify contracts for highway mail transportation and related services. The manager, Transportation Contracts, in each Distribution Networks Office holds a contracting officer warrant appointment. There may be one or more individuals on that manager’s staff, as well as individuals within the Surface Transportation Category Management Center, who have also been issued a contracting officer warrant and who may enter into, terminate, or modify highway transportation contracts.

District Manager: The District manager or designee must provide the necessary support for administrative officials charged with day-to-day management of contract delivery operations.

Postmasters: Postmasters must notify the Postal Inspection Service of any criminal activity or charges about a driver who has been issued a security clearance (see section 131). Denials based on criminal activity are issued by the Postal Inspection Service not by the contracting officer or administrative official.

Postal Inspection Service: The Postal Inspection Service is responsible for reviewing screening information on highway transportation suppliers and their contractor personnel, as verified by administrative officials, and determining if access to the mail and Postal Service facilities should be granted. An appeal review committee, selected by the Postal Inspection Service, is responsible for considering appeals following a security clearance denial issued by the Inspection Service.

Manager, Surface Transportation CMC, Headquarters: One of the duties of the manager, Surface Transportation CMC, Headquarters, is responsibility for considering appeals following denials of access issued by contracting officers.

122 Requirements

Highway transportation suppliers, suppliers’ personnel, and subcontractors’ personnel who transport mail or who are allowed access to Postal Service operational areas must receive nonsensitive clearances. Pending clearance, a temporary photo ID badge, PS Form 5139, *Non-Postal Service Temporary Employee*, allows such access. Once clearance is obtained, a photo ID badge, PS Form 5140, *Non-Postal Service Contract Employee*, allows access to mail and mail-processing facilities.

The Electronic Barcoding System (EBCS) does not produce a barcode for an ID badge unless the contact driver has been granted a nonsensitive clearance.

123 Riders in Vehicles

While performing their contractual duties, suppliers, subcontractors, and their personnel may not transport in their vehicles individuals who do not have a security clearance.

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13 Supplier Responsibilities

At contract award, renewal, and thereafter, the supplier must identify to the administrative official all individuals who require access to Postal Service facilities or the mail or who have authority to drive. This information must be provided before any individual begins work on a contract and must be updated as necessary during the term of the contract.

The administrative official provides the following items and forms to the supplier or the supplier's personnel. The supplier must ensure that the forms are completed as specified in [1](#) through [6](#) and submitted to the administrative official:

1. PS Form 2025, *Contract Personnel Questionnaire*, [two original forms; one form is retained by the administrative official, and one form is forwarded to the Postal Inspection Service Security Investigations Service Center (SISC) in Memphis, TN]:
 - a. The applicant must address each item on the form.
 - b. The applicant must provide residence (item 15) and employment (item 16) for the past 5 years. No gaps are allowed. List periods of unemployment. Provide information in a month/year format (e.g., 09/2009).
 - c. If the applicant answers "Yes" to questions 21a through 21e and 22, then he or she must explain the responses. Provide the date, place, court location, charge, and disposition on the attached sheet.
 - d. The applicant must read the "Warning" and sign and date the form under "Certification." The supplier or representative must sign and date the form below the applicant's signature.
2. PS Form 2181-C, *Authorization and Release — Background Investigation*, (one original form): Applicants must give their complete residential address, including city, state, and ZIP+4[®]. The form must be signed and dated by the applicant within 1 year of submission to the administrative official.
3. Form FD 258, *Fingerprint Card*:
 - a. An experienced provider should take fingerprints electronically or manually. Forms FD 258 must be signed and dated by the person taking the fingerprints.
 - b. Take manual prints using black ink only, and distribute the ink evenly on the inking slab.
 - c. Submit photocopies of electronic fingerprints in lieu of Forms FD 258 if the fingerprints can not be printed or photocopied onto Forms FD 258.
 - d. Impressions must be recorded in a format acceptable by the FBI (see www.fbi.gov/hg/cjisd/takingfps.html).
 - e. Notate any amputations or deformities in the individual finger block.

