

FEBRUARY 3, 2022

**RULES COMMITTEE PRINT 117–32**  
**TEXT OF H.R. 3076, THE POSTAL SERVICE**  
**REFORM ACT OF 2022**

**[Showing the text of H.R. 3076, as reported by the Committee  
on Oversight and Reform, with modifications.]**

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

**2** (a) SHORT TITLE.—This Act may be cited as the  
**3** “Postal Service Reform Act of 2022”.

**4** (b) TABLE OF CONTENTS.—The table of contents of  
**5** this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—POSTAL SERVICE FINANCIAL REFORMS**

Sec. 101. Postal Service Health Benefits Program.

Sec. 102. USPS Fairness Act.

Sec. 103. Nonpostal services.

**TITLE II—POSTAL SERVICE OPERATIONAL REFORMS**

Sec. 201. Performance targets and transparency.

Sec. 202. Integrated delivery network.

Sec. 203. Review of Postal Service cost attribution guidelines.

Sec. 204. Rural newspaper sustainability.

Sec. 205. Funding of Postal Regulatory Commission.

Sec. 206. Flats operations study and reform.

Sec. 207. Reporting requirements.

Sec. 208. Postal Service transportation selection policy revisions.

Sec. 209. USPS Inspector General oversight of Postal Regulatory Commission.

**TITLE III—SEVERABILITY**

Sec. 301. Severability.

1 **SEC. 2. DEFINITIONS.**

2 (a) COMMISSION.—In this Act, the term “Commis-  
3 sion” means the Postal Regulatory Commission.

4 (b) TERMS DEFINED IN TITLE 39, UNITED STATES  
5 CODE.—In this Act, the terms “competitive product”,  
6 “market-dominant product”, and “Postal Service” have  
7 the meanings given those terms in section 102 of title 39,  
8 United States Code.

9 **TITLE I—POSTAL SERVICE**  
10 **FINANCIAL REFORMS**

11 **SEC. 101. POSTAL SERVICE HEALTH BENEFITS PROGRAM.**

12 (a) ESTABLISHMENT.—

13 (1) IN GENERAL.—Chapter 89 of title 5, United  
14 States Code, is amended by inserting after section  
15 8903b the following:

16 **“§ 8903c. Postal Service Health Benefits Program**

17 **“(a) DEFINITIONS.—In this section—**

18 **“(1) the term ‘covered Medicare individual’**  
19 **means an individual who is entitled to benefits under**  
20 **Medicare part A, but excluding an individual who is**  
21 **eligible to enroll under such part under section 1818**  
22 **or 1818A of the Social Security Act (42 U.S.C.**  
23 **1395i–2, 1395i–2a);**

24 **“(2) the term ‘initial contract year’ means the**  
25 **contract year beginning in January of 2025;**

1 “(3) the term ‘initial participating carrier’  
2 means a carrier that enters into a contract with the  
3 Office to participate in the Program during the ini-  
4 tial contract year;

5 “(4) the term ‘Medicare part A’ means part A  
6 of title XVIII of the Social Security Act (42 U.S.C.  
7 1395c et seq.);

8 “(5) the term ‘Medicare part B’ means part B  
9 of title XVIII of the Social Security Act (42 U.S.C.  
10 1395j et seq.);

11 “(6) the term ‘Office’ means the Office of Per-  
12 sonnel Management;

13 “(7) the term ‘Postal Service’ means the United  
14 States Postal Service;

15 “(8) the term ‘Postal Service annuitant’ means  
16 an annuitant enrolled in a health benefits plan under  
17 this chapter whose Government contribution is re-  
18 quired to be paid under section 8906(g)(2);

19 “(9) the term ‘Postal Service employee’ means  
20 an employee of the Postal Service enrolled in a  
21 health benefits plan under this chapter whose Gov-  
22 ernment contribution is paid by the Postal Service;

23 “(10) the term ‘Postal Service Medicare covered  
24 annuitant’ means an individual who—

25 “(A) is a Postal Service annuitant; and

1 “(B) is a covered Medicare individual;

2 “(11) the term ‘Program’ means the Postal  
3 Service Health Benefits Program established under  
4 subsection (c) within the Federal Employees Health  
5 Benefits Program;

6 “(12) the term ‘Program plan’ means a health  
7 benefits plan offered under the Program; and

8 “(13) the definitions set forth in section 8901  
9 shall apply, and for the purposes of applying such  
10 definitions in carrying out this section, a Postal  
11 Service employee and Postal Service annuitant shall  
12 be treated in the same manner as an employee and  
13 an annuitant (as those terms are defined in para-  
14 graphs (1) and (3), respectively, of section 8901),  
15 consistent with the requirements of this section.

16 “(b) APPLICATION.—The requirements under this  
17 section shall—

18 “(1) apply to the initial contract year and each  
19 contract year thereafter; and

20 “(2) supersede any other provision of this chap-  
21 ter inconsistent with such requirements, as deter-  
22 mined by the Office.

23 “(c) ESTABLISHMENT OF THE POSTAL SERVICE  
24 HEALTH BENEFITS PROGRAM.—

25 “(1) IN GENERAL.—

1           “(A) ESTABLISHMENT.—The Office shall  
2           establish the Postal Service Health Benefits  
3           Program within the Federal Employees Health  
4           Benefits Program under this chapter, under  
5           which the Office may contract with carriers to  
6           offer health benefits plans as described under  
7           this section.

8           “(B) APPLICABILITY OF CHAPTER RE-  
9           QUIREMENTS TO CONTRACTS.—Except as other-  
10          wise provided in this section, any contract de-  
11          scribed in subparagraph (A) shall be consistent  
12          with the requirements of this chapter for con-  
13          tracts under section 8902 with carriers to offer  
14          health benefits plans other than under this sec-  
15          tion.

16          “(C) PROGRAM PLANS AND PARTICIPA-  
17          TION.—The Program shall—

18                 “(i) to the greatest extent prac-  
19                 ticable—

20                         “(I) with respect to each plan  
21                         provided by a carrier under this sub-  
22                         chapter in which the total enrollment  
23                         includes, in the contract year begin-  
24                         ning in January 2023, 1,500 or more  
25                         enrollees who are Postal Service em-

1           employees or Postal Service annuitants,  
2           include a plan offered by that carrier  
3           with equivalent benefits and cost-shar-  
4           ing requirements as provided under  
5           paragraph (2), except that the Direc-  
6           tor of the Office may exempt any  
7           comprehensive medical plan from this  
8           requirement; and

9                     “(II) include plans offered by any  
10           other carrier determined appropriate  
11           by the Office;

12                    “(ii) provide for enrollment in Pro-  
13           gram plans of Postal Service employees  
14           and Postal Service annuitants, in accord-  
15           ance with subsection (d);

16                    “(iii) provide for enrollment in a Pro-  
17           gram plan as an individual, for self plus  
18           one, or for self and family; and

19                    “(iv) not provide for enrollment in a  
20           Program plan of an individual who is not  
21           a Postal Service employee or Postal Service  
22           annuitant (except as a member of family of  
23           such an employee or annuitant or as pro-  
24           vided under paragraph (4)).

1           “(2) COVERAGE WITH EQUIVALENT BENEFITS  
2           AND COST-SHARING.—In the initial contract year,  
3           the Office shall ensure that each carrier partici-  
4           pating in the Program provides under the Program  
5           plans offered by the carrier benefits and cost-sharing  
6           requirements that are equivalent to the benefits and  
7           cost-sharing requirements under the health benefits  
8           plans offered by the carrier under this chapter that  
9           are not Program plans, except that prescription drug  
10          benefits and cost-sharing requirements may differ  
11          between the Program plans and other health benefits  
12          plans offered by the carrier under this chapter to the  
13          extent needed to integrate the Medicare part D pre-  
14          scription drug benefits coverage required under sub-  
15          section (h)(2).

16          “(3) APPLICABILITY OF FEDERAL EMPLOYEES  
17          HEALTH BENEFITS PROGRAM REQUIREMENTS.—Ex-  
18          cept as otherwise set forth in this section, the provi-  
19          sions of this chapter applicable to health benefits  
20          plans offered by carriers under section 8903 or  
21          8903a shall apply to plans offered under the Pro-  
22          gram.

23          “(4) APPLICATION OF CONTINUATION COV-  
24          ERAGE.—In accordance with rules established by the  
25          Office, section 8905a shall apply to health benefits

1 plans offered under this section in the same manner  
2 as such section applies to other health benefits plans  
3 offered under this chapter.

4 “(d) ELECTION OF COVERAGE.—Each Postal Service  
5 employee and Postal Service annuitant who elects to re-  
6 ceive health benefits coverage under this chapter—

7 “(1) shall be subject to the requirements of this  
8 section; and

9 “(2) may not enroll in any other health benefits  
10 plan offered under any other section of this chapter.

11 “(e) REQUIREMENT OF MEDICARE ENROLLMENT  
12 FOR CERTAIN ANNUITANTS AND THEIR FAMILY MEM-  
13 BERS.—

14 “(1) MEDICARE COVERED ANNUITANTS.—Ex-  
15 cept as provided under paragraph (3), a Postal Serv-  
16 ice Medicare covered annuitant may not enroll in a  
17 Program plan unless the annuitant is entitled to  
18 benefits under Medicare part A and enrolled in  
19 Medicare part B.

20 “(2) MEDICARE COVERED FAMILY MEMBERS.—  
21 Except as provided under paragraph (3), in the case  
22 of a Postal Service annuitant who is entitled to ben-  
23 efits under Medicare part A and required under this  
24 subsection to enroll in Medicare part B to enroll  
25 under the Program, if a member of family of such



1       Postal Service annuitant is a covered Medicare indi-  
2       vidual, that member of family may not enroll under  
3       the Program as a member of family of the Postal  
4       Service annuitant unless that member of family is  
5       entitled to benefits under Medicare part A and en-  
6       rolled in Medicare part B.

