

119TH CONGRESS
2D SESSION

S. _____

To modify the procedures used by the United States Postal Service for the closure or consolidation of any post office or any processing and distribution center, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO (for herself and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To modify the procedures used by the United States Postal Service for the closure or consolidation of any post office or any processing and distribution center, 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 “Protect Postal Per-
5 formance Act”.

1 **SEC. 2. LIMITATION ON CLOSURE AND CONSOLIDATIONS**2 **OF POST OFFICES.**

3 Section 404(d) of title 39, United States Code, is

4 amended—

5 (1) in paragraph (4)—

6 (A) by striking “The Postal Service” and

7 insert “(A) The Postal Service”; and

8 (B) by adding at the end the following:

9 “(B) During such 60-day period, the Post-
10 al Service shall carry out a public hearing on
11 the closure or consolidation, which may be at-
12 tended in-person or virtually by any members of
13 the public affected by the closure or consolida-
14 tion.15 “(C) Not later than 7 days after such
16 hearing, the Postal Service shall publish a sum-
17 mary of the hearing on the Postal Service’s
18 public website, and include in such summary a
19 description of any comments made or otherwise
20 submitted at such hearing and the percentage
21 of such comments that were in support or
22 against the closure or consolidation.23 “(D) Notwithstanding any other provision
24 of this title, the applicable post office may not
25 be closed or consolidated until the date that is

11 SEC. 3. POSTAL SERVICE PROCESSING AND DISTRIBUTION 12 CENTERS; TRANSPORTATION OPTIMIZATION.

13 (a) IN GENERAL.—Chapter 4 of title 39, United
14 States Code, is amended by adding after section 416 the
15 following:

16 “§417. Postal Service processing and distribution 17 centers

18 "(a) IN GENERAL.—The United States Postal Serv-
19 ice may not close, consolidate, downgrade, or take any
20 other similar action with respect to any processing and
21 distribution center in a State if such action would result
22 in no such center being located in that State in any geo-
23 graphically non-contiguous region of that State inhabited
24 by more than 100,000 permanent residents.

1 “(b) LIMITATION ON CHANGES TO MAIL PROCESSING

2 FACILITIES.—

3 “(1) IN GENERAL.—Notwithstanding any other
4 provision of law, the Postal Service may not imple-
5 ment or otherwise carry out any changes to the op-
6 erations of its mail processing facilities (including
7 consolidation or partial consolidation, aggregation of
8 processing, distribution, or delivery operations) until
9 on or after the date that the Postal Regulatory
10 Commission issues an opinion using the procedures
11 under section 3661 on the proposed facility changes.

12 “(2) DEADLINE.—The Postal Regulatory Com-
13 mission shall issue the advisory opinion required
14 under paragraph (1) not later than 120 business
15 days after the date the Postal Service submits to the
16 Commission a proposed change to any such facility.

17 “(3) OTHER REQUIREMENTS.—The Commission
18 shall issue an advisory opinion for each processing
19 and distribution center at which the Postal Service
20 has proposed changes, downsizing, and consolida-
21 tions.

22 “(4) REPORT.—If an advisory opinion by the
23 Commission under this subsection determines that a
24 proposed change will lead to slower on-time mail de-
25 livery, the Postal Service shall publish a report on

1 the Postal Service's public website on practices and
2 procedures the Postal Service will implement to en-
3 sure mail delivery remains on time. No such changes
4 may be implemented or otherwise carried out for the
5 period of 180 days beginning on the date such re-
6 port is so published.

7 “(c) PROHIBITING ON CARRYING OUT MAIL PROC-
8 ESSING FACILITY REVIEW.—Notwithstanding any other
9 provision of law, the Postal Service may not carry out the
10 United States Postal Service Mail Processing Facility Re-
11 view (or any successor program), and no Federal funds
12 (including amounts in the Postal Service Fund under sec-
13 tion 2003) may be obligated or expended to carry out such
14 Review.

15 “(d) LIMITATION OF THE CLOSURE OF PROCESSING
16 AND DISTRIBUTION CENTERS IN REGIONS THAT ARE
17 NOT MEETING ON-TIME DELIVERY BENCHMARKS.—Dur-
18 ing any calendar year, the Postal Service may not close,
19 consolidate, or otherwise move any operations or services
20 from any processing and distribution center located within
21 any Postal Service district that, during anytime within the
22 immediately preceding calendar year, failed to meet—

23 “(1) at least 93 percent on-time delivery rate
24 for 2-day single first-class mail; and

1 “(2) at least 90.3 percent on-time delivery rate
2 for 3 to 5-day first-class mail.

3 “(e) DEFINITIONS.—In this section—

4 “(1) the term ‘geographically non-contiguous
5 region’ means an area of a State that is physically
6 separated from the main body of the State by a sig-
7 nificant body of water or land controlled by another
8 State;

9 “(2) the term ‘processing and distribution cen-
10 ter’ means a central mail facility that—

11 “(A) distributes and dispatches part or all
12 of both incoming mail and outgoing mail for a
13 designated service area;

14 “(B) provides instructions on the prepara-
15 tion of collection mail, dispatch schedules, and
16 sorting plan requirements to mailers; and

17 “(C) is a sectional center facility, a general
18 mail facility, or a dedicated mail processing fa-
19 cility without a station or branch; and

20 “(3) the term ‘State’ means the 50 States and
21 the District of Columbia.

1 “§ 418. Local transportation optimization and re- 2 gional transportation optimization 3 changes

4 “(a) IN GENERAL.—The Postal Service may not im-
5 plement or otherwise carry out any local transportation
6 optimization (in this section referred to as ‘LTO’) and re-
7 gional transportation optimization (in this section referred
8 to as ‘RTO’) efforts that will decrease the number of times
9 mail is either picked up or dropped off for any post office
10 in the country.

11 “(b) PRC OPINION.—The Postal Service may not
12 proceed with changing drop off and pick up schedules at
13 post offices as part of the LTO or RTO plans without
14 requesting a Postal Regulatory Commission opinion using
15 the procedures under section 3661.

16 “(c) LIMITATION.—If the Postal Regulatory Commis-
17 sion does not recommend implementing the changes in an
18 opinion under subsection (b), the Postal Service may not
19 move forward with LTO or RTO optimization efforts any-
20 where in the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by adding after the item relating to section 416 the following:

“417. Postal Service processing and distribution centers.

“418. Local transportation optimization and regional transportation optimization changes.”.