- f. If a physical condition makes it impossible to obtain perfect impressions, attach documentation to the card explaining the circumstances.
 - g. Include in the "Reason Fingerprinted" block the Postal Service contract number.
 - h. Include in the "Employer" and "Address" blocks the name and address of the supplier, not the applicant.
4. Current Driving Record, Motor Vehicle Record (one original form):
- a. Highway contract route suppliers and suppliers' personnel with driving responsibilities must submit a current driving record to the administrative official. They must provide a 5-year driving record, except those who are in states that issue only 3-year driving records.
 - b. For drivers in states that issue either 3-year or 7-year driving records, the driver must provide a 7-year record to obtain a 5-year history. The driving record must specify the time period covered.
 - c. A driver must obtain a driving record from all states of residence within the last 5 years unless the driver possesses a commercial driver's license (CDL) class A or B. The driving record must be dated no more than 30 days before the date it is submitted to the administrative official.
5. Include two passport-size photos (full-face, color photos, 1 1/4 inches by 1 1/4 inches) for PS Forms 5139 and 5140. Do not send photos to the Inspection Service.
- Note:** The supplier is responsible for recovering and returning ID badges to the Postal Service when an employee is separated.
6. Drug Screening. **The drug screening requirements of this MI apply to CDS drivers only.** Suppliers must provide certification that each driver has passed a screening test for cocaine, marijuana, amphetamine/methamphetamine, opiates, and phencyclidine; the Substance Abuse and Mental Health Services Administration (SAMHSA) has identified these as the five most-abused substances. The screening test must be performed by a SAMHSA-approved, certified laboratory and must meet the cut-off levels established by SAMHSA. The certified laboratory report must include the following:
- a. Name of the applicant.
 - b. Name of the institution that performed the test.
 - c. Name of the agency that certified the laboratory.
 - d. Date of the test (within 90 days of the submission of the results).
 - e. Negative results of the test.

More information about SAMSHA labs can be obtained by accessing its Web site at: http://workplace.samhsa.gov/DrugTesting/Level_1_Pages/CertifiedLabs.aspx.

The supplier forwards the certified laboratory report and other security clearance documents (see 13.1–13.4) to the administrative official. The administrative official reviews the documents and forwards the forms to the SISC for processing.

131 Disqualifying Factors

131.1 Access to the U.S. Mail and Postal Service Facilities

Applicants will not be allowed access to Postal Service facilities or the mail under the following circumstances:

1. If they are the subject of an outstanding warrant.
2. If they have been convicted of illegally using, possessing, selling, or transferring controlled substances within the past 5 years.
3. If they have been convicted of a felony criminal charge within the past 5 years.
4. If they have been convicted of offenses involving dishonesty, moral turpitude, financial gain, or assault within the past 5 years.
5. If they are on parole, probation, under a suspended sentence, or have pending charges for any criminal activity listed in items 2, 3, or 4.
6. If there is an established pattern of criminal conduct that could undermine the efficiency of the Postal Service or the safety of its employees.
7. If they have been convicted of, under investigation for, or under indictment for stealing mail or other postal crimes.

Note: Other postal crimes may include a cease and desist order for a mail fraud activity, a temporary restraining order, or a final restraining order for mail fraud activity.

Applicants may not be allowed access to the mail or to Postal Service facilities if the Postal Service is unable to obtain results from a criminal history inquiry through local agencies (in this preferred order: state, county, city) where the applicant resided and was employed during the 5-year period before submitting the application.

If the applicant is not a U.S. citizen, he or she must be legally authorized to work in the United States and must have resided continuously in the United States for 5 years prior to submitting an application. The applicant must include his or her resident alien number on PS Form 2025, Block 19c. The Postal Service will not grant an applicant access to the mail or to Postal Service facilities if a full 5-year criminal history cannot be obtained for the applicant.

The Inspector in Charge, Security and Crime Prevention, may consider exceptions on a case-by-case basis.

131.2 Additional Grounds for Denial of Access to the Mail and Postal Service Facilities

The Postal Inspection Service may deny or revoke an individual's nonsensitive clearance based on information gathered during either the initial investigation or during an investigation to update a clearance. Denial or revocation may be based on an appraisal of circumstances surrounding serious incidents involving the individual, related to the following, regardless of when the incident occurred:

1. Refusal to furnish information pursuant to applicable laws, rules, and regulations that would aid in determining qualifications for a security clearance.

2. Dismissal from prior employment for cause.
3. Intentional false statements, deception, or fraud in an application for clearance or in a submission of information furnished incidental to a contract with the Postal Service.
4. Habitual use of intoxicating beverages or drinking to excess.
5. Use of narcotics or dangerous drugs.
6. Any other circumstance that makes the individual unfit to do business with the Postal Service.

131.3 Eligibility to Drive

Applicants whose driving records reflect offenses or patterns noted in Exhibit 131.3 will not be allowed to drive under a Postal Service contract. A driver must be at least 18 years old and have 2 years' driving experience.