7               “(3) EXCEPTIONS.—

8               “(A) IN GENERAL.—The requirements  
9       under paragraphs (1) and (2), as applicable,  
10      shall not apply with respect to an individual in  
11      the following cases:

12              “(i) CURRENT POSTAL SERVICE AN-  
13      NUITANTS.—The individual, as of January  
14      1, 2025, is a Postal Service annuitant who  
15      is not both entitled to benefits under Medi-  
16      care part A and enrolled in Medicare part  
17      B.

18              “(ii) CURRENT EMPLOYEES AGED 64  
19      AND OVER.—The individual, as of January  
20      1, 2025, is a Postal Service employee and  
21      is at least 64 years of age.

22              “(iii) POSTAL SERVICE MEDICARE  
23      COVERED ANNUITANTS AND FAMILY MEM-  
24      BERS RESIDING ABROAD.—For any con-  
25      tract year with respect to which the indi-

vidual is a Postal Service Medicare covered annuitant or a member of family of a Postal Service Medicare covered annuitant and resides outside the United States (which includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands), provided that the individual demonstrates such residency to the Postal Service in accordance with regulations issued by the Postal Service.

“(iv) POSTAL SERVICE MEDICARE COVERED ANNUITANTS AND FAMILY MEMBERS ENROLLED UNDER VA COVERAGE.—

The individual—

“(I) is a Postal Service Medicare covered annuitant or a member of family of a Postal Service Medicare covered annuitant; and

“(II) is enrolled in health care benefits provided by the Department of Veterans Affairs under subchapter II of chapter 17 of title 38, United States Code.

1 “(v) POSTAL SERVICE MEDICARE COV-  
2 ERED ANNUITANTS AND FAMILY MEMBERS  
3 ELIGIBLE FOR IHS HEALTH SERVICES.—

4 The individual—

5 “(I) is a Postal Service Medicare  
6 covered annuitant or a member of  
7 family of a Postal Service Medicare  
8 covered annuitant; and

9 “(II) is eligible for health services  
10 from the Indian Health Service.

11 “(B) REGULATIONS FOR VA AND IHS EX-  
12 CEPTIONS.—Not later than 1 year after the  
13 date of enactment of this section, the Office  
14 shall, in consultation with the Secretary of Vet-  
15 erans Affairs, the Secretary of Health and  
16 Human Services, and the Postmaster General,  
17 promulgate any regulations necessary to imple-  
18 ment clauses (iv) and (v) of subparagraph (A).

19 “(C) LIST OF INDIVIDUALS RESIDING  
20 ABROAD.—The Postal Service shall provide a  
21 list of individuals who satisfy the exception  
22 under subparagraph (A)(iii) to the Office.

23 “(4) PROCESS FOR INFORMATION COLLECTION  
24 AND DISSEMINATION.—The Postal Service and the  
25 Office, in consultation with the Social Security Ad-

1       ministration and the Centers for Medicare & Med-  
2       icaid Services, shall establish a process that will en-  
3       able the Postal Service to timely inform Postal Serv-  
4       ice employees, Postal Service annuitants, and mem-  
5       bers of family of such employees and annuitants of  
6       the requirements described in paragraphs (1) and  
7       (2) in order to be eligible to enroll in Program plans  
8       under this section.

9       “(f) TRANSITIONAL OPEN SEASON.—

10       “(1) DEFINITIONS.—In this subsection—

11               “(A) the term ‘current option’, with re-  
12               spect to an individual, means the option under  
13               a plan under this chapter in which the indi-  
14               vidual is enrolled during the contract year pre-  
15               ceding the initial contract year; and

16               “(B) the term ‘current plan’, with respect  
17               to an individual, means the plan under this  
18               chapter in which the individual is enrolled dur-  
19               ing the contract year preceding the initial con-  
20               tract year.

21       “(2) AUTOMATIC ENROLLMENT.—

22               “(A) IN GENERAL.—Subject to subpara-  
23               graphs (B) and (C), in the case of an individual  
24               who is a Postal Service employee or Postal  
25               Service annuitant eligible to enroll in a Pro-

1           gram plan under subsection (d), who is enrolled  
2           in a current plan, and who does not enroll in  
3           a Program plan during the open season that  
4           immediately precedes the initial contract year,  
5           the Office shall automatically enroll the indi-  
6           vidual, as of the start of the initial contract  
7           year, in a Program plan offered by the carrier  
8           of the individual's current plan.

9           “(B) CARRIERS OFFERING MULTIPLE PRO-  
10          GRAM PLANS OR OPTIONS.—If the carrier of the  
11          current plan of an individual described in sub-  
12          paragraph (A) offers more than 1 Program  
13          plan or option, the Office, in carrying out sub-  
14          paragraph (A), shall automatically enroll the in-  
15          dividual in the plan and option that provide  
16          coverage with equivalent benefits and cost shar-  
17          ing, as described in subsection (c)(2), to the in-  
18          dividual's current plan and current option.

19          “(C) CARRIERS NOT OFFERING PROGRAM  
20          PLANS.—If the carrier of the current plan of an  
21          individual described in subparagraph (A) does  
22          not offer a Program plan, the Office, in car-  
23          rying out subparagraph (A), shall automatically  
24          enroll the individual in the lowest-cost nation-  
25          wide plan option within the Program that is not

1 a high deductible health plan and does not  
2 charge an association or membership fee.

3 “(g) OPM REGULATIONS.—

4 “(1) IN GENERAL.—Not later than 1 year after  
5 the date of enactment of this section, the Director  
6 of the Office shall issue regulations to carry out this  
7 section.

8 “(2) CONSULTATION.—In issuing regulations  
9 under paragraph (1), the Director of the Office shall  
10 consult, as necessary, with the Secretary of Health  
11 and Human Services, the Secretary of Veterans Af-  
12 fairs, the Commissioner of Social Security, and the  
13 Postmaster General.

14 “(3) CONTENTS.—The regulations issued under  
15 paragraph (1) shall include—

16 “(A) any provisions necessary to imple-  
17 ment this section;

18 “(B) a process under which Postal Service  
19 annuitants and affected family members are  
20 timely informed of the enrollment requirements  
21 and may request, in writing, any additional en-  
22rollment information;

23 “(C) provisions under which a Postal Serv-  
24 ice employee or Postal Service annuitant en-  
25 rolled under the Program may request a belated

1 change of plan and may be prospectively en-  
2 rolled in the plan of the employee's or annu-  
3 itant's choice; and

4 “(D) provisions for individuals to cancel  
5 coverage under the Program in writing to the  
6 Postal Service because the individuals choose  
7 not to enroll in, or to disenroll from, Medicare  
8 part B.

9 “(h) MEDICARE COORDINATION.—

10 “(1) IN GENERAL.—The Office shall require  
11 each Program plan to provide benefits for covered  
12 Medicare individuals pursuant to a coordination of  
13 benefits method approved by the Office.

14 “(2) MEDICARE PART D PRESCRIPTION DRUG  
15 BENEFITS.—The Office shall require each Program  
16 plan to provide prescription drug benefits to any  
17 Postal Service annuitant and member of family of  
18 such annuitant who is a part D eligible individual  
19 (as defined in section 1860D–1(a)(3)(A) of the So-  
20 cial Security Act) through employment-based retiree  
21 health coverage (as defined in section 1860D–  
22 22(c)(1) of such Act) through—

23 “(A) a prescription drug plan (as defined  
24 in section 1860D–41(a)(14) of such Act); or

1           “(B) contracts between such a Program  
2           plan and PDP sponsor, as defined in section  
3           1860D-41(a)(13) of such Act, of such a pre-  
4           scription drug plan.

5           “(i) POSTAL SERVICE CONTRIBUTION.—

6           “(1) IN GENERAL.—Subject to subsection (k),  
7           for purposes of applying section 8906(b) to the  
8           Postal Service, the weighted average shall be cal-  
9           culated in accordance with paragraphs (2) and (3).

10          “(2) WEIGHTED AVERAGE CALCULATION.—Not  
11          later than October 1 of each year (beginning with  
12          2024), the Office shall determine the weighted aver-  
13          age of the rates established pursuant to subsection  
14          (c)(2) for Program plans that will be in effect dur-  
15          ing the following contract year with respect to—

16                  “(A) enrollments for self only;

17                  “(B) enrollments for self plus one; and

18                  “(C) enrollments for self and family.

19          “(3) WEIGHTING IN COMPUTING RATES FOR  
20          INITIAL CONTRACT YEAR.—In determining such  
21          weighted average of the rates for the initial contract  
22          year, the Office shall take into account (for purposes  
23          of section 8906(a)(2)) the enrollment of Postal Serv-  
24          ice employees and annuitants in the health benefits



1 plans offered by the initial participating carriers as  
2 of March 31, 2022.

3 “(4) PAYMENT OF LATE ENROLLMENT PEN-  
4 ALTIES.—The Postal Service may direct the Office  
5 to pay the amounts required by section 1839(e) of  
6 the Social Security Act (42 U.S.C. 1395r(e)) from  
7 the Postal Service Retiree Health Benefits Fund es-  
8 tablished under section 8909a until depleted and  
9 thereafter shall pay such amounts from the Postal  
10 Service Fund established under section 2003 of title  
11 39.

12 “(j) RESERVES.—

13 “(1) SEPARATE RESERVES.—

14 “(A) IN GENERAL.—The Office shall en-  
15 sure that each Program plan maintains sepa-  
16 rate reserves (including a separate contingency  
17 reserve) with respect to the enrollees in the  
18 Program plan in accordance with section 8909.

19 “(B) APPLICABILITY OF SECTION 8909 TO  
20 CONTINGENCY RESERVES.—All provisions of  
21 section 8909 relating to contingency reserves  
22 shall apply to contingency reserves of Program  
23 plans in the same manner as to the contingency  
24 reserves of other plans under this chapter, ex-  
25 cept to the extent that such provisions are in-

1 consistent with the requirements of this sub-  
2 section.

3 “(C) REFERENCES.—For purposes of the  
4 Program, each reference to ‘the Government’ in  
5 section 8909 shall be deemed to be a reference  
6 to the Postal Service.

