

116TH CONGRESS
2D SESSION

S. 4174

To provide emergency appropriations to the United States Postal Service to cover losses related to the COVID–19 crisis and to direct the Board of Governors of the United States Postal Service to develop a plan for ensuring the long term solvency of the Postal Service.

IN THE SENATE OF THE UNITED STATES

JULY 2, 2020

Ms. COLLINS (for herself, Mrs. FEINSTEIN, Mr. DAINES, Mr. JONES, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide emergency appropriations to the United States Postal Service to cover losses related to the COVID–19 crisis and to direct the Board of Governors of the United States Postal Service to develop a plan for ensuring the long term solvency of the Postal Service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Postal Service Emer-

5 gency Assistance Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) By law, the Postal Service operates as “a
2 basic and fundamental service provided to the people
3 by the Government of the United States” and must
4 serve rural, suburban, and urban areas throughout
5 the United States.

6 (2) The Postal Service is a lifeline for busi-
7 nesses and consumers across the United States, es-
8 pecially those in remote and rural areas of the coun-
9 try, delivering business correspondence, educational,
10 cultural and scientific information, critical prescrip-
11 tions and medications, household items, and com-
12 mercial goods with affordable, reliable service not
13 fewer than 6 days per week.

14 (3) The Postal Service helps small businesses
15 stay connected with their customers no matter where
16 they are located or where their customers live.

17 (4) Since 1970, the Postal Service has been
18 charged with operating as a self-sustaining entity
19 and its operations are funded from postage paid for
20 mail and shipping and not primarily by taxpayer
21 funds.

22 (5) The Government Accountability Office re-
23 ports that the Postal Service has lost approximately
24 \$78,000,000,000 from fiscal year 2007 through

1 2019 due primarily to declining mail volumes and
2 rising costs.

3 (6) Package delivery volumes have more than
4 doubled since 2010, but the Postal Service faces
5 competition in this area.

6 (7) The Postal Service is not on a sustainable
7 path and needs reform to be viable over the long
8 term.

9 (8) Reforms must be focused on the long term
10 solvency of the Postal Service while ensuring the
11 greatest benefit to the public and 630,000 employees
12 of the Postal Service.

13 (9) By law, the authority for operation and
14 strategic direction of the Postal Service, an inde-
15 pendent establishment of the executive branch, is
16 delegated to the Board of Governors of the Postal
17 Service, including the Postmaster General.

18 (10) On May 6, 2020, the Board of Governors
19 of the Postal Service selected Louis DeJoy as the
20 75th Postmaster General of the United States.

21 (11) The new Postmaster General should be
22 given the opportunity to review the operations and
23 finances of the Postal Service and, in coordination
24 with the rest of the Board of Governors of the Post-

1 al Service, propose a plan to ensure its long term vi-
2 ability.

3 (12) At the same time, the COVID–19 pan-
4 demic has significantly contributed to the decline in
5 market dominant mail volumes and revenues while
6 increasing costs, putting additional stress on the fi-
7 nancial situation of the Postal Service.

8 (13) Now more than ever, affordable mail and
9 package delivery provided by the Postal Service is a
10 lifeline for people in the United States, especially for
11 seniors and others living in remote and rural areas.

12 (14) The critical services the Postal Service
13 provides will play a fundamental part of the eco-
14 nomic recovery of the United States.

15 (15) Congress should provide immediate emer-
16 gency appropriations to cover financial losses to the
17 Postal Service caused by the COVID–19 pandemic
18 in order to keep the Postal Service operating without
19 interruptions in service and to give the new Post-
20 master General and the Board of Governors of the
21 Postal Service time to formulate and propose to
22 Congress a plan to ensure the long term viability of
23 the Postal Service.

24 (16) In addition, although Congress recognized
25 the critical role the Postal Service plays by providing

1 \$10,000,000,000 in borrowing authority in the
2 CARES Act (Public Law 116–136; 134 Stat. 281)
3 to address operating losses caused by the COVID–
4 19 pandemic, clarification is required with respect to
5 the terms and conditions imposed by the Secretary
6 of the Treasury on any such borrowing.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) COVID–19.—The term “COVID–19”
10 means the coronavirus disease 2019 (COVID–19).

11 (2) POSTAL SERVICE.—The term “Postal Serv-
12 ice” means the United States Postal Service.