Exhibit 131.3

Driver Disqualifications

General Disqualifying Factors

1. Applicant lacks adequate driving experience on the type of terrain and in the type of weather to be experienced on the route.
2. Applicant is not 18 years old and does not have 2 years of driving experience.
3. Applicant has a pending proceeding for suspension of driver's license or has had his or her license suspended for any moving violation within the last 3 years.
4. Applicant has had his or her driver's license revoked for other than administrative reasons within the last 5 years.
5. Applicant has pending a driving under the influence (DUI).

Specific Disqualifying Factors

Type of Violation	More than the indicated number of convictions within the last:	
	3 years	5 years
Reckless or careless driving.	1	2
Any driving conviction involving use of drugs, alcohol, or other controlled substances.	0 (none permitted)	0 (none permitted)
Any driving conviction involving drugs, alcohol, or other controlled substances while operating a vehicle under Postal Service contract.	0 (none permitted)	0 (none permitted)
At-fault accidents (i.e., accidents for which the driver was convicted of a moving violation).	2 or any at-fault accident resulting in a fatality.	2 or any at-fault accident resulting in a fatality.
Leaving the scene of an accident.	0 (none permitted)	0 (none permitted)
All other moving traffic offenses (includes speeding violations).	3 (or more than 1 in the last year)	5 (or 3 or more for the same offense)

Type of Violation	More than the indicated number of convictions within the last:	
	3 years	5 years

Notes:

For the purpose of determining disqualifying violations, the Postal Inspection Service considers only offenses for which there was a conviction, except for pending DUIs.

Timeframes for disqualification are measured from the date of the offense, not from the date of the conviction.

The “3 years” column applies only if the 5-year driving record is unavailable.

132 Report of Recent Arrests or Convictions

Suppliers must report to the administrative official any arrests or convictions that fall within the criteria of the disqualifying factors stated in 131 or that occur during the contract term. The administrative official must immediately advise the SISC in Memphis. The SISC issues all denials based upon criminal activity.

14 Collection and Submission of Documentation and File Retention

On receipt of the documents listed in 13, the administrative official takes the following steps:

1. Date stamps and reviews each form for completeness and accuracy against the standards listed in 131.
2. Signs and dates the Postal Service signature block at the bottom of PS Form 2025.
3. Determines whether any factor in Exhibit 131.3 disqualifies the applicant. If the applicant is disqualified by any factors in the exhibit, no PS Form 5139 will be issued and the documentation will be returned to the supplier with an explanation for the disqualification. The documentation will not be submitted to the SISC for processing.
4. Issues PS Form 5139 to the applicant, if he or she is not disqualified.
5. Annotates both PS Forms 2025 to reflect the date the temporary ID badge is issued and retains one original PS Form 2025 for the file.
6. Within 5 business days, forwards the information in 6a through 6f to the following address:
 POSTAL INSPECTION SERVICE
 MEMPHIS SISC
 225 N HUMPHREYS BLVD 4TH FL SOUTH
 MEMPHIS TN 38161-0008
 - a. Transmittal cover sheet (for HCR/CDS personnel). The cover sheet includes the administrative official’s name, telephone number, facility name, mailing address, e-mail address, and a notation if the applicant is a nondriving contract employee.

- b. One original PS Form 2025.
- c. One original PS Form 2181-C.
- d. Two original Forms FD-258 (or electronic photocopies).
- e. Original driving record (when required).
- f. Drug screening report (when required).

For maintaining files, the administrative official must do the following:

- 1. Maintain screening files in a locked filing cabinet.
- 2. Keep all files in alphabetical order by the contract employee's last name and divide files into active and inactive categories (the inactive category applies to contractor personnel who are no longer driving).
- 3. Retrieve the ID badge of a separated contract employee and move the contract employee's file to the inactive file.
- 4. Notate the file and notify the local Inspection Service office if an ID badge cannot be retrieved. The supplier is responsible for recovering and returning ID badges to the Postal Service when a supplier or supplier's personnel is separated.

Retain inactive files, including PS Form 5140, for 1 year from the date of separation. After 1 year, destroy the files.

