



# The U.S. Postal Service: Common Questions About Post Office Closures

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## Summary

In late July 2011, the U.S. Postal Service (USPS) announced it was considering the closure of 3,652 retail postal facilities. These are not the only USPS facilities that might discontinue operations. An additional 728 retail postal facilities are being considered for closure under a 2009 USPS initiative, for a total of 4,380 USPS retail facilities.

Four bills in the 112<sup>th</sup> Congress carry provisions that address post offices and the public's access to retail postal services—H.R. 2309, H.R. 2692, S. 353, and S. 1010.

This report addresses common questions about the closure of post offices. Questions answered include (1) What is a post office? (2) How many post offices are there? (3) How many post offices might the USPS close? (4) What authority does the USPS have to close post offices? (5) What is the current post office closure process? (6) When might the post office closure process begin? (7) How many USPS employees may lose their jobs? and (8) What current legislation carries provisions related to post offices?

Colloquially, the term “post office” often is employed to refer to any place where stamps are sold and postal services are provided by USPS employees. However, the USPS differentiates among several categories of postal facilities, including post offices, post office branches and stations, community post offices, and contract postal units. At the end of FY2010, the USPS had 35,633 retail postal facilities.

Congress has given the USPS considerable discretion to decide how many post offices to erect and where to place them. Congress also requires the USPS to provide the public with access to retail postal services (e.g., sales of postage, parcel acceptance, etc.).

Both federal law and the USPS's rules prescribe a post office closure process, which takes at least 120 days. The USPS must notify the affected public and hold a 60-day comment period prior to closing a post office. Should the USPS decide to close a post office, the public has 30 days to appeal the decision to the Postal Regulatory Commission. Sixty days after it has made a closure decision, the USPS may shut down a post office.

The USPS has not provided a clear timeline for its consideration of the possible closure of the 3,652 retail postal facilities. Nor has the USPS reported how many employees might lose their jobs. The USPS has said that “[n]o facility closure or service change resulting from this initiative will be implemented before late December 2011.”

H.R. 2309, H.R. 2692, S. 353, and S. 1010 are very different from one another. Among their other provisions, H.R. 2309 would reduce the number of post offices; H.R. 2692 would alter the post office closure process; S. 353 would require the USPS to expand the provision of postal services via private retail outlets; and S. 1010 would increase the USPS's authority to close post offices and require it to expand retail services via other means. All four bills were in committee at the time of this report's publication.

This report will be updated to reflect significant developments.

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## What Is a Post Office?

Colloquially, the term “post office” often is employed to refer to any place where stamps are sold and postal services are provided by USPS employees. Post offices, branches, stations, and community post offices all offer to the public a range of postal services. They are where many individuals go to buy stamps and ship packages.

The USPS, however, administratively differentiates the types of retail postal facilities that conduct these same activities:

- main post office—The basic organizational unit of the USPS. Generally, each post office has primary responsibility for collection, delivery, and retail operations in a specific geographic area. [Also called “post office.”]
- post office branch—A unit of a main post office that is outside the corporate limits of the city or town of the main post office. [Also called “classified branch.”]
- post office station—A unit of a main post office that is within the corporate limits of the city or town of the main post office. [Also called “classified station.”]<sup>1</sup>

Each post office is managed by a postmaster; post office branches and stations are not. Branches and stations instead have managers who are under the direction of postmasters.

The USPS also provides postal services to customers through privately operated facilities:

- contract postal unit—A postal unit that is a subordinate unit within the service area of a main post office. It is usually located in a store or place of business and is operated by a contractor who accepts mail from the public, sells postage and supplies, and provides selected special services (for example, postal money order or registered mail).
- community post office—A contract postal unit that provides service in a community where an independent post office has been discontinued. [It] bears its community’s name and ZIP Code as part of a recognized address.<sup>2</sup>

Herein, the term “USPS retail postal facilities” will encompass all five of the aforementioned postal facilities—post offices, post office branches, post office stations, community post offices, and contract postal units.