7 “(D) AMOUNTS TO BE CREDITED.—The  
8 reserves (including the separate contingency re-  
9 serve) maintained by each Program plan shall  
10 be credited with a proportionate amount of the  
11 funds in the reserves for health benefits plans  
12 offered by the carrier.

13 “(2) DISCONTINUATION OF PROGRAM PLAN.—  
14 In applying section 8909(e) relating to a Program  
15 plan that is discontinued, the Office shall credit the  
16 separate Postal Service contingency reserve main-  
17 tained under paragraph (1) for that plan only to the  
18 separate Postal Service contingency reserves of the  
19 Program plans continuing under this chapter.

20 “(k) NO EFFECT ON EXISTING LAW.—Nothing in  
21 this section shall be construed as affecting section 1005(f)  
22 of title 39 regarding variations, additions, or substitutions  
23 to the provisions of this chapter.

24 “(l) HEALTH BENEFITS EDUCATION PROGRAM.—

1           “(1) DEFINITION.—In this subsection, the term  
2           ‘navigator’ means an employee of the Postal Service  
3           or of a contractor of the Postal Service who is des-  
4           ignated by the Postal Service or contractor to carry  
5           out activities under paragraph (5).

6           “(2) ESTABLISHMENT.—Not later than 18  
7           months after the date of enactment of this section,  
8           the Postal Service shall establish a Health Benefits  
9           Education Program.

10          “(3) REQUIREMENTS.—In carrying out the  
11          Health Benefits Education Program established  
12          under paragraph (2), the Postal Service shall—

13               “(A) notify Postal Service annuitants and  
14               Postal Service employees about the Postal Serv-  
15               ice Health Benefits Program established under  
16               subsection (c)(1);

17               “(B) provide information regarding the  
18               Postal Service Health Benefits Program and  
19               the requirements of this section to Postal Serv-  
20               ice annuitants and Postal Service employees, in-  
21               cluding—

22                       “(i) a description of the health care  
23                       options available under such Program;

24                       “(ii) the enrollment provisions of sub-  
25                       section (d); and

1 “(iii) the requirement that Postal  
2 Service annuitants and their family mem-  
3 bers be enrolled in Medicare under sub-  
4 section (e);

5 “(C) respond and provide answers to any  
6 inquiry from such employees and annuitants  
7 about the Postal Service Health Benefits Pro-  
8 gram, in consultation with the Office as nec-  
9 essary;

10 “(D) refer individuals to the Centers for  
11 Medicare & Medicaid Services and the Social  
12 Security Administration that provide informa-  
13 tion about Medicare enrollment and options  
14 under the Medicare program under XVIII of  
15 the Social Security Act; and

16 “(E) carry out, or provide for through con-  
17 tract or other arrangement, the activities de-  
18 scribed in paragraph (5).

19 “(4) INFORMATION.—

20 “(A) INFORMATION FROM OPM.—The Of-  
21 fice shall timely provide the Postal Service with  
22 such information as necessary to conduct the  
23 Health Benefits Education Program.

24 “(B) COORDINATION WITH OPM.—The  
25 Postal Service shall coordinate with the Office,

1 in consultation with the Centers for Medicare &  
2 Medicaid Services and the Social Security Ad-  
3 ministration, to obtain and confirm the accu-  
4 racy of information as the Postal Service deter-  
5 mines to be necessary to conduct the Health  
6 Benefits Education Program.

7 “(5) NAVIGATOR ACTIVITIES.—

8 “(A) ACTIVITIES.—The activities described  
9 in this paragraph, with respect to Program  
10 plans and the health care options available  
11 under the Program, are the following:

12 “(i) Educational activities for annu-  
13 itants and employees of the Postal Service  
14 to raise awareness of the availability of  
15 Program plans and requirements for en-  
16 rolling in such plans, including require-  
17 ments to be entitled to Medicare part A  
18 and enroll in Medicare part B.

19 “(ii) Distribution of fair and impartial  
20 information concerning enrollment in such  
21 plans.

22 “(iii) Facilitation of enrollment in  
23 such plans.

24 “(iv) Provision of information in a  
25 manner that is culturally and linguistically

1 appropriate to the needs of the population  
2 being served by the Program plans.

3 “(B) STANDARDS.—

4 “(i) IN GENERAL.—The Postal Serv-  
5 ice shall establish standards for navigators  
6 carrying out the activities under this para-  
7 graph to—

8 “(I) engage in the navigator ac-  
9 tivities described in subparagraph (A);  
10 and

11 “(II) avoid conflicts of interest.

12 “(ii) CONTENTS.—The standards es-  
13 tablished under clause (i) shall provide  
14 that a navigator may not—

15 “(I) be a health insurance car-  
16 rier; or

17 “(II) receive any consideration  
18 directly or indirectly from any health  
19 insurance carrier in connection with  
20 the enrollment of any individual in a  
21 Program plan.

22 “(C) FAIR AND IMPARTIAL INFORMATION  
23 AND SERVICES.—The Postal Service, in con-  
24 sultation as necessary with the Office and the  
25 Centers for Medicare & Medicaid Services, shall

1 develop standards to ensure that information  
2 made available by navigators under this para-  
3 graph is fair, accurate, and impartial.

4 “(6) REGULATIONS.—

5 “(A) IN GENERAL.—Not later than 18  
6 months after the date of enactment of this sec-  
7 tion, the Postmaster General shall issue regula-  
8 tions to establish the Health Benefits Edu-  
9 cation Program required under this subsection.

10 “(B) CONTENTS.—The regulations issued  
11 under subparagraph (A) shall include—

12 “(i) provisions for the notification of  
13 Postal Service annuitants and Postal Serv-  
14 ice employees about the Program, includ-  
15 ing a description of the available health  
16 benefits options, including a process for  
17 notifying Postal Service employees who be-  
18 come eligible for Medicare part B and  
19 Postal Service Medicare covered annuitants  
20 about their choices;

21 “(ii) provisions for notifying Postal  
22 Service annuitants, Postal Service employ-  
23 ees, and their family members of the re-  
24 quirements under subsection (e) to enroll

1 in Medicare as a condition of eligibility to  
2 enroll in the Program; and

3 “(iii) a process, developed in consulta-  
4 tion with the Social Security Administra-  
5 tion, the Centers for Medicare & Medicaid  
6 Services, and the Office, for addressing  
7 any inquiry from Postal Service annuitants  
8 and Postal Service employees about the  
9 Program or Medicare enrollment.”.

10 (2) TECHNICAL AND CONFORMING AMEND-  
11 MENTS.—

12 (A) SERVICE BENEFIT PLANS.—Section  
13 8903(1) of title 5, United States Code, is  
14 amended by striking “two levels of benefits”  
15 and inserting “at least 2 levels of benefits for  
16 enrollees under this chapter generally and at  
17 least 2 levels of benefits for enrollees under the  
18 Postal Service Health Benefits Program estab-  
19 lished under section 8903c”.

20 (B) TABLE OF SECTIONS.—The table of  
21 sections for chapter 89 of title 5, United States  
22 Code, is amended by inserting after the item re-  
23 lating to section 8903b the following:

“8903c. Postal Service Health Benefits Program.”.

24 (b) COORDINATION WITH MEDICARE.—



1 (1) PART B SPECIAL ENROLLMENT PERIOD.—

2 Section 1837 of the Social Security Act (42 U.S.C.  
3 1395p) is amended by adding at the end the fol-  
4 lowing new subsection:

5 “(o)(1) In the case of an individual who—

6 “(A) as of January 1, 2024, is—

7 “(i) a Postal Service annuitant who is enti-  
8 tled to benefits under part A of title XVIII of  
9 the Social Security Act, but excluding an indi-  
10 vidual who is eligible to enroll under such part  
11 under section 1818 of such Act or 1818A of  
12 such Act (42 U.S.C. 1395i–2, 1395i–2a); or

13 “(ii) a member of family (as defined in sec-  
14 tion 8901(5) of title 5, United States Code) of  
15 a Postal Service annuitant and is entitled to  
16 benefits under part A of title XVIII of the So-  
17 cial Security Act, but excluding an individual  
18 who is eligible to enroll under such part under  
19 section 1818 of such Act or 1818A of such Act  
20 (42 U.S.C. 1395i–2, 1395i–2a); and

21 “(B) is not enrolled under this part, the indi-  
22 vidual may elect to be enrolled under this part dur-  
23 ing a special enrollment period during the 6-month  
24 period beginning on April 1, 2024.

1       “(2) In this subsection, the term ‘Postal Service an-  
2   nuitant’ means an annuitant enrolled in a health benefits  
3   plan under chapter 89 of title 5, United States Code,  
4   whose Government contribution is required to be paid  
5   under section 8906(g)(2) of such title.”.

6           (2) TECHNICAL AND CONFORMING AMEND-  
7   MENTS.—

8           (A) PART A ENROLLMENT.—Section  
9       1818(c) of the Social Security Act (42 U.S.C.  
10      1395i–2(c)) is amended, in the matter pre-  
11      ceding paragraph (1), by striking “(except sub-  
12      section (f) thereof)” and inserting “(except sub-  
13      sections (f) and (o) thereof)”.

14          (B) COVERAGE PERIOD UNDER PART B.—  
15      Section 1838 of the Social Security Act (42  
16      U.S.C. 1395q) is amended by adding at the end  
17      the following:

18      “(i) Notwithstanding subsection (a), in the case of  
19      an individual who enrolls during a special enrollment pe-  
20      riod pursuant to section 1837(o), the coverage period shall  
21      begin on January 1, 2025.”.

