

114TH CONGRESS
2D SESSION

H. R. 4656

To place a moratorium on the United States Postal Service’s mail processing facility closure and consolidation and to maintain Postal Service delivery standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2016

Mr. HUFFMAN (for himself, Mr. MCKINLEY, Mr. SERRANO, and Mr. JENKINS of West Virginia) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To place a moratorium on the United States Postal Service’s mail processing facility closure and consolidation and to maintain Postal Service delivery standards, and for other purposes.

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 “Stop Postal Closures
5 Act of 2016”.

6 **SEC. 2. POSTAL FACILITY CLOSURE AND CONSOLIDATIONS.**

7 (a) **MORATORIUM ON CLOSINGS AND CONSOLIDA-**
8 **TIONS.**—Beginning on the date of enactment of this Act,

1 the United States Postal Service may not close or consoli-
2 date any postal facility (as that term is defined in section
3 404(f)(5) of title 39, United States Code, as added by sub-
4 section (b)), or carry out any network rationalization ac-
5 tivity, until the Postal Regulatory Commission has cer-
6 tified that the Postal Service has met the national service
7 standards in accordance with the requirements of section
8 3.

9 (b) PROCESS FOR CLOSING AND CONSOLIDATING
10 PROCESSING FACILITIES.—Section 404 of title 39, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

13 “(f)(1) The Postal Service may not close or consoli-
14 date any postal facility without the approval of the Postal
15 Regulatory Commission, as provided in this subsection.
16 For purposes of this subsection, the term ‘postal facility’
17 means a Postal Service facility that is primarily involved
18 in the preparation, dispatch, or other physical processing
19 of mail, but does not include—

20 “(A) any post office, station, or branch; or

21 “(B) any facility used only for administrative
22 functions.

23 “(2) Before making a determination to close or con-
24 solidate any postal facility, the Postal Service shall con-

1 duct an area mail processing study with respect to the fa-
2 cility. Such study shall include—

3 “(A) a plan to reduce the capacity of the facility with-
4 out closing the facility;

5 “(B) an analysis of the effect of the closure or con-
6 solidation on the ability of individuals served by the facility
7 to vote by mail and the ability of the Postal Service to
8 timely deliver ballots in elections for public office by mail
9 in accordance with the deadline to return ballots estab-
10 lished under applicable law;

11 “(C) an analysis of the effect of closure or consolida-
12 tion on the—

13 “(i) ability of individuals served by the facility
14 to receive medications and other crucial notices and
15 market-dominant products;

16 “(ii) affected community, including any dis-
17 proportionate impact on a State, region, or locality;

18 “(iii) travel times and distances for affected
19 customers to access postal services;

20 “(iv) delivery times for all classes of mail; and

21 “(v) small businesses in the area, including
22 shipping and communications with customers and
23 suppliers and the corresponding impact on revenues,
24 operations, and growth;

1 “(D) an analysis of any characteristics of the geo-
2 graphic area in which the facility is located that may have
3 a unique effect, including remoteness, broadband internet
4 availability, and weather-related obstacles to using alter-
5 native postal facilities; and

6 “(E) any other factor the Postal Service determines
7 necessary.

8 “(3) The Postmaster General shall publish—

9 “(A) any study completed under paragraph (2)
10 on the Postal Service public Web site; and

11 “(B) a notice that the study is complete and
12 available to the public.

13 “(4) If the Postal Service makes a determination to
14 close or consolidate a postal facility after completing the
15 requirements of paragraphs (2) and (3), the Postal Service
16 shall—

17 “(A) provide written notice of the determination
18 to Congress and the Postal Regulatory Commission;

19 “(B) provide adequate public notice of the in-
20 tention to close or consolidate the facility, including
21 through written notification (in multiple languages
22 where necessary), within 30 days after the date no-
23 tice is provided under subparagraph (A), to each
24 person in the zip code served by such postal facility;

1 “(C) during the period of 120 days beginning
2 on the date that is 30 days after the date notice is
3 provided under subparagraph (A), ensure that inter-
4 ested persons have an opportunity to submit public
5 comments;

6 “(D) prior to the period described in subpara-
7 graph (C), provide for public notice of such oppor-
8 tunity by—

9 “(i) publication on the Postal Service pub-
10 lic Web site;

11 “(ii) prominent posting at the affected
12 postal facility; and

13 “(iii) advertising the dates and locations of
14 the public community meetings required under
15 subparagraph (E); and

16 “(E) during the period described in subpara-
17 graph (C), conduct at least 3 public meetings located
18 within the area affected by the closing or consolida-
19 tion that provides an opportunity for public com-
20 ments to be submitted verbally or in writing.