## How Many Post Offices Are There?

The USPS’s annual reports contain tabulations of the number of USPS retail postal facilities in existence at the end of each fiscal year. **Figure 1** presents data on the number of facilities from

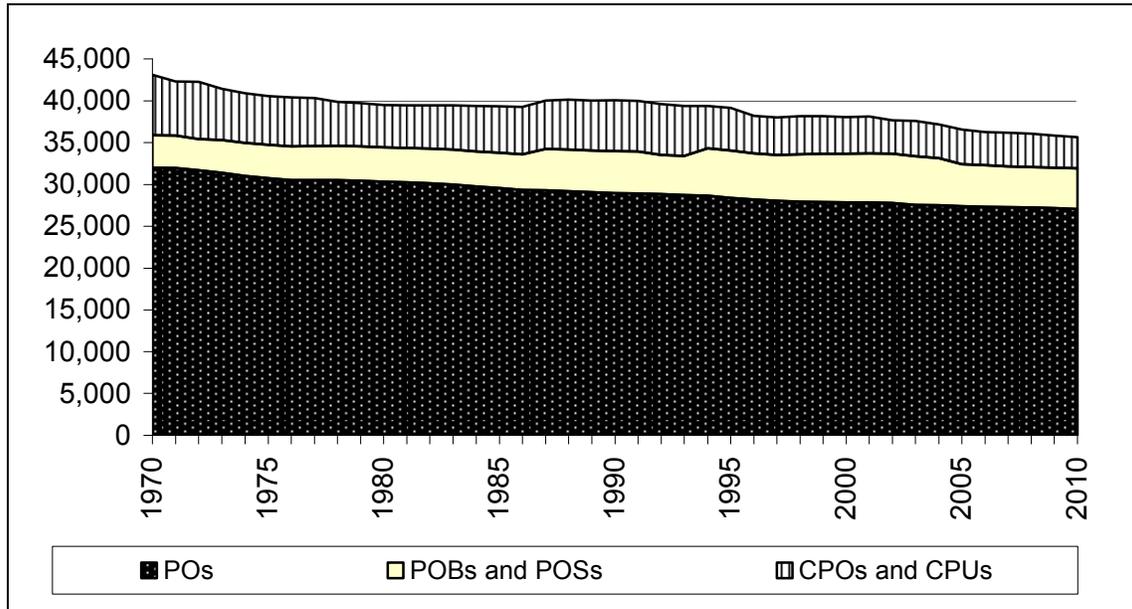
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<sup>1</sup> U.S. Postal Service, *Publication 32: Glossary of Postal Terms* (Washington: USPS, April 2011), p. 176, at <http://about.usps.com/publications/pub32.pdf>.

<sup>2</sup> *Ibid.*, pp. 49, 45.

FY1970 through FY2010. Over time, the USPS has altered the terms used to refer to some of these facilities. Additionally, the USPS has disaggregated post office branches from post office stations only since FY2004. Hence, **Figure 1** and **Table 1** present the retail postal facilities data as compiled into three categories: post offices (POs), post office branches and stations (POBs and POSs), and community post offices and contract postal units (CPOs and CPUs).

**Figure 1. The Number of USPS Retail Postal Facilities, FY1970-FY2010**



Source: U.S. Postal Service, *Annual Reports*, 1970-2010.

**Figure 1** and **Table 1** indicate that the total number of USPS retail postal facilities has declined steadily.<sup>3</sup> In FY1970, the USPS had 43,112 retail facilities; in FY2010 it had 35,633—17.3% fewer. The number of POs has dropped 15.4%, and the number of CPUs and CPOs has declined 50.0%. Meanwhile, the number of POBs and POSs has increased 25.7%.

**Table 1. The Number of USPS Retail Postal Facilities, FY1970 vs. FY2010**

Retail Postal Facility Type	1970	2010	% Change
Post Offices	32,002	27,077	-15.4%
Post Office Branches and Post Office Stations	3,869	4,862	25.7%
Community Post Offices and Contract Postal Units	7,241	3,694	-50.0%
Total	43,112	35,633	-17.3%

Source: U.S. Postal Service, *Annual Reports*, 1970-2010.

<sup>3</sup> These data should not be interpreted to mean that customer access to postal services has declined. Customer access to postal services depends on many variables. For example, these data exclude non-USPS retail outlets that provide postal services, such as grocery stores that sell postage stamps.