22          (3) TREATMENT OF PART B LATE ENROLLMENT  
23      PENALTY FOR INDIVIDUALS ENROLLING DURING  
24      SPECIAL ENROLLMENT PERIOD.—Section 1839(e) of

1 the Social Security Act (42 U.S.C. 1395r(e)) is  
2 amended—

3 (A) in paragraph (1), by striking “(as de-  
4 fined in paragraph (3)(A))” and by inserting  
5 “(as defined in paragraph (3)(A)(i)). The Sec-  
6 retary shall enter into an agreement with the  
7 United States Postal Service under which the  
8 United States Postal Service agrees to pay on  
9 a quarterly or other periodic basis to the Sec-  
10 retary (to be deposited in the Treasury to the  
11 credit of the Federal Supplementary Medical  
12 Insurance Trust Fund) an amount equal to the  
13 amount of the part B late enrollment premium  
14 increases with respect to the premiums for eligi-  
15 ble individuals (as defined in paragraph  
16 (3)(A)(ii)).”; and

17 (B) by amending paragraph (3)(A) to read  
18 as follows:

19 “(A) The term ‘eligible individual’ means  
20 an individual who is enrolled under this part B  
21 and who—

22 “(i) in the case of an agreement en-  
23 tered into under the first sentence of para-  
24 graph (1), is within a class of individuals  
25 specified in such agreement; and

1 “(ii) in the case of an agreement en-  
2 tered into under the second sentence of  
3 paragraph (1), is so enrolled under this  
4 part pursuant to the special enrollment pe-  
5 riod under section 1837(o).”.

6 (4) PART D EGWP CONTRACTING CONFORMING  
7 AMENDMENT.—Section 1860D–22(b) of the Social  
8 Security Act (42 U.S.C. 1395w–132(b)) is amended  
9 by inserting before the period at the end the fol-  
10 lowing: “, and shall be applied in a manner to facili-  
11 tate the offering of prescription drug benefits under  
12 a Program plan under section 8903c of title 5,  
13 United States Code, as required under subsection  
14 (h)(2) of such section, through employment-based  
15 retiree health coverage through: (1) a prescription  
16 drug plan; or (2) contracts between such a Program  
17 plan and the PDP sponsor of such a prescription  
18 drug plan.”.

19 (c) INFORMATION SHARING AND DISSEMINATION RE-  
20 QUIRED FOR SPECIAL ENROLLMENT PERIOD AND EN-  
21 FORCEMENT OF PART B ENROLLMENT REQUIRE-  
22 MENTS.—

23 (1) DEFINITIONS.—In this subsection, the  
24 terms “Medicare part A”, “Medicare part B”, “Of-  
25 fice”, “Postal Service”, and “Postal Service annu-

1        itant” have the meanings given those terms in sec-  
2        tion 8903c of title 5, United States Code, as added  
3        by subsection (a).

4            (2) INFORMATION SHARING BY OPM.—The Of-  
5        fice shall, by regulation, establish a process for pro-  
6        viding such information as is necessary to the Social  
7        Security Administration regarding Postal Service an-  
8        nuityants (and the family members of such annu-  
9        itants) who may be eligible to enroll under Medicare  
10       part B during the special enrollment period de-  
11       scribed in subsection (o) of section 1837 of the So-  
12       cial Security Act (42 U.S.C. 1395p), as added by  
13       subsection (b).

14           (3) INFORMATION SHARING BY SSA.—The So-  
15       cial Security Administration shall provide to the Of-  
16       fice and the Postal Service information regarding  
17       whether a Postal Service annuityant, or a family  
18       member of such an annuityant, is entitled to benefits  
19       under Medicare part A and enrolled under Medicare  
20       part B, to assist the Office and the Postal Service  
21       in determining—

22            (A) which Postal Service annuityants, and  
23            family members of such annuityants, are eligible  
24            to enroll under Medicare part B during the spe-

1           cial enrollment period described in paragraph  
2           (2); and

3                   (B) whether Postal Service annuitants, and  
4           family members of such annuitants, satisfy the  
5           enrollment requirements described in para-  
6           graphs (1) and (2) of section 8903c(e) of title  
7           5, United States Code, as added by subsection  
8           (a).

9           (4) DETERMINATION AND DISSEMINATION.—  
10          The Office shall determine which Postal Service an-  
11          nuitants are eligible to enroll under Medicare part B  
12          during the special enrollment period described in  
13          paragraph (2) and provide such information to the  
14          Social Security Administration, the Centers for  
15          Medicare & Medicaid Services, and the Postal Serv-  
16          ice.

17          (d) FUNDING.—

18               (1) CMS APPROPRIATION.—In addition to  
19          amounts otherwise available, there is appropriated to  
20          “Centers for Medicare & Medicaid Services—Pro-  
21          gram Management”, out of any monies in the Treas-  
22          ury not otherwise appropriated, \$7,500,000 for fiscal  
23          year 2022, to remain available until expended, for  
24          purposes of carrying out this section, including the  
25          amendments made by this section.

1 (2) SSA APPROPRIATION.—

2 (A) IN GENERAL.—In addition to amounts  
3 otherwise available, there is appropriated to the  
4 Social Security Administration, out of any mon-  
5 ies in the Treasury not otherwise appropriated,  
6 \$16,000,000 for fiscal year 2022, to remain  
7 available until the date that is 1 year after the  
8 last day of the special enrollment period de-  
9 scribed in subsection (c)(2), for purposes of car-  
10 rying out this section, with the exception of car-  
11 rying out subsection (c)(3)(B), including the  
12 amendments made by this section.

13 (B) RELATION TO OTHER APPROPRIA-  
14 TION.—The amounts appropriated under sub-  
15 paragraph (A) shall be in addition to the Social  
16 Security Administration’s Limitation on Admin-  
17 istrative Expenditure appropriations.

18 (3) OPM APPROPRIATION.—In addition to  
19 amounts otherwise available, there is appropriated to  
20 the Office of Personnel Management, out of any  
21 monies in the Treasury not otherwise appropriated,  
22 \$70,500,000 for fiscal year 2022, to remain avail-  
23 able until expended, for purposes of carrying out  
24 this section, including the amendments made by this  
25 section.

1 (4) FUNDS CREDITED BY POSTAL SERVICE.—

2 The United States Postal Service shall credit to the  
3 Treasury from the Postal Service Fund in fiscal year  
4 2022 an amount equal to the sum of the amounts  
5 appropriated under paragraphs (1), (2), and (3).

6 (5) REIMBURSEMENT FOR PERIODIC SSA DATA  
7 SHARING.—

8 (A) INTER-AGENCY AGREEMENT.—The  
9 Commissioner of Social Security shall enter into  
10 an agreement with the Director of the Office  
11 under which the Director pays the Commis-  
12 sioner from the Postal Service administrative  
13 reserve the full costs (including systems and ad-  
14 ministrative costs) of providing the information  
15 described in subsection (c)(3)(B).

16 (B) REPORT TO CONGRESS.—The Director  
17 of the Office—

18 (i) shall report the amount paid under  
19 subparagraph (A) annually to the Com-  
20 mittee on Homeland Security and Govern-  
21 mental Affairs of the Senate and the Com-  
22 mittee on Oversight and Reform of the  
23 House of Representatives; and

24 (ii) may satisfy the requirement under  
25 clause (i) by including the amount paid



1 under subparagraph (A) in any other an-  
2 nual report submitted to Congress.

3 **SEC. 102. USPS FAIRNESS ACT.**

4 (a) SHORT TITLE.—This section may be cited as the  
5 “USPS Fairness Act”.

6 (b) RATIONAL BENEFITS FUNDING AND ACCOUNT-  
7 ING.—

8 (1) IN GENERAL.—Section 8909a of title 5,  
9 United States Code, is amended by striking sub-  
10 section (d) and inserting the following:

11 “(d)(1) Not later than June 30, 2026, and by June  
12 30 of each succeeding year, the Office shall compute, for  
13 the most recently concluded fiscal year, the amount (if  
14 any) that Government contributions required to be paid  
15 from the Fund under section 8906(g)(2)(A) exceeded the  
16 estimated net claims costs under the enrollment of the in-  
17 dividuals described in section 8906(g)(2)(A).

18 “(2) Not later than September 30 of each year in  
19 which the Office makes a computation under paragraph  
20 (1), the United States Postal Service shall pay into the  
21 Fund the amount (if any) of the excess computed under  
22 such paragraph.

23 “(e) Any computation required under section 3654(b)  
24 of title 39 shall be based on—

1 “(1) the net present value of the future net  
2 claims costs with respect to—

3 “(A) current annuitants of the United  
4 States Postal Service as of the end of the fiscal  
5 year ending on September 30 of the relevant re-  
6 porting year; and

7 “(B) current employees of the United  
8 States Postal Service who would, as of Sep-  
9 tember 30 of that year—

10 “(i) be eligible to become annuitants  
11 pursuant to section 8901(3)(A)(i) or (ii);  
12 and

13 “(ii) if they were retired as of that  
14 date, meet the criteria for coverage of an-  
15 nuitants under section 8905(b);

16 “(2) economic and actuarial methods and as-  
17 sumptions consistent with the methods and assump-  
18 tions used in determining the Postal surplus or sup-  
19 plemental liability under section 8348(h); and

20 “(3) any other methods and assumptions, in-  
21 cluding a health care cost trend rate, that the Direc-  
22 tor of the Office determines to be appropriate.

23 “(f) After consultation with the United States Postal  
24 Service, the Office shall promulgate any regulations the  
25 Office determines necessary under this subsection.

1 “(g) For purposes of this section, the term ‘estimated  
2 net claims costs’ shall mean the difference between—

3 “(1) the sum of—

4 “(A) the estimated costs incurred by a car-  
5 rier in providing health services to, paying for  
6 health services provided to, or reimbursing ex-  
7 penses for health services provided to, annu-  
8 itants of the United States Postal Service and  
9 any other persons covered under the enrollment  
10 of such annuitants; and

11 “(B) an amount of indirect expenses rea-  
12 sonably allocable to the provision, payment, or  
13 reimbursement described in subparagraph (A),  
14 as determined by the Office; and

15 “(2) the amount withheld from the annuity of  
16 or paid by annuitants of the United States Postal  
17 Service under section 8906.”.

18 (2) CLERICAL AMENDMENT.—The heading of  
19 section 8909a of title 5, United States Code, is  
20 amended by striking “**Benefit**” and inserting  
21 “**Benefits**”.

