

112TH CONGRESS
1ST SESSION

H. R. 2956

To amend title 39, United States Code, to provide for additional criteria for the United States Postal Service to consider with respect to closing or consolidating a post office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2011

Ms. MOORE (for herself and Ms. FUDGE) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 39, United States Code, to provide for additional criteria for the United States Postal Service to consider with respect to closing or consolidating a post office, 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 “Fair and Equitable
5 Postal Service Access Act”.

1 **SEC. 2. AMENDMENTS TO POST OFFICE CLOSURE OR CON-**
2 **SOLIDATION PROCEDURES.**

3 (a) IN GENERAL.—Section 404(d) of title 39, United
4 States Code, is amended—

5 (1) in paragraph (2)(A)(i), by inserting before
6 the semicolon the following: “, including whether
7 such closing or consolidation will decrease access to
8 postal or nonpostal service offered at such post of-
9 fice in such community with respect to elderly indi-
10 viduals, economically disadvantaged individuals, indi-
11 viduals with limited mobility, or individuals without
12 reliable and affordable access to the Internet”;

13 (2) in paragraph (2)(A)(v), by inserting before
14 the semicolon the following: “, including, during the
15 previous 5 years: the number of, and revenue derived
16 from, money-order transactions processed by such
17 post office; the volume of international mail proc-
18 essed by such post office; and the number of cus-
19 tomers served at such post office”;

20 (3) by striking paragraph (3) and inserting the
21 following:

22 “(3)(A) Any determination of the Postal Service to
23 close or consolidate a post office shall be in writing and
24 shall include the findings of the Postal Service with re-
25 spect to the considerations required to be made under

1 paragraph (2). Such determination and findings shall be
2 made available to individuals served by such post office.

3 “(B) With respect to the closing or consolidation of
4 a post office located in a community where individuals list-
5 ed in paragraph (2)(A)(i) reside, the analysis required
6 under paragraph (2) shall include an assessment of the
7 effect such closing or consolidation will have on such indi-
8 viduals.”; and

9 (4) by adding at the end the following:

10 “(7) The Postal Service shall not close or consolidate
11 a post office if such closing or consolidation would result
12 in a disproportionate, unreasonable, or undue burden on
13 a class of individuals listed in paragraph (2)(A)(i).

14 “(8) For purposes of this subsection—

15 “(A) an individual is ‘economically disadvan-
16 taged’ if, with respect to the community in which
17 such individual lives, at least 60 percent of the
18 households have children who are eligible for free or
19 reduced price lunches under the school lunch pro-
20 gram under the Richard B. Russell National School
21 Lunch Act (42 U.S.C. 1751 et seq.);

22 “(B) the term ‘elderly’, used with respect to an
23 individual, means age 65 or older;

24 “(C) the term ‘post office’ includes a branch
25 post office and a post office station;

1 “(D) whether an individual has limited mobility
2 shall be determined by, with respect to the commu-
3 nity in which such individual lives—

4 “(i) how accessible public transportation is,
5 as measured by the availability of public trans-
6 portation options in the community; the fre-
7 quency of service on such options; and the time
8 and distance required to access such options as
9 a pedestrian; and

10 “(ii) the rate of highway motor vehicle
11 ownership, as measured by, in the most recent
12 American Community Survey published by the
13 Bureau of the Census, the difference between
14 the number of individuals in such community
15 that own or lease a highway motor vehicle and
16 the statewide average of individuals who own or
17 lease such a vehicle;

18 “(E) in order to determine whether an indi-
19 vidual has reliable and affordable access to the
20 Internet, the Postal Service shall use the Internet
21 Use Supplement in the most recent Current Popu-
22 lation Survey published by the Bureau of the Cen-
23 sus; and

24 “(F) in order to determine the statistical data
25 required under this subsection with respect to a

1 class of individuals listed in paragraph (2)(A)(i), the
2 Postal Service may use any available data from local
3 or State governments or the Federal Government.”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 this section shall apply with respect to any post office—

6 (1) that has been determined to be necessary
7 for closing or consolidation under section 404(d) of
8 title 39, United States Code; or

9 (2) that is included in a proposal—

10 (A) to change the nature of postal services
11 on a nationwide or substantially nationwide
12 basis; and

13 (B) for which the Postal Service has re-
14 quested an advisory opinion from the Postal
15 Regulatory Commission pursuant to section
16 3661(b) of such title.

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