15 Inspection Service Review

When the Postal Inspection Service Security Unit at the Memphis SISC receives an applicant's clearance package with the forms listed in 14, items 6a through f, the unit performs the following actions and checks:

- 1. Enters the applicant's name and other identifiers into the security clearance tracking system (SCTS).
- 2. Carefully reviews each form or document in the package for completeness. If items are missing or any of the forms are incomplete (e.g., gaps in residence or employment on PS Form 2025), returns the entire package to the administrative official for correction and resubmission.
- 3. Performs the following checks for each complete package:
 - a. An NCIC wants or warrants inquiry.
 - b. A query of the Inspection Service and Office of Inspector General law enforcement databases for prior activity.
 - c. A 5-year criminal search on all locations where the applicant lived and worked in the prior 5 years.
 - d. Submission of a fingerprint card to the FBI for comparison with its database.
- 4. If the FBI determines that the fingerprints are unclassifiable, the Postal Inspection Service sends a letter to the administrative official requesting another set of prints (two cards). If new fingerprints are not received within 30 days, the Postal Inspection Service closes the case and a clearance will *not* be granted. The Postal Inspection Service instructs the administrative official to retrieve the temporary badge and deny the applicant access to the U.S. Mail and Postal Service facilities.

5. A security specialist reviews the fingerprint report from the FBI and determines whether the applicant meets any of the disqualifying factors. If none, the applicant is issued a nonsensitive clearance. An e-mail is sent to the administrative official listed on the transmittal cover sheet, notifying him/her that a nonsensitive clearance has been granted. If no e-mail address is available, the transmittal cover sheet for HCR/CDS personnel is stamped "Nonsensitive Clearance Granted," dated, and returned to the administrative official. On receipt of the clearance notification, the administrative official retrieves PS Form 5139 and issues PS Form 5140, with an expiration date of 4 years from the date of the nonsensitive clearance. The administrative official destroys PS Form 5139.
6. If a Nonsensitive clearance is granted, the EBCS ID number is included with the clearance notification.
7. If the Postal Inspection Service finds that an applicant is ineligible for a nonsensitive clearance, it sends a letter to the administrative official denying the clearance and indicating the reason for denial. The administrative official provides the denial letter to the supplier (via Certified Mail™, Return Receipt Requested). The Postal Inspection Service provides a copy of all denial letters to the appropriate contracting officer (Transportation office).
8. Enters the clearance and denial information into the Postal Inspection Service database.
9. Applicants can call the Inspection Service HCR status line at: 901-747-7713 to check the status of the HCR/CDS clearance.

16 Access

161 Approving Access

On notification from the Postal Inspection Service that a nonsensitive clearance has been granted, the administrative official retrieves PS Form 5139 and issues PS Form 5140. The expiration date on PS Form 5140 is 4 years from the nonsensitive clearance date. Contractor personnel must display the ID badge on their outer garments in a visible manner when on Postal Service property.

162 Denying Access

Upon receipt of a letter from the Postal Inspection Service stating that a clearance has been denied, the administrative official does the following:

1. Provide the supplier and applicant a copy of the denial letter (Certified Mail, Return Receipt Requested).
2. Retrieve PS Form 5139 from the applicant and destroy the temporary photo-ID badge.
3. Deny the applicant access to the U.S. Mail and Postal Service facilities.
4. Notify all dock personnel.

5. Notify the contracting officer.

162.1 Denying Access After Initial Clearance

The contracting officer determines when a supplier or contract supplier personnel access to the mail and facilities may be denied, based on a disqualifying event in the course of contract performance. If the disqualifying event involves criminal activity, the SISC should be notified immediately so a denial letter can be issued. The contracting officer makes such determinations on the advice of administrative officials or other affected Postal Service personnel, following appropriate investigation and inquiry.

On determining that it is in the Postal Service's best interest to deny a supplier or contract supplier personnel access to the mail and facilities based upon contract performance or other noncriminal issues, the contracting officer provides the supplier and the contract supplier personnel a denial letter (Certified Mail, Return Receipt Requested), with information on their right of appeal, to the Manager, Surface Transportation CMC, Headquarters, Washington DC. The contracting officer provides a copy of the denial letter to the Inspection Service, SISC, and the administrative official, who performs the following actions:

1. Retrieves and destroys the individual's ID badge.
2. Notifies all dock personnel.
3. Denies the applicant access to the U.S. Mail and Postal Service facilities.

162.2 Contracting Officer Responsibilities

The contracting officer is responsible for determining whether access to the mail and facilities should be denied to suppliers or their personnel, based on information supplied by personnel, the administrative official, or from other Postal Service sources. The denial is based on events that occur at facilities involving suppliers or their personnel who have already been screened by the Postal Inspection Service.

If access is denied, the contracting officer provides to the Inspection Service SISC, the supplier, and the supplier's personnel, the denial letter (Certified Mail, Return Receipt Requested), including information concerning the appeal rights, to the Manager, Surface Transportation CMC, Headquarters, Washington DC.