22 (c) APPLICATION.—

23 (1) CANCELLATION OF PAYMENTS.—Any pay-  
24 ment required from the Postal Service under section  
25 8909a of title 5, United States Code, as in effect on

1 the day before the date of enactment of this Act that  
2 remains unpaid as of such date of enactment is can-  
3 celed.

4 (2) EFFECT OF THIS ACT.—In any determina-  
5 tion relating to the future liability for retiree health  
6 benefits of the United States Postal Service or the  
7 Postal Service Retiree Health Benefits Fund, the  
8 Office of Personnel Management shall take into ac-  
9 count the actual and reasonably expected effects of  
10 this Act.

11 (d) USE OF FUNDS FROM SALE OF REAL PROPERTY  
12 FOR CERTAIN PAYMENTS.—

13 (1) IN GENERAL.—Chapter 29 of title 39,  
14 United States Code, is amended by adding at the  
15 end the following:

16 **“§ 2903. Use of funds from sale of property**

17 “In the event that the Postal Service permanently  
18 ceases operations, any funds derived from the sale of any  
19 real property owned by the Postal Service shall be used  
20 to pay any outstanding liability with respect to the salaries  
21 and expenses of any Postal Service employee. The balance  
22 of any remaining funds shall be deposited into the Postal  
23 Service Retiree Health Benefits Fund established under  
24 section 8909a of title 5.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions of such chapter is amended by adding after the  
3           item relating to section 2902 the following new item:

“2903. Use of funds from sale of property.”.

4   **SEC. 103. NONPOSTAL SERVICES.**

5           (a) NONPOSTAL SERVICES.—

6           (1) IN GENERAL.—Part IV of title 39, United  
7           States Code, is amended by adding after chapter 36  
8           the following:

9   **“CHAPTER 37—NONPOSTAL SERVICES**

“Sec.

“3701. Purpose.

“3702. Definitions.

“3703. Postal Service program for State governments.

“3704. Postal Service program for other Government agencies.

“3705. Transparency and accountability for nonpostal services.

10 **“§ 3701. Purpose**

11           “The purpose of this chapter is to enable the Postal  
12           Service to increase its net revenues through specific non-  
13           postal products and services that are expressly authorized  
14           by this chapter.

15 **“§ 3702. Definitions**

16           “In this chapter—

17           “(1) the term ‘nonpostal services’ is limited to  
18           services offered by the Postal Service that are ex-  
19           pressly authorized by this chapter and are not postal  
20           products or services;

1           “(2) the term ‘costs attributable’ has the mean-  
2           ing given such term in section 3631;

3           “(3) the term ‘year’ means a fiscal year;

4           “(4) the term ‘local government’ means a coun-  
5           ty, municipality, city, town, township, local public  
6           authority, school district, special district, intrastate  
7           district, council of governments, or regional or inter-  
8           state government entity;

9           “(5) the term ‘State government’ includes the  
10          government of the District of Columbia, the Com-  
11          monwealth of Puerto Rico, the United States Virgin  
12          Islands, Guam, American Samoa, the Common-  
13          wealth of the Northern Mariana Islands, and any  
14          other territory or possession of the United States;

15          “(6) the term ‘tribal government’ means the  
16          government of an Indian tribe, as that term is de-  
17          fined in section 4 of the Indian Self-Determination  
18          and Education Assistance Act (25 U.S.C. 5304);  
19          and

20          “(7) the term ‘United States’, when used in a  
21          geographical sense, means the States, the District of  
22          Columbia, the Commonwealth of Puerto Rico, the  
23          United States Virgin Islands, Guam, American  
24          Samoa, the Commonwealth of the Northern Mariana

1 Islands, and any other territory or possession of the  
2 United States.

3 **“§ 3703. Postal Service program for State govern-**  
4 **ments**

5 “(a) IN GENERAL.—Notwithstanding any other pro-  
6 vision of this title, the Postal Service may establish a pro-  
7 gram to enter into agreements with an agency of any State  
8 government, local government, or tribal government to  
9 provide property or nonpostal services to the public on be-  
10 half of such agencies for non-commercial purposes, but  
11 only if—

12 “(1) such property or nonpostal services—

13 “(A) provide enhanced value to the public,  
14 such as by lowering the cost or raising the qual-  
15 ity of such services or by making such services  
16 more accessible;

17 “(B) do not interfere with or detract from  
18 the value of postal services, including by—

19 “(i) harming the cost and efficiency of  
20 postal services; and

21 “(ii) unreasonably restricting access  
22 to postal retail service, such as customer  
23 waiting time and access to parking; and

24 “(2) such agreements provide a net contribution  
25 to the Postal Service, defined as reimbursement that

1 covers at least 100 percent of the costs attributable  
2 to all property and nonpostal services provided under  
3 each relevant agreement in each year, except that  
4 agreements determined to be substantially similar by  
5 the Postal Service with the concurrence of the Postal  
6 Regulatory Commission shall be reviewed based on  
7 their collective revenue and costs attributable.

8 “(b) PUBLIC NOTICE.—Not more than 90 days after  
9 offering a service under the program, the Postal Service  
10 shall make available to the public on its website—

11 “(1) the agreement with the agency regarding  
12 such service; and

13 “(2) a business plan that describes the specific  
14 property or nonpostal service to be provided, the en-  
15 hanced value to the public, and terms of reimburse-  
16 ment to the Postal Service.

17 “(c) APPROVAL REQUIRED.—The Postal Service may  
18 not establish the program under subsection (a) unless the  
19 Governors of the Postal Service approve such program by  
20 a recorded vote that is publicly disclosed on the Postal  
21 Service website with a majority of the Governors then in  
22 office voting for approval.

23 “(d) CONFIDENTIAL INFORMATION.—Subsection (b)  
24 shall not be construed as requiring the Postal Service to  
25 disclose to the public any information—



1 “(1) described in section 410(c); or

2 “(2) exempt from public disclosure under sec-  
3 tion 552(b) of title 5.

4 **“§ 3704. Postal Service program for other Govern-**  
5 **ment agencies**

6 “The Postal Service may establish a program to pro-  
7 vide property and nonpostal services to other Government  
8 agencies within the meaning of section 411, but only if  
9 such program provides a net contribution to the Postal  
10 Service, defined as reimbursement that covers at least 100  
11 percent of the costs attributable for property and non-  
12 postal services provided by the Postal Service in each year  
13 to such agencies.

14 **“§ 3705. Transparency and accountability for non-**  
15 **postal services**

16 “(a) ANNUAL REPORT TO THE COMMISSION.—

17 “(1) IN GENERAL.—Not later than 90 days  
18 after the last day of each year, the Postal Service  
19 shall submit to the Postal Regulatory Commission a  
20 report that analyzes costs, revenues, rates, and qual-  
21 ity of service for each agreement or substantially  
22 similar set of agreements for the provision of prop-  
23 erty or nonpostal services under section 3703 or the  
24 program as a whole under section 3704, and any  
25 other nonpostal service authorized under this chap-

1 ter, using such methodologies as the Commission  
2 may prescribe, and in sufficient detail to dem-  
3 onstrate compliance with the requirements of this  
4 chapter.

5 “(2) SUPPORTING MATTER.—A report sub-  
6 mitted under paragraph (1) shall include any non-  
7 public annex, the working papers, and any other  
8 supporting matter of the Postal Service and the In-  
9 spector General related to the information submitted  
10 in such report.

11 “(b) CONTENT AND FORM OF REPORT.—

12 “(1) IN GENERAL.—The Postal Regulatory  
13 Commission shall, by regulation, prescribe the con-  
14 tent and form of the report required under sub-  
15 section (a). In prescribing such regulations, the  
16 Commission shall give due consideration to—

17 “(A) providing the public with timely, ade-  
18 quate information to assess compliance;

19 “(B) avoiding unnecessary or unwarranted  
20 administrative effort and expense on the part of  
21 the Postal Service; and

22 “(C) protecting the confidentiality of infor-  
23 mation that is commercially sensitive or is ex-  
24 empt from public disclosure under section  
25 552(b) of title 5.

1           “(2) REVISED REQUIREMENTS.—The Commis-  
2           sion may, on its own motion or on request of any  
3           interested party, initiate proceedings to improve the  
4           quality, accuracy, or completeness of Postal Service  
5           data required by the Commission if—

6                   “(A) the attribution of costs or revenues to  
7                   property, products, or services under this chap-  
8                   ter has become significantly inaccurate or can  
9                   be significantly improved;

10                   “(B) the quality of service data provided to  
11                   the Commission for a report under this chapter  
12                   has become significantly inaccurate or can be  
13                   significantly improved; or

14                   “(C) such revisions are, in the judgment of  
15                   the Commission, otherwise necessitated by the  
16                   public interest.

17           “(c) AUDITS.—The Inspector General shall regularly  
18           audit the data collection systems and procedures used in  
19           collecting information and preparing the report required  
20           under subsection (a). The results of any such audit shall  
21           be submitted to the Postal Service and the Postal Regu-  
22           latory Commission.

23           “(d) CONFIDENTIAL INFORMATION.—

24                   “(1) IN GENERAL.—If the Postal Service deter-  
25                   mines that any document or portion of a document,

1 or other matter, which it provides to the Postal Reg-  
2 ulatory Commission in a nonpublic annex under this  
3 section contains information described in section  
4 410(c), or exempt from public disclosure under sec-  
5 tion 552(b) of title 5, the Postal Service shall, at the  
6 time of providing such matter to the Commission,  
7 notify the Commission of its determination, in writ-  
8 ing, and describe with particularity the documents  
9 (or portions of documents) or other matter for which  
10 confidentiality is sought and the reasons therefor.

11 “(2) TREATMENT.—Any information or other  
12 matter described in paragraph (1) to which the  
13 Commission gains access under this section shall be  
14 subject to paragraphs (2) and (3) of section 504(g)  
15 in the same way as if the Commission had received  
16 notification with respect to such matter under sec-  
17 tion 504(g)(1).