## How Many Post Offices Might the USPS Close?

On July 26, 2011, the USPS announced its 2011 Retail Access Optimization plan, which involves the possible closure of 3,652 retail facilities. This is approximately 10.2% of its 35,633 retail postal facilities.<sup>4</sup> These are not the only facilities that might close. As part of the USPS's May 2009 closure initiative, an additional 728 other retail postal facilities also are being considered for closure, for a total of 4,380 retail facilities, or 12.9% of the USPS's total cohort.<sup>5</sup>

The 4,380 facilities under consideration are located in 49 of the 50 states and the District of Columbia. (Only Delaware currently does not have a post office on the closure list.)<sup>6</sup> The USPS suggests closing all these facilities could save more than \$200 million per year.<sup>7</sup> The USPS, a self-supporting federal agency, lost \$20.4 billion between FY2007 and FY2010, and is predicting an \$8 billion deficit in FY2011.<sup>8</sup>

The USPS did not fully clarify how many of these post offices were post offices, branches, or stations. Nor did the USPS say whether any of these post offices were already non-operational (i.e., not open due to an emergency closure).<sup>9</sup> The 728 facilities that were part of the 2009 closure initiative are post office branches and stations. Of the 3,652 retail facilities being considered under the 2011 closure proposal, the USPS reports that

- 2,825 are post offices, each of which earned less than \$27,500 in revenue annually;
- 384 are post office stations and branches, each of which earned FY2010 revenue of less than \$600,000;
- 178 are “retail annexes,” each of which earned FY2010 revenues of less than \$1,000,000; and
- 265 are post offices, stations, and branches that were undergoing discontinuance review already.<sup>10</sup>

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<sup>4</sup> U.S. Postal Service, “Postal Service Takes Next Step in Optimizing Retail Network,” press release, July 26, 2011, at [http://about.usps.com/news/national-releases/2011/pr11\\_089.htm](http://about.usps.com/news/national-releases/2011/pr11_089.htm).

<sup>5</sup> On the USPS's May 2009 post office closure proposal, see CRS Report R40719, *Post Office and Retail Postal Facility Closures: Overview and Issues for Congress*, by Kevin R. Kosar. The USPS's list of the 728 retail facilities being considered for closure under the 2009 closure proposal is at <http://www.prc.gov/Docs/74/74156/USPS.LR.3.xls>.

<sup>6</sup> The USPS's July 2011 list of 3,652 post offices that will be considered for closure is at <http://www.prc.gov/Docs/74/74155/USPS.LR.2.xls>. The *Washington Post* has produced a map indicating the location of the 3,652 possible closures by state at [http://www.washingtonpost.com/politics/postal-code-closed/2011/07/26/gIQakuagbl\\_graphic.html](http://www.washingtonpost.com/politics/postal-code-closed/2011/07/26/gIQakuagbl_graphic.html).

<sup>7</sup> Sean Reilly, “USPS Weighs Closure of Up to 3,600 Post Offices,” *Federal Times*, July 26, 2011, at <http://www.federaltimes.com/article/20110726/DEPARTMENTS02/107260303/1001>.

<sup>8</sup> On the USPS's financial condition see CRS Report R41024, *The U.S. Postal Service's Financial Condition: Overview and Issues for Congress*, by Kevin R. Kosar.

<sup>9</sup> For example, the USPS may cease operations at a post office that has been damaged by a fire. Further details on emergency closures are provided in the “What Is the Post Office Closure Process?” section of this report.

<sup>10</sup> U.S. Postal Service, “Request of the U.S. Postal Service for an Advisory Opinion On Changes In the Nature of Postal Services,” Postal Regulatory Commission, Docket N2011-1, July 27, 2011, pp. 5-6, at <http://www.prc.gov/Docs/74/74124/Request.FINAL.pdf>.

It is unclear how many of these retail postal facilities ultimately will be closed. As **Figure 1** indicates, the USPS has tended to close retail facilities gradually over time. Similarly, reportedly the USPS has thus far closed only 280 of the 3,105 possible closures announced in the 2009 closure initiative as of July 2011.<sup>11</sup>

The USPS may replace some of the closed facilities with “village post offices,” a term that appears to refer to an arrangement substantially similar to a contract postal unit.<sup>12</sup> Staffed by a non-USPS employee and located within a private retail outlet, a village post office would provide the following services: mail collection boxes, post offices boxes, stamp sales, and prepaid Priority Mail flat rate boxes and envelope sales and receipt. They would not provide certain other services, such as passport registration, money orders, and non-uniform parcel shipping.<sup>13</sup>

The provision of USPS products and services by private vendors is not unusual. Currently, the USPS has more than 70,000 third-party postal retail locations.<sup>14</sup>

## What Authority Does the USPS Have to Close Post Offices?

The USPS was established in 1971 by the Postal Reorganization Act (PRA; P.L. 91-375; 84 Stat. 725). Previously, postal services had been provided by the U.S. Post Office Department (USPOD), a government agency that received annual appropriations from Congress. Members were involved in many aspects of the USPOD’s operations, including the selection of managers (e.g., postmasters) and the pricing of postal services. Under this configuration, the Post Office had operational difficulties and developed a reputation for incompetence and corruption.<sup>15</sup>