13 **SEC. 4. EMERGENCY APPROPRIATIONS FOR THE POSTAL**
14 **SERVICE TO COVER COVID–19 INDUCED**
15 **LOSSES.**

16 (a) IN GENERAL.—There is established in the Treas-
17 ury of the United States a fund to be known as the Postal
18 Service COVID–19 Emergency Fund.

19 (b) APPROPRIATIONS.—There is appropriated, out of
20 any money in the Treasury not otherwise appropriated,
21 to the Postal Service COVID–19 Emergency Fund,
22 \$25,000,000,000, to remain available until September 30,
23 2022, pursuant to this section: *Provided*, That such
24 amount is designated by Congress as being for an emer-
25 gency requirement pursuant to section 251(b)(2)(A)(i) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

3 (c) CERTIFICATION.—The Postal Service shall certify
4 in its quarterly and audited annual reports to the Postal
5 Regulatory Commission under section 3654 of title 39,
6 United States Code, and in conformity with the require-
7 ments of section 13 or 15(d) of the Securities Exchange
8 Act of 1934 (15 U.S.C. 78m, 78o(d)), any expenditures
9 necessary to cover lost revenue or operational expenses re-
10 sulting from the COVID–19 pandemic. The Postal Service
11 shall provide copies of these certified filings to the Senate
12 Committee on Homeland Security and Governmental Af-
13 fairs, and the House Committee on Oversight and Reform
14 within 15 days of any filing with the Postal Regulatory
15 Commission.

16 (d) TRANSFER.—Within 15 days of any filing with
17 the Postal Regulatory Commission, as referenced in sub-
18 section (c), the Secretary of the Treasury shall transfer
19 from the Postal Service COVID–19 Emergency Fund to
20 the Postal Service Fund such amounts, up to
21 \$25,000,000,000 certified as expenditures necessary to
22 cover lost revenue or operational expenses resulting from
23 the COVID–19 pandemic, pursuant to subsection (c). This
24 transfer authority is in addition to any other transfer au-
25 thority provided in this Act. Any amounts transferred to

1 the Postal Service Fund under this section may be used
2 for such purposes as the Postal Service considers appro-
3 priate, pursuant to this section.

4 (e) **ADDITIONAL REQUIREMENT.**—The Postal Serv-
5 ice, during the COVID–19 pandemic, shall prioritize the
6 purchase of, and make available to all employees and fa-
7 cilities of the Postal Service, personal protective equip-
8 ment, including gloves, masks, and sanitizers, and shall
9 conduct additional cleaning and sanitizing of Postal Serv-
10 ice facilities and delivery vehicles.

11 **SEC. 5. CLARIFICATION OF POSTAL SERVICE BORROWING**
12 **AUTHORITY.**

13 Section 6001(b)(2) of the Coronavirus Aid, Relief,
14 and Economic Security Act (Public Law 116–136) is
15 amended to read as follows:

16 “(2) the Secretary of the Treasury shall lend up
17 to the amount described in paragraph (1) at the re-
18 quest of the Postal Service subject to the terms and
19 conditions of the note purchase agreement between
20 the Postal Service and the Federal Financing Bank
21 in effect on September 29, 2018.”.

22 **SEC. 6. POSTAL SERVICE REFORM PLAN.**

23 (a) **IN GENERAL.**—The Postmaster General shall, in
24 coordination with the rest of the Board of Governors of

1 the Postal Service, develop a plan to ensure the long-term
2 solvency of the Postal Service.

3 (b) SUBMISSION TO CONGRESS.—No later than 270
4 days after the date of enactment of this Act, the Postal
5 Service shall submit to the Committee on Homeland Secu-
6 rity and Governmental Affairs of the Senate, the Com-
7 mittee on Oversight and Reform of the House of Rep-
8 resentatives, and the Postal Regulatory Commission the
9 plan required under this section, including recommenda-
10 tions for congressional action.

11 (c) CONGRESSIONAL UPDATE.—Prior to submission
12 of the plan required under subsection (b) and not later
13 than 180 days after the date of enactment of this Act,
14 the Postal Service shall provide a briefing on the status
15 of the plan to the Committee on Homeland Security and
16 Governmental Affairs of the Senate and the Committee
17 on Oversight and Reform of the House of Representatives.

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