18 “(e) ANNUAL COMPLIANCE DETERMINATION.—

19 “(1) OPPORTUNITY FOR PUBLIC COMMENT.—  
20 Upon receiving a report required under subsection  
21 (a), the Postal Regulatory Commission shall prompt-  
22 ly—

23 “(A) provide an opportunity for comment  
24 on such report by any interested party; and

1                   “(B) appoint an officer of the Commission  
2                   to represent the interests of the general public.

3                   “(2) DETERMINATION OF COMPLIANCE OR NON-  
4                   COMPLIANCE.—Not later than 90 days after receiv-  
5                   ing a report required under subsection (a), the Post-  
6                   al Regulatory Commission shall make a written de-  
7                   termination as to whether the activities carried out  
8                   pursuant to this chapter during the applicable year  
9                   were or were not in compliance with the provisions  
10                  of this chapter. For purposes of this paragraph, any  
11                  case in which the requirements for coverage of costs  
12                  attributable have not been met shall be considered to  
13                  be a case of noncompliance. If, with respect to a  
14                  year, no instance of noncompliance is found to have  
15                  occurred, the determination shall be to that effect.  
16                  Such determination of noncompliance shall be in-  
17                  cluded with the annual compliance determination re-  
18                  quired under section 3653.

19                  “(3) NONCOMPLIANCE.—If a timely written de-  
20                  termination of noncompliance is made under para-  
21                  graph (2), the Postal Regulatory Commission shall  
22                  take appropriate action. If the requirements for cov-  
23                  erage of costs attributable specified by this chapter  
24                  are not met, the Commission shall, within 60 days  
25                  after the determination, prescribe remedial action to

1 restore compliance as soon as practicable, including  
2 the full restoration of revenue shortfalls during the  
3 following year. The Commission may order the Post-  
4 al Service to discontinue a nonpostal service under  
5 section 3703 that persistently fails to meet cost cov-  
6 erage requirements.

7 “(4) DELIBERATE NONCOMPLIANCE.—In the  
8 case of deliberate noncompliance by the Postal Serv-  
9 ice with the requirements of this chapter, the Postal  
10 Regulatory Commission may order, based on the na-  
11 ture, circumstances, extent, and seriousness of the  
12 noncompliance, a fine (in the amount specified by  
13 the Commission in its order) for each incidence of  
14 such noncompliance. All receipts from fines imposed  
15 under this subsection shall be deposited in the gen-  
16 eral fund of the Treasury.

17 “(f) REGULATIONS REQUIRED.—The Postal Regu-  
18 latory Commission shall issue such regulations as are nec-  
19 essary to carry out this section.

20 “(g) EXPERIMENTAL PRODUCT AUTHORITY.—The  
21 Postal Service may conduct market tests of agreements  
22 pursuant to section 3703 and section 3704 of this chapter  
23 subject to the same terms and conditions described in sec-  
24 tion 3641 of this title. For the purposes of a market test,

1 the cost coverage requirements in sections 3703 and 3704  
2 of this chapter shall not apply.”.

3 (2) CLERICAL AMENDMENT.—The table of  
4 chapters for part IV of title 39, United States Code,  
5 is amended by adding after the item relating to  
6 chapter 36 the following:

**“37. Nonpostal services ..... 3701”.**

7 (b) CONFORMING AMENDMENTS.—

8 (1) SECTION 404.—Section 404(e) of title 39,  
9 United States Code, is amended in paragraph (2),  
10 by inserting after “subsection” the following: “, or  
11 any nonpostal products or services authorized by  
12 chapter 37”.

13 (2) SECTION 411.—The last sentence of section  
14 411 of title 39, United States Code, is amended by  
15 striking “including reimbursability” and inserting  
16 “including reimbursability within the limitations of  
17 chapter 37”.

18 (3) TREATMENT OF EXISTING NONPOSTAL  
19 SERVICES.—All individual nonpostal services, pro-  
20 vided directly or through licensing, that are contin-  
21 ued pursuant to section 404(e) of title 39, United  
22 States Code, shall be considered to be expressly au-  
23 thorized by chapter 37 of such title (as added by  
24 subsection (a)(1)) and shall be subject to the re-

1        requirements of section 3705, subsections (a) through  
2        (d).

3        **TITLE II—POSTAL SERVICE**  
4        **OPERATIONAL REFORMS**

5        **SEC. 201. PERFORMANCE TARGETS AND TRANSPARENCY.**

6        (a) IN GENERAL.—Subchapter VII of chapter 36 of  
7        title 39, United States Code, is amended by inserting after  
8        section 3691 the following:

9        **“§ 3692. Performance targets and transparency**

10        “(a) PERFORMANCE TARGETS.—Each year, to en-  
11        sure that mail service for postal customers meets the serv-  
12        ice standards for market-dominant products, established  
13        under section 3691, the Postal Service shall—

14                “(1) not later than 60 days after the beginning  
15        of the fiscal year in which they will apply, establish  
16        and provide to the Postal Regulatory Commission  
17        reasonable targets for performance; and

18                “(2) provide the previous fiscal year’s perform-  
19        ance targets in its Annual Compliance Report to the  
20        Postal Regulatory Commission for evaluation of  
21        compliance.

22        “(b) POSTAL REGULATORY COMMISSION DETER-  
23        MINATION OF CERTAIN PERFORMANCE INFORMATION.—  
24        Not later than 90 days after first receiving the perform-



1   ance targets under subsection (a)(1), the Postal Regu-  
2   latory Commission shall provide to the Postal Service—

3           “(1) requirements for the Postal Service to  
4   publish nationwide, regional, and local delivery area  
5   performance information in accordance with sub-  
6   section (c)(2) that—

7           “(A) are consistent with the organizational  
8   structure of the delivery network of the Postal  
9   Service (including at the District and Area or-  
10   ganizational levels, or the functional equiva-  
11   lents, and, to the extent practicable, at the U.S.  
12   ZIP Code Area level);

13           “(B) reflect the most granular geographic  
14   level of performance information appropriate  
15   for the Postal Service to publish; and

16           “(C) includes time period segments for the  
17   published geographic levels to satisfy the pub-  
18   lishing requirements of subparagraphs (A) and  
19   (C) of subsection (c)(2); and

20           “(2) recommendations for any modifications to  
21   the Postal Service’s measurement systems necessary  
22   to measure and publish the performance information  
23   under subsection (c)(2) that the Postal Regulatory  
24   Commission deems relevant.

25           “(c) PUBLIC PERFORMANCE DASHBOARD.—

1           “(1) IN GENERAL.—The Postal Service shall  
2       develop and maintain a publicly available Website  
3       with an interactive web-tool that provides perform-  
4       ance information for market-dominant products that  
5       is updated on a weekly basis.

6           “(2) PERFORMANCE INFORMATION.—The per-  
7       formance information provided for a market-domi-  
8       nant product on the Website shall include—

9           “(A) the type of market-dominant product;

10          “(B) performance information for different  
11       geographic areas, consistent with subsection  
12       (b);

13          “(C) performance information for different  
14       time periods, including annual, quarterly,  
15       monthly, and weekly segments;

16          “(D) comparisons of performance informa-  
17       tion for market-dominant products to perform-  
18       ance information for previous time periods to  
19       facilitate identification of performance trends;  
20       and

21          “(E) the performance targets then in ef-  
22       fect, and the performance targets for the pre-  
23       vious fiscal year, as established under sub-  
24       section (a)(1).

1           “(3) COMPREHENSIBILITY.—The Website shall  
2           include plain language descriptions of the elements  
3           required under paragraph (2) and information on  
4           the collection process, measurement methodology,  
5           completeness, accuracy, and validity of the perform-  
6           ance information provided on the Website.

7           “(4) ADDRESS SEARCH FUNCTIONALITY.—The  
8           Website shall include functionality to enable a user  
9           to search for performance information by street ad-  
10          dress, ZIP Code, or post office box.

11          “(5) FORMAT.—The Postal Service shall make  
12          the performance information provided on the  
13          Website available—

14               “(A) in a manner that—

15                   “(i) presents the information required  
16                   under paragraph (2) on an interactive  
17                   dashboard;

18                   “(ii) is searchable and may be sorted  
19                   and filtered by the elements described in  
20                   paragraph (2); and

21                   “(iii) to the extent practicable, enables  
22                   any person or entity to download in bulk—

23                       “(I) such performance informa-  
24                       tion; and

1 “(II) the results of a search by  
2 the elements described in paragraph  
3 (2);

4 “(B) under an ‘open license’ which has the  
5 meaning given that term in section 3502 of title  
6 44; and

7 “(C) as an ‘open Government data asset’  
8 and in a ‘machine-readable’ format which have  
9 the meaning given those terms in section 3502  
10 of title 44.

11 “(6) CONSULTATION.—The Postal Service shall  
12 regularly consult with the Postal Regulatory Com-  
13 mission on appropriate features and information to  
14 be included on the Website.

15 “(7) PUBLIC INPUT.—The Postal Service  
16 shall—

17 “(A) solicit public input on the design and  
18 implementation of the Website; and

19 “(B) maintain a public feedback tool to en-  
20 sure each feature of, and the information on,  
21 the Website is usable and understandable.

22 “(8) DEADLINE.—The Postal Service shall im-  
23 plement and make available to the public (and make  
24 any subsequent changes in accordance with sub-  
25 section (b)) the Website not later than 60 days from

1 the date on which the Postal Service receives the re-  
2 quirements and recommendations from the Postal  
3 Regulatory Commission under subsection (b), and  
4 shall continuously update such information on the  
5 Website as required by subsection (b).

6 “(9) AVAILABILITY.—A link and plain language  
7 description of the Website shall be made available on  
8 any webpage where performance targets and meas-  
9 urements established under subsection (a)(1) are  
10 made available to the public.

11 “(10) REPORTING.—The Postal Service, the  
12 Postmaster General, or the Board, as applicable,  
13 shall reference the dashboard described in paragraph  
14 (5)(A)(i) in the Annual Performance Plan under sec-  
15 tion 2803, the Annual Performance Report under  
16 section 2804, and the Annual Report under section  
17 2402.