The PRA abolished USPOD and replaced it with the U.S. Postal Service, an “independent establishment of the executive branch” (39 U.S.C. 201). The USPS is a marketized government agency that has far greater freedom to run its operations than the former Post Office Department.<sup>16</sup> It does not rely on appropriations for its operating revenue.<sup>17</sup>

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<sup>11</sup> Lisa Rein, “Postal Service Names 3,700 Post Offices That Could Be Closed,” *Washington Post*, July 27, 2011, at [http://www.washingtonpost.com/politics/postal-service-names-3700-post-offices-that-could-be-closed/2011/07/26/gIQAk3tbI\\_story.html?hpid=z4](http://www.washingtonpost.com/politics/postal-service-names-3700-post-offices-that-could-be-closed/2011/07/26/gIQAk3tbI_story.html?hpid=z4).

<sup>12</sup> U.S. Postal Service, “Village Post Offices,” fact sheet, July 2011, at <http://about.usps.com/news/electronic-press-kits/expandedaccess/assets/pdf/vpo-fact-sheet-110726.pdf>.

<sup>13</sup> A non-uniform parcel refers to package or large envelope that is anything other than a Priority Mail box or envelope.

<sup>14</sup> U.S. Postal Service, “Postal Service Takes Next Step in Optimizing Retail Network.”

<sup>15</sup> The view of USPOD as an agency riddled with patronage and scandal began long ago. For example, Joseph L. Bristow, who served as an assistant postmaster general from 1897 to 1905, provides accounts in his book, *Fraud and Politics at the Turn of the Century* (New York: Exposition Press, 1952).

<sup>16</sup> The term “marketization” refers to the redesign of a government agency in order to make it provide goods and services in the manner of a private firm. On marketization as an alternative to privatization, see CRS Report RL33777, *Privatization and the Federal Government: An Introduction*, by Kevin R. Kosar.

<sup>17</sup> Congress does provide an annual appropriation to the USPS to compensate it for the revenue it forgoes in providing, at congressional direction, free mailing privileges to the blind and overseas voters. For further information on the USPS and the appropriations process, see CRS Report R41340, *Financial Services and General Government (FSGG): FY2011 Appropriations*, coordinated by Garrett Hatch, pp. 64-66.

Congress assigned the USPS the “general duty” to “maintain an efficient system of collection, sorting, and delivery of the mail nationwide” (39 U.S.C. 403(b)). In order to carry out this obligation, the law gives the USPS the “specific powers” to

- “provide for the collection, handling, transportation, delivery, forwarding, returning, and holding of mail, and for the disposition of undeliverable mail” (39 U.S.C. 404(a)(1)); and
- “determine the need for post offices, postal and training facilities and equipment, and ... provide such offices, facilities, and equipment as it determines are needed” (39 U.S.C. 404(a)(13)).<sup>18</sup>

While Congress designed the USPS to be a self-supporting entity, the nation’s legislature also requires the USPS to serve the public as a whole. This “public service obligation,” as it often is termed, is located in the PRA’s chapters on “postal policy” (39 U.S.C. 101) and the USPS’s “general authority” (39 U.S.C. 403):

- “The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by [an] Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities” (39 U.S.C. 101(a)); and
- “The Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities” (39 U.S.C. 101(b)).

Congress also assigned the USPS the general duties to

- “receive, transmit, and deliver throughout the United States, its territories and possessions ... written and printed matter, parcels, and like materials and provide such other services incidental thereto as it finds appropriate to its functions and in the public interest... (39 U.S.C. 403(a))”; and
- “establish and maintain postal facilities of such character and in such locations, that postal patrons throughout the Nation will, consistent with reasonable economies of postal operations, have ready access to essential postal services” (39 U.S.C. 403(b)).

Additionally, Congress has underscored the USPS’s duty to serve less densely populated areas by including a provision in annual appropriation laws that reads, “none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in [this] fiscal year.”<sup>19</sup>

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<sup>18</sup> Similarly, Congress requires the USPS in “selecting modes of transportation, the Postal Service shall give highest consideration to the prompt and economical delivery of all mail” (39 U.S.C. 101(f)).

<sup>19</sup> For example, see P.L. 110-161; 121 Stat. 2013.