21 “(5) Before the date on which the Postal Service pro-
22 poses to close or consolidate a postal facility, the Postal
23 Service shall publish on the Postal Service public Web
24 site—

1 “(A) notice of the final determination to close
2 or consolidate the facility; and

3 “(B) a justification statement that includes—

4 “(i) a response to all public comments re-
5 ceived under paragraph (4);

6 “(ii) the considerations made by the Postal
7 Service under such paragraph; and

8 “(iii) the actions that will be taken by the
9 Postal Service to mitigate any negative effects
10 identified under such paragraph.

11 “(6)(A) Beginning on the date that the Postal Service
12 publishes the notice under paragraph (5), the Postal Reg-
13 ulatory Commission shall have 90 days to—

14 “(i) review the study, public comments, and the
15 Postal Service’s response and notice, as described in
16 such paragraphs; and

17 “(ii) approve or disapprove of the closure or
18 consolidation.

19 “(B) If the Commission disapproves the closure or
20 consolidation, the Postal Service may not attempt to con-
21 solidate or close that facility under this subsection for two
22 years beginning on the date of the Commission’s deter-
23 mination under subparagraph (A)(ii). A disapproval notice
24 under this subparagraph shall be published on the Com-
25 mission’s public Web site.

1 “(C) If the Commission approves the closure or con-
 2 solidation, the Postal Service may not begin the closure
 3 or consolidation action until the date that is 15 days after
 4 the date of the Commission’s approval. An approval notice
 5 under this subparagraph shall be published on the Com-
 6 mission’s public Web site.”.

7 (c) APPLICATION.—The amendment made by sub-
 8 section (b) shall apply to any closure or consolidation de-
 9 termination made by the United States Postal Service
 10 with respect to a postal facility (as that term is defined
 11 in section 404(f)(1) of title 39, United States Code, as
 12 added by subsection (b)) on or after the date of enactment
 13 of this Act.

14 **SEC. 3. MARKET-DOMINANT PRODUCT SERVICE STAND-**
 15 **ARDS.**

16 (a) NATIONAL MAIL DELIVERY SERVICE STAND-
 17 ARDS.—With respect to any market-dominant product (as
 18 that term is defined in section 102(8) of title 39, United
 19 States Code)—

- 20 (1) the national service standards implemented
- 21 by the United States Postal Service and in effect on
- 22 January 5, 2015, shall have no force or effect; and
- 23 (2) the Postal Service shall reinstate the na-
- 24 tional service standards that were in effect on July
- 25 1, 2012.

1 (b) DELIVERY STANDARDS ENFORCEMENT.—The
 2 Postal Regulatory Commission shall determine, on an an-
 3 nual basis and using the performance ratings established
 4 under subsection (c), if the United States Postal Service
 5 is meeting the national service standards established
 6 under subsection (a) for market-dominant products. Such
 7 determination shall be submitted to the Federal Register.

8 (c) PERFORMANCE RATINGS.—The Postal Regu-
 9 latory Commission shall rate the performance of the Post-
 10 al Service with respect to—

11 (1) each 3-digit zip code area, postal district,
 12 and operational area;

13 (2) all postal districts—

14 (A) by urban, suburban, or rural category;
 15 and

16 (B) nationwide;

17 (3) all operational areas—

18 (A) by urban, suburban, or rural category;
 19 and

20 (B) nationwide;

21 (4) market-dominant products nationwide; and

22 (5) first-class mail nationwide.

23 (d) DEFINITION OF URBAN, SUBURBAN, AND
 24 RURAL.—For purposes of subsection (c), the Postal Regu-
 25 latory Commission—

1 (1) shall promulgate regulations to define the
2 terms “urban”, “suburban”, and “rural”;

3 (2) in defining the terms under paragraph (1),
4 shall—

5 (A) consider—

6 (i) any recommendations submitted to
7 the Commission by the Postmaster Gen-
8 eral; and

9 (ii) existing definitions of those terms
10 that are in use by the Postal Service, the
11 Federal Government, and other sources;
12 and

13 (B) incorporate stakeholder input; and

14 (3) shall categorize each 3-digit zip code area
15 as an urban, suburban, or rural community.

16 (e) CORRECTIVE ACTION.—

17 (1) IN GENERAL.—If the Postal Regulatory
18 Commission finds that the Postal Service is not
19 meeting the national service standards, the Commis-
20 sion may recommend to the Postal Service corrective
21 actions and reasonable performance targets to meet
22 the standards. The recommendations shall be pub-
23 lished on the Commission’s public Web site and an-
24 nually submitted to Congress and the Postal Service.

1 (2) POSTAL SERVICE RESPONSE.—Not later
2 than 60 days after receiving any recommendations
3 under paragraph (1), the Postmaster General shall
4 respond in writing to the recommendations. The re-
5 sponse shall explain how the Postal Service will
6 change operations to achieve the recommendations.
7 The response shall be published on the Commission’s
8 public Web site and annually submitted to Congress
9 and the Commission.

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