18 “(11) DEFINITIONS.—In this subsection—

19 “(A) PERFORMANCE INFORMATION.—The  
20 term ‘performance information’ means the ob-  
21 jective external performance measurements es-  
22 tablished under section 3691(b)(1)(D).

23 “(B) WEBSITE.—The term ‘Website’  
24 means the website described in paragraph (1).”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—

2 The table of sections for chapter 36 of title 39, United  
3 States Code, is amended by inserting after the item relat-  
4 ing to section 3691 the following:

“3692. Performance targets and transparency.”.

5 **SEC. 202. INTEGRATED DELIVERY NETWORK.**

6 (a) IN GENERAL.—Section 101(b) of title 39, United  
7 States Code, is amended by inserting before “The Postal  
8 Service” the following: “The Postal Service shall maintain  
9 an integrated network for the delivery of market-dominant  
10 and competitive products (as defined in chapter 36 of this  
11 title). Delivery shall occur at least six days a week, except  
12 during weeks that include a Federal holiday, in emergency  
13 situations, such as natural disasters, or in geographic  
14 areas where the Postal Service has established a policy of  
15 delivering mail fewer than six days a week as of the date  
16 of enactment of the Postal Service Reform Act of 2022.”.

17 (b) RULE OF CONSTRUCTION.—Nothing in sub-  
18 section (a) or the amendment made by such subsection  
19 is intended to alter or amend the requirements of chapters  
20 20 or 36 of title 39, United States Code, and related im-  
21 plementing regulations, including provisions relating to  
22 costing, accounting, or rates.

1   **SEC. 203. REVIEW OF POSTAL SERVICE COST ATTRIBUTION**  
2                   **GUIDELINES.**

3           Not later than the date that is one year after the  
4   date of the enactment of this Act, the Postal Regulatory  
5   Commission shall initiate a review of the regulations  
6   issued pursuant to sections 3633(a) and 3652(a)(1) of  
7   title 39, United States Code, to determine whether revi-  
8   sions are appropriate to ensure that all direct and indirect  
9   costs attributable to competitive and market-dominant  
10   products are properly attributed to those products, includ-  
11   ing by considering the underlying methodologies in deter-  
12   mining cost attribution and considering options to revise  
13   such methodologies. If the Commission determines, after  
14   notice and opportunity for public comment, that revisions  
15   are appropriate, the Commission shall make modifications  
16   or adopt alternative methodologies as necessary.

17   **SEC. 204. RURAL NEWSPAPER SUSTAINABILITY.**

18           Section 3626(h) of title 39, United States Code, is  
19   amended by striking “10 percent” and inserting “50 per-  
20   cent”.

21   **SEC. 205. FUNDING OF POSTAL REGULATORY COMMISSION.**

22           (a) IN GENERAL.—Subsection (d) of section 504 of  
23   title 39, United States Code, is amended to read as fol-  
24   lows:

25           “(d)(1) Not later than September 1 of each fiscal  
26   year (beginning with fiscal year 2022), the Postal Regu-

1 latory Commission shall submit to the Postal Service a  
2 budget of the Commission's expenses, including expenses  
3 for facilities, supplies, compensation, and employee bene-  
4 fits, for the following fiscal year. Any such budget shall  
5 be deemed approved as submitted if the Governors fail to  
6 adjust the budget in accordance with paragraph (2).

7       “(2)(A) Not later than 30 days after receiving a  
8 budget under paragraph (1), the Governors holding office,  
9 by unanimous written decision, may adjust the total  
10 amount of funding requested in such budget. Nothing in  
11 this subparagraph may be construed to authorize the Gov-  
12 ernors to adjust any activity proposed to be funded by the  
13 budget.

14       “(B) If the Governors adjust the budget under sub-  
15 paragraph (A), the Postal Regulatory Commission shall  
16 adjust the suballocations within such budget to reflect the  
17 total adjustment made by the Governors. The budget shall  
18 be deemed approved on the date the Commission makes  
19 any such adjustments. The Commission may make further  
20 adjustments to the suballocations within such budget as  
21 necessary.

22       “(3) Expenses incurred under any budget approved  
23 under this subsection shall be paid out of the Postal Serv-  
24 ice Fund established under section 2003.”.



1 (b) CONFORMING AMENDMENTS.—Title 39, United  
2 States Code, is amended—

3 (1) in section 2003(e), by striking “(B) all ex-  
4 penses of the Postal Regulatory Commission, subject  
5 to the availability of amounts appropriated under  
6 section 504(d);” and inserting “(B) all expenses of  
7 the Postal Regulatory Commission, pursuant to sec-  
8 tion 504(d);”; and

9 (2) in section 2009—

10 (A) by striking “, (2)” and inserting “,  
11 and (2)”; and

12 (B) by striking “, and (3) the Postal Regu-  
13 latory Commission requests to be appropriated,  
14 out of the Postal Service Fund, under section  
15 504(d) of this title”.

16 **SEC. 206. FLATS OPERATIONS STUDY AND REFORM.**

17 (a) FLATS OPERATIONS STUDY.—

18 (1) IN GENERAL.—The Postal Regulatory Com-  
19 mission, in consultation with the Inspector General  
20 of the United States Postal Service, shall conduct a  
21 study to—

22 (A) comprehensively identify the causes of  
23 inefficiencies in the collection, sorting, transpor-  
24 tation, and delivery of Flats; and

1 (B) quantify the effects of the volume  
2 trends, investments decisions, excess capacity,  
3 and operational inefficiencies of the Postal  
4 Service on the direct and indirect costs of the  
5 Postal Service that are attributable to Flats.

6 (2) POSTAL SERVICE ASSISTANCE.—For the  
7 purposes of carrying out the study under paragraph  
8 (1), the Postal Service shall, upon request by the  
9 Postal Regulatory Commission, consult with the  
10 Postal Regulatory Commission and provide—

11 (A) access to Postal Service facilities to  
12 personnel of the Postal Regulatory Commission;  
13 and

14 (B) information and records necessary to  
15 conduct such study.

16 (3) REPORT.—Not later than one year after the  
17 date of the enactment of this Act, the Postal Regu-  
18 latory Commission shall submit to Congress and the  
19 Postmaster General a report on the findings of the  
20 study conducted under paragraph (1).

21 (4) FLATS DEFINED.—In this subsection, the  
22 term “Flats” means products that meet the physical  
23 standards described in the Domestic Mail Manual  
24 (as in effect on the date of the enactment of this  
25 Act) for Flats mail for any class of mail.

1 (b) FLATS OPERATIONS REFORM.—

2 (1) IN GENERAL.—Not later than six months  
3 after the date on which the Postal Regulatory Com-  
4 mission submits the report described in subsection  
5 (a)(3), the Postal Service shall—

6 (A) develop and implement a plan to rem-  
7 edy each inefficiency identified in the study con-  
8 ducted under subsection (a)(1) to the extent  
9 practicable; and

10 (B) if the Postal Service determines that  
11 remedying any such inefficiency is not prac-  
12 ticable, provide to Congress and the Postal Reg-  
13 ulatory Commission an explanation why rem-  
14 edying such inefficiency is not practicable, in-  
15 cluding whether it may become practicable to  
16 remedy such inefficiency at a later time.

17 (2) IMPLEMENTATION REQUIREMENTS.—Prior  
18 to implementing the plan described in paragraph  
19 (1)—

20 (A) the Postal Regulatory Commission  
21 must approve the plan; and

22 (B) the Postal Service shall provide an  
23 adequate opportunity for public comment on the  
24 plan.

1           (3) COMPLETION NOTICE.—On the date on  
2           which the plan described in paragraph (1) is fully  
3           implemented, as determined by the Postmaster Gen-  
4           eral, the Postmaster General shall submit to Con-  
5           gress and the Postal Regulatory Commission a writ-  
6           ten notice of such implementation.

7           (c) SUBSEQUENT RATE ADJUSTMENTS.—During the  
8           five-year period beginning on the date on which the Postal  
9           Regulatory Commission submits a report under subsection  
10          (a)(3), the Postal Service, when making any adjustment  
11          to the rate of a market-dominant product (as defined in  
12          section 102 of title 39, United States Code), shall consider  
13          the findings of such report and, after the plan described  
14          in subsection (b)(1) is implemented, the plan’s efficacy in  
15          remedying the inefficiencies identified in the study con-  
16          ducted under subsection (a)(1).

17   **SEC. 207. REPORTING REQUIREMENTS.**

18          (a) IN GENERAL.—Not later than 240 days after the  
19          date of the enactment of this Act, and every six months  
20          thereafter, the Postmaster General shall submit to the  
21          President, the Postal Regulatory Commission, the Com-  
22          mittee on Homeland Security and Governmental Affairs  
23          of the Senate, and the Committee on Oversight and Re-  
24          form of the House of Representatives a report on the oper-  
25          ations and financial condition of the Postal Service during

1 the six-month period ending 60 days before the date on  
2 which the Postmaster General submits such report.