17 Reconsideration

171 Appeal Process Related to the Inspection Service Investigation and Appeal Review Committee

A supplier or its personnel who have been denied access may appeal a decision to deny access made by the Postal Inspection Service's SISC by sending a letter to the Inspector in Charge, Security, Washington

DC, within 6 weeks of the date of the denial letter. The letter must contain the following information:

1. A statement that reconsideration of the decision is requested and the basis on which it is sought.
2. Additional information on the appellant's behalf, including certified copies of any pertinent court documents.
3. A copy of the denial letter.

The Inspector in Charge, Security, refers the appeal to the Appeal Review Committee. The committee does the following:

1. Obtain the appellant's file from the Postal Inspection Service's Memphis SISC.
2. Solicit additional written input as needed from the appellant and the contracting officer.
3. Issue a decision letter about the appeal to the supplier and the contract supplier, with copies sent to the contracting officer and the Postal Inspection Service's Memphis SISC.

172 Appeal Process Related to the Investigation of a Contracting Officer

Through his or her employer, a supplier's personnel may appeal a decision to deny access made by the contracting officer by sending a letter to the contracting officer. The letter must contain the following information:

1. A statement that reconsideration of the decision is requested and the basis on which it is sought.
2. Additional information on the appellant's behalf.
3. A copy of the denial letter.

The contracting officer refers the appeal, with the file involving the denial decision, to the Manager, Surface Transportation CMC, Headquarters, Washington, DC, who does the following:

1. Solicit additional written input as needed from the appellant and the contracting officer.
2. Issue a decision letter on the appeal to the supplier and the supplier's personnel, with copies sent to the contracting officer and the Postal Inspection Service's Memphis SISC.

18 Re-screening

The Postal Inspection Service processes all contractor personnel re-screenings. Suppliers and their personnel must be re-screened at least once every 4 years. Security clearances are specific to individuals (not contracts); the 4-year re-screening may or may not occur at the time the contract is renewed.

Suppliers' personnel must complete and submit all forms specified in 13, including drug screening certification, with the exception of Form FD 258 to the administrative official.

The administrative official and the Postal Inspection Service's Memphis SISC process the forms as described in 14, 15, and 16. Destroy old PS Form 5140 (permanent ID badges).

19 Special Circumstances

191 Highway Contract Transportation Employees Used During Emergencies

When suppliers' personnel are used on an emergency basis, the supplier must complete PS Form 2081, *Contractor Employee Assignment Notification*, for each employee and submit the form to the administrative official.

The administrative official provides the contract employee with PS Form 5139 and retrieves the form at the end of the emergency. If the emergency extends beyond 15 days, the screening procedures outlined in 13 through 16 must be performed for each emergency contract employee.

192 Highway Contractor Personnel Separated Within 1 Year

Security clearances apply to an individual, not a contract. If a driver who has been separated works for another supplier within 1 year of the date of separation, the current supplier must provide the administrative official with an updated PS Form 2025 and a motor vehicle record. The administrative official forwards the information to the Postal Inspection Service, noting any changes on the transmittal cover sheet. A Form FD 258 is required if the driver has never been screened by the Postal Inspection Service.

If more than 1 year has elapsed since a driver separated from a supplier and is hired by another supplier, the driver is considered a new driver and the instructions in 13 apply.

20 Forms

The following forms used in the transportation contractor personnel screening process may be obtained from the Postal Inspection Service's Memphis SISC by calling 901-747-7712:

1. Transmittal Cover Sheet — HCR/CDS Personnel.
2. PS Form 2025, *Contract Personnel Questionnaire*.
3. PS Form 2181-C, *Authorization and Release — Background Investigation*.
4. Form FD 258, *Fingerprint Card*.

PS Forms 2025 and 2181-C may be obtained online at the Postal Service's intranet site. Go to <http://blue.usps.gov>; under "Essential Links" click *PolicyNet*. Click *Forms*.

Contractor badges, PS Forms 5139 and 5140 may be ordered from the Topeka Material Distribution Center. To register, call 800-332-0317,

option 1, extension 2925, and follow the prompts to leave a message.
(Wait 48 hours after registering before placing your first order).

Use the following information to order PS Forms 5139 and 5140:

PSIN:	PS 5139	PS 5140
NSN:	7530-01-000-9721	7530-01-000-9722
Edition Date:	6/03	6/03
Unit of Measure:	SH	SH
Minimum Order Quantity:	1	2
Bulk Pack Quantity:	N/A	N/A
Quick Pick Number:	N/A	N/A
Price:	\$0.0340	\$0.0170