

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the closing of post offices and the establishment of retail service standards.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

S. 1789

To improve, sustain, and transform the United States Postal Service.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 Strike section 204 and insert the following:

2 **SEC. 204. POST OFFICES.**

3 (a) CLOSING POST OFFICES.—Section 404 of title
4 39, United States Code, is amended—

5 (1) by striking “(d)(1)” and all that follows
6 through “present their views.” and inserting the fol-
7 lowing:

8 “(d)(1) The Postal Service, prior to making a deter-
9 mination under subsection (a)(3) of this section as to the
10 necessity for the closing or consolidation of any post office,
11 shall—

12 “(A) consider whether—

1 “(i) to close the post office or consolidate
2 the post office and another post office located
3 within a reasonable distance;

4 “(ii) instead of closing or consolidating the
5 post office—

6 “(I) to reduce the number of hours a
7 day that the post office operates; or

8 “(II) to continue operating the post
9 office for the same number of hours a day;

10 “(iii) to procure a contract providing full,
11 or less than full, retail services in the commu-
12 nity served by the post office; or

13 “(iv) to provide postal services to the com-
14 munity served by the post office through a rural
15 carrier;

16 “(B) provide postal customers served by the
17 post office an opportunity to participate in a non-
18 binding survey conducted by mail on a preference for
19 an option described in subparagraph (A); and

20 “(C) if the Postal Service determines to close or
21 consolidate the post office, provide adequate notice
22 of its intention to close or consolidate such post of-
23 fice at least 60 days prior to the proposed date of
24 such closing or consolidation to persons served by

1 such post office to ensure that such persons will
2 have an opportunity to present their views.”; and

3 (2) in subsection (d)(5), in the first sentence—

4 (A) by inserting “, station, or branch”
5 after “post office”;

6 (B) by inserting “, station, or branch”
7 after “such office”; and

8 (C) by striking “under paragraph (3)”.

9 (b) RETAIL SERVICE STANDARDS.—

10 (1) DEFINITION.—In this subsection, the term
11 “retail postal service” means service that allows a
12 postal customer to—

13 (A) purchase postage;

14 (B) enter packages into the mail stream;

15 and

16 (C) procure other services offered by the
17 Postal Service.

18 (2) ESTABLISHMENT.—Not later than 6
19 months after the date of enactment of this Act, the
20 Postal Service shall exercise its authority under sec-
21 tion 3691 of title 39, United States Code, to estab-
22 lish service standards for market-dominant products
23 in order to guarantee customers of the Postal Serv-
24 ice regular and effective access to retail postal serv-

1 ices nationwide (including in territories and posses-
2 sions of the United States) on a reasonable basis.

3 (3) CONTENTS.—The service standards estab-
4 lished under paragraph (2) shall—

5 (A) be consistent with—

6 (i) the obligations of the Postal Serv-
7 ice under section 101(b) of title 39, United
8 States Code; and

9 (ii) the contents of the plan developed
10 under section 302 of the Postal Account-
11 ability and Enhancement Act of 2006 (39
12 U.S.C. 3691 note), as amended by section
13 202 of this Act; and

14 (B) take into account factors including—

15 (i) geography, including the establish-
16 ment of standards for the proximity of re-
17 tail postal services to postal customers, in-
18 cluding a consideration of the reasonable
19 maximum time a postal customer should
20 expect to travel to access a postal retail lo-
21 cation;

22 (ii) population, including population
23 density, demographic factors such as the
24 age and disability status of individuals in
25 the area to be served by a location pro-

1 viding postal retail services, and other fac-
2 tors that may impact the ability of postal
3 customers, including businesses, to travel
4 to a postal retail location;

5 (iii) the feasibility of offering retail
6 access to postal services in addition to post
7 offices, as described in section 302(d) of
8 the Postal Accountability and Enhance-
9 ment Act of 2006 (39 U.S.C. 3691 note);

10 (iv) the requirement that the Postal
11 Service serve remote areas and commu-
12 nities with transportation challenges, in-
13 cluding communities in which the effects of
14 inclement weather or other natural condi-
15 tions might obstruct or otherwise impede
16 access to retail postal services; and

17 (v) the ability of postal customers to
18 access retail postal services in areas that
19 were served by a post office that was
20 closed or consolidated during the 1 year
21 period ending on the date of enactment of
22 this Act.

23 (c) PROHIBITION ON CLOSING POST OFFICES.—Not-
24 withstanding section 404(d) of title 39, United States
25 Code, during the period beginning on the date of enact-

1 ment of this Act and ending on the date on which the
2 Postal Service establishes the service standards under sub-
3 section (b), the Postal Service may not close a post office,
4 except as required to comply with section 19 of the Occu-
5 pational Safety and Health Act of 1970 (29 U.S.C. 668).