3 (b) CONTENTS.—Each report submitted under this  
4 section shall include updates, details of changes from pre-  
5 vious standards and requirements, and assessments of  
6 progress being made on the operations and financial con-  
7 dition of the Postal Service, including—

8 (1) the actual mail and package volume growth  
9 relative to any mail or package volume growth pro-  
10 jections previously made or relied upon by the Postal  
11 Service, including a discussion of the reasons for the  
12 differences in projections and the associated adjust-  
13 ments being made;

14 (2) the effect of pricing changes on product vol-  
15 ume for market-dominant and competitive products,  
16 and associated revenue effects on financial projec-  
17 tions, including a discussion of the reasons behind  
18 the differences in projections and associated adjust-  
19 ments being made;

20 (3) customer use of network distribution cen-  
21 ters and processing and distribution centers;

22 (4) the status of the USPS Connect program  
23 and revenue effects of the program on the financial  
24 projections;

1           (5) the use of Priority Mail, Priority Mail Ex-  
2           press, First-Class Package Service, and Parcel Se-  
3           lect services (as such terms are defined in the Mail  
4           Classification Schedule as in effect on the date of  
5           the enactment of this Act) among customers and as-  
6           sociated revenue effects;

7           (6) the use of USPS Connect Returns service  
8           among customers, and associated costs and revenue  
9           effects;

10          (7) the use of USPS E-Commerce Marketplace  
11          among customers, and associated costs and revenue  
12          effects;

13          (8) updates on the reliability, efficiency, and  
14          cost-effectiveness of the transportation network, in-  
15          cluding the manner in which ground transportation  
16          is utilized over air transportation for types of mar-  
17          ket-dominant products and competitive products;

18          (9) a review of efforts to enhance employee  
19          training, safety, and wellbeing, including associated  
20          effects on employee recruitment, satisfaction, and re-  
21          tention;

22          (10) a review of efforts being made to improve  
23          employee allocation, including changes of non-career  
24          employees to career status, and any associated im-

1       pacts to operational expenses and processing, trans-  
2       portation, and delivery efficiency;

3           (11) the rate of planned investment into Postal  
4       Service processing, transportation, and delivery  
5       equipment and infrastructure for market-dominant  
6       and competitive products, and a review of any asso-  
7       ciated effects on operational expenses and efficiency;

8           (12) changes to network distribution centers  
9       and the expansion of regional distribution centers,  
10      including costs associated with the changes and any  
11      realized reduction in operational expenses or im-  
12      proved resource efficiencies;

13          (13) a review of the ability of the Postal Service  
14      to meet performance targets established under sec-  
15      tion 3692(a)(1) of title 39, United States Code;

16          (14) a discussion of the progress of the Postal  
17      Service in achieving any new, self-funded invest-  
18      ments, including the amounts realized and expended  
19      to date, and a discussion of the reasons behind any  
20      disparities in the assumptions regarding the ex-  
21      pected progress of the Postal Service getting new,  
22      self-funded investments to accommodate changes;  
23      and

24          (15) any other information the Postal Service  
25      determines relevant, such as barriers or unantici-

1       pated events, in order to help the Postal Regulatory  
2       Commission, Congress, the President, and the Amer-  
3       ican public evaluate the success or difficulties faced  
4       by the Postal Service in implementing the reform  
5       plan.

6       (c) CONFIDENTIAL INFORMATION.—

7           (1) IN GENERAL.—The report required under  
8       this subsection shall be submitted in a form that ex-  
9       cludes any proprietary or confidential information  
10      and trade secrets.

11          (2) NOTIFICATION.—If the Postal Service de-  
12      termines that any information must be excluded  
13      under paragraph (1), the Postal Service shall, at the  
14      time of submitting the report, notify the President,  
15      the Committee on Oversight and Reform of the  
16      House of Representatives, the Committee on Home-  
17      land Security and Governmental Affairs of the Sen-  
18      ate, and the Postal Regulatory Commission in writ-  
19      ing of its determination and describe in detail the in-  
20      formation for which confidentiality is sought and the  
21      reasons therefor.

22          (3) ANNEXES.—The Postal Service shall submit  
23      to the persons and entities notified under paragraph  
24      (2) any information excluded under paragraph (1) in



1 an annex that shall be treated as confidential in ac-  
2 cordance with paragraph (4).

3 (4) TREATMENT.—No person may, with respect  
4 to any information which such person receives under  
5 paragraph (4)—

6 (A) use such information for purposes  
7 other than the purposes for which it is supplied;  
8 or

9 (B) permit any person or entity other than  
10 a person or entity notified under paragraph (2),  
11 or the staff thereof, to have access to any such  
12 information.

13 (d) TERMINATION.—This section shall terminate on  
14 the date that is five years after the date on which the first  
15 report required by this section is submitted.

16 **SEC. 208. POSTAL SERVICE TRANSPORTATION SELECTION**  
17 **POLICY REVISIONS.**

18 Section 101(f) of title 39, United States Code, is  
19 amended—

20 (1) by striking “prompt and economical” and  
21 inserting “prompt, economical, consistent, and reli-  
22 able”;

23 (2) by inserting after “all mail” the following:  
24 “in a manner that increases operational efficiency  
25 and reduces complexity”;

1           (3) by inserting “cost-effective” after “to  
2       achieve”; and

3           (4) by inserting “also” after “Nation shall”.

4       **SEC. 209. USPS INSPECTOR GENERAL OVERSIGHT OF POST-**  
5                               **AL REGULATORY COMMISSION.**

6           (a) IN GENERAL.—Section 8G of the Inspector Gen-  
7       eral Act of 1978 (5 U.S.C. App.) is amended—

8           (1) in subsection (a)(2), by striking “the Postal  
9       Regulatory Commission,”; and

10          (2) in subsection (f)—

11               (A) in paragraph (2)—

12                       (i) by striking “(2) In carrying” and  
13                       inserting “(2)(A) In carrying”; and

14                       (ii) by adding at the end the fol-  
15                       lowing:

16               “(B) In carrying out the duties and responsibil-  
17       ities specified in this Act, the Inspector General of  
18       the United States Postal Service shall function as  
19       the Inspector General for the Postal Regulatory  
20       Commission, and shall have equal responsibility over  
21       the United States Postal Service and the Postal  
22       Regulatory Commission. The Commission shall com-  
23       ply with the Inspector General’s oversight as if the  
24       Commission were a designated Federal entity under  
25       subsection (a)(2) and as if the Inspector General

1       were the inspector general of the Commission. The  
2       Governors of the Postal Service shall not direct over-  
3       sight activities for the Postal Regulatory Commis-  
4       sion.”;

5               (B) in paragraph (3)(A)(i), by inserting  
6       “pertaining to the United States Postal Serv-  
7       ice” after “subpoenas,”;

8               (C) in paragraph (3)(B)(i), by inserting  
9       “and the Postal Regulatory Commission” after  
10      “United States Postal Service”;

11              (D) in paragraph (3)(C), by inserting “or  
12      the Postal Regulatory Commission” after “Gov-  
13      ernors”;

14              (E) by redesignating paragraphs (4), (5),  
15      and (6) as paragraphs (5), (6), and (7), respec-  
16      tively; and

17              (F) by inserting after paragraph (3) the  
18      following:

19              “(4) For activities pertaining to the Postal Reg-  
20      ulatory Commission, sections 4, 5, 6 (other than  
21      subsection (g) thereof), and 7 of this Act shall be  
22      applied by substituting the term ‘head of the Postal  
23      Regulatory Commission’ for ‘head of the establish-  
24      ment’.”.

1 (b) APPOINTMENT AND REMOVAL.—Section 202 of  
2 title 39, United States Code, is amended—

3 (1) in subsection (e)(1), by striking “The Gov-  
4 ernors shall appoint” and inserting “The Governors  
5 and the members of the Postal Regulatory Commis-  
6 sion shall appoint, by a favorable vote of a majority  
7 of the Governors in office and of a majority of the  
8 members of the Commission in office,”; and

9 (2) in subsection (e)(3), by inserting “and 3  
10 members of the Postal Regulatory Commission”  
11 after “at least 7 Governors”.

12 (c) SAVINGS PROVISION.—

13 (1) PERSONNEL, DOCUMENTS, ASSETS.—All  
14 personnel, documents, assets, unexpended balances  
15 of appropriations, and obligations of the Inspector  
16 General for the Postal Regulatory Commission shall  
17 transfer to the Inspector General of the Postal Serv-  
18 ice on the effective date of this section.

19 (2) LEGAL DOCUMENTS.—Any order, deter-  
20 mination, rule, regulation, permit, grant, loan, con-  
21 tract, agreement, certificate, license, or privilege that  
22 has been issued, made, granted, or allowed to be-  
23 come effective by the Inspector General of the Postal  
24 Regulatory Commission that is in effect on the effec-  
25 tive date of this section shall continue in effect ac-

1 cording to their terms until modified, terminated,  
2 superseded, set aside, or revoked in accordance with  
3 law.

4 (3) PROCEEDINGS.—This section and the  
5 amendments made by this section shall not affect  
6 any proceeding pending on the effective date of this  
7 section before the Inspector General of the Postal  
8 Regulatory Commission, but such proceeding shall  
9 be continued by the Inspector General of the Postal  
10 Service, at the discretion of that Inspector General.  
11 Nothing in this paragraph shall be construed to pro-  
12 hibit the discontinuance or modification of any such  
13 proceeding under the same terms and conditions and  
14 to the same extent that the proceeding could have  
15 been discontinued or modified if this section and  
16 those amendments had not been enacted.

17 (4) SUITS.—This section and the amendments  
18 made by this section shall not affect any suit com-  
19 menced before the effective date of this section, and  
20 in any such suit, proceeding shall be had, appeals  
21 taken, and judgments rendered in the same manner  
22 and with the same effect as if this section or such  
23 amendments had not been enacted.

24 (5) REFERENCES.—Any reference in any other  
25 Federal law, Executive order, rule, regulation, or

1 delegation of authority, or any document relating to  
2 the Inspector General of the Postal Regulatory Com-  
3 mission shall be deemed to refer to the Inspector  
4 General of the United States Postal Service.

5 (d) TECHNICAL AND CONFORMING AMENDMENT.—  
6 Section 504 of title 39, United States Code, is amended  
7 by striking subsection (h).

8 (e) EFFECTIVE DATE.—This section and the amend-  
9 ments made by this section shall take effect on the date  
10 that is 180 days after the date of enactment of this Act.

## 11 **TITLE III—SEVERABILITY**

### 12 **SEC. 301. SEVERABILITY.**

13 If any provision of this Act or any amendment made  
14 by this Act, or the application of a provision of this Act  
15 or an amendment made by this Act to any person or cir-  
16 cumstance, is held to be unconstitutional, the remainder  
17 of this Act, and the application of the provisions to any  
18 person or circumstance, shall not be affected by the hold-  
19 ing.