## What Is the Post Office Closure Process?

Federal postal law sets forth the basic rules by which the USPS may proceed to close a post office. The USPS must “provide adequate notice of its intention to close or consolidate such post office at least 60 days prior to the proposed date of such closing or consolidation to persons served by such post office to ensure that such persons will have an opportunity to present their views” (39 U.S.C. 404(d)(1)).<sup>20</sup>

In deciding whether to close a post office, the USPS must consider

- (i) the effect of such closing or consolidation on the community served by such post office;
- (ii) the effect of such closing or consolidation on employees of the Postal Service employed at such office;
- (iii) whether such closing or consolidation is consistent with the policy of the Government ... that the Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining;
- (iv) the economic savings to the Postal Service resulting from such closing or consolidation; and
- (v) such other factors as the Postal Service determines are necessary (39 U.S.C. 404(d)(2)(A)).

If the USPS decides to move forward with the closure, it must notify the persons served by the post office of its decision and the findings used to arrive at this decision. The USPS must wait at least 60 more days before proceeding with the closure, and any person served by the post office slated for closure may appeal the closure to the PRC, which has up to 120 days to consider the appeal. The USPS is not required to wait for the PRC to issue its opinion. It may close a retail facility 60 days after it makes its closure announcement.

The PRC may fault the USPS’s decision to close a post office only if the PRC finds the decision to be “(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law; (B) without observance of procedure required by law; or (C) unsupported by substantial evidence on the record” (39 U.S.C. 404(d)(5)). The PRC may require the USPS to reconsider its decision, but the ultimate authority to close a post office rests with the USPS.

The USPS long has had a separate “emergency suspension” process that it may employ to immediately cease service at a retail facility without following the aforementioned closure process.<sup>21</sup> The USPS has been criticized for using it in situations that were foreseeable and perhaps not emergencies, and for failing to re-open these facilities.<sup>22</sup> Under the recently adopted

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<sup>20</sup> The USPS released new retail postal facility closure rules in July 2011. Readers seeking additional details of the USPS’s closure rules and rationales for its rules may consult 39 C.F.R. 241, “Post Office Organization and Administration: Establishment, Classification, and Discontinuance,” at 76 F.R. 41413-41424, July 14, 2011.

<sup>21</sup> U.S. Postal Service, *Post Office Discontinuance Guide*, Handbook PO-101 (Washington: USPS, July 2011), pp. 7, 39-42, at <http://www.prc.gov/Docs/74/74154/USPS%20Handbook%20PO-101%20USPS-LR-N2011-1-1.pdf>.

<sup>22</sup> Postal Regulatory Commission, “Order On Appeal of Hacker Valley, West Virginia Post Office Closing,” Docket (continued...)

post office closure rules, the USPS may close a post office immediately “due to cancellation of a lease or rental agreement when no suitable alternate quarters are available in the community, a fire or natural disaster, irreparable damage when no suitable alternate quarters are available in the community, challenge to the sanctity of the mail, or similar reasons.”<sup>23</sup>

39 U.S.C. 3661(b) requires the USPS to obtain an advisory opinion from the PRC when the USPS “determines that there should be a change in the nature of postal services which will generally affect service on a nationwide or substantially nationwide basis.” The USPS submitted its proposal to the PRC on July 27, 2011.<sup>24</sup> The USPS is not bound by the PRC’s opinion, and it may commence retail facility closures 90 days after submission of its proposal to the PRC.<sup>25</sup>

## **When Might the Post Office Closure Process Begin?**

As noted above, the USPS’s 2009 closure initiative is ongoing, and those 728 retail postal facilities are at different steps in the post office closure process.

As for the 3,652 facilities being considered under the 2011 closure effort, the USPS has not provided a timeline that explains when it will begin and conclude the process. Nor has it said whether it will begin the process for all the facilities at once or in phases.

The USPS has stated that “[n]o facility closure or service change resulting from this initiative will be implemented before late December 2011.”<sup>26</sup> As the previous section of this report indicated, the post office closure process takes at least 120 days (60 days for public comment, then at least 60 days must lapse after the USPS renders its decision). This would suggest that at earliest the closure processes could begin in mid-to-late August 2011.

## **How Many USPS Employees May Lose Their Jobs?**

In making the announcement, the U.S. Postal Service did not indicate whether any employees would lose their positions. One media report quoted the USPS as saying 4,500 employees would be affected by the closures, but did not clarify how many would lose their positions.<sup>27</sup>

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(...continued)

A2009-1, October 19, 2009, at <http://prc.gov/Docs/65/65247/Order%20319.pdf>; and Jennifer Levitz, “Ruling on Shuttered Post Offices Expected Soon,” *Wall Street Journal*, January 24, 2011, at <http://online.wsj.com/article/SB10001424052748703555804576102121012318918.html>.

<sup>23</sup> “Post Office Organization and Administration: Establishment, Classification, and Discontinuance,” at 76 F.R. 41421.

<sup>24</sup> “Request of the U.S. Postal Service for an Advisory Opinion On Changes In the Nature of Postal Services.” The PRC docket, which holds the USPS’s request and other documents related to the PRC’s consideration of the closures, is located at <http://www.prc.gov/prc-pages/library/dockets.aspx?activeview=DocketView&docketType=Single&docketid=N2011-1>.

<sup>25</sup> 39 U.S.C. 3661(b) requires the USPS to submit its request for an opinion “within a reasonable time prior to the effective date of such proposal.” The PRC has defined “a reasonable time” to mean 90 days. 39 C.F.R. 3001.72.

<sup>26</sup> “Request of the U.S. Postal Service for an Advisory Opinion On Changes In the Nature of Postal Services,” p. 2.

<sup>27</sup> Rein, “Postal Service Names 3,700 Post Offices That Could Be Closed,” *Washington Post*.

Most postal clerks, those who work at post office counters, and letter carriers are protected from layoffs through collective bargaining agreements.<sup>28</sup> However, postmasters and other managers are not covered by collective bargaining agreements.

## What Current Legislation Carries Provisions Related to Post Offices?

In the 112<sup>th</sup> Congress, four bills carry provisions related to the USPS's post offices and retail service to the public—H.R. 2309, H.R. 2692, S. 353, and S. 1010.

### H.R. 2309

Representative Darrell Issa introduced H.R. 2309, the Postal Reform Act of 2011, on June 23, 2011. H.R. 2309 carries provisions that would

- amend 39 U.S.C. to establish a Commission on Postal Reorganization (CPR), an entity similar to the base realignment commissions (BRAC) that have been used to reduce the number of military bases. With the assistance of the USPS and USPS Inspector General, the CPR would prepare recommendations to reduce both the USPS's networks of post offices and non-retail facilities so as to save \$2 billion within two years of the adoption of said recommendations. Congress may pass a joint resolution of disapproval to prevent the closure recommendations from being executed;<sup>29</sup>
- strike language from 39 U.S.C. 101(b) to increase the USPS's authority to close post offices: "The Postal Service shall provide ~~a maximum degree of~~ effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining";<sup>30</sup>
- amend 39 U.S.C. 404(d), which sets forth the process for the USPS to follow when it closes post offices, to conform to the amendment of 39 U.S.C. 101(b);<sup>31</sup> and
- amend 39 U.S.C. 404(d) to disallow the public to appeal a post office closure if a contract post office is located within two miles of the post office closed.<sup>32</sup>

H.R. 2309 was referred to the Committee on Oversight and Government Reform (which Representative Issa chairs) and to the Committee on Rules.

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<sup>28</sup> For example, see *Collective Bargaining Agreement Between American Postal Workers Union, AFL-CIO, and U.S. Postal Service*, November 21, 2010-November 20, 2015 (Washington: APWU, 2011), pp. 5-11, at <http://www.apwu.org/dept/ind-rel/sc/APWU%20Contract%202010-2015.pdf>.

<sup>29</sup> H.R. 2309, Sections 103-108.

<sup>30</sup> H.R. 2309, Section 112.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.*

## **H.R. 2692**

Representative Albio Sires introduced H.R. 2692, the Access to Postal Services Act, on July 28, 2011. H.R. 2692 carries provisions that would

- amend 39 U.S.C. 404 to define the term “post office” to include main post offices, post office branches, post office stations, and other USPS-operated retail outlets;<sup>33</sup>
- amend 39 U.S.C. 404(d)(1) to require the USPS to notify affected members of the public of a proposed post office closure through mail and newspaper notices;<sup>34</sup>
- strike language at 39 U.S.C. 404(d)(2)(a)(4)-(5) permitting the USPS to consider the cost savings in its consideration of the possible closure of a post office;<sup>35</sup>
- amend 39 U.S.C. 404(d) to include a new provision that would forbid the USPS from avoiding the closure process prescribed by 39 U.S.C. 404(d) by declaring an emergency closure in the event of a “termination or cancellation of the lease by a party other than the Postal Service”; and
- amend 39 U.S.C. 404(d) to include a new provision that would require the USPS Inspector General not later than two years after a post office closure to assess the actual savings achieved as compared to those estimated by the USPS prior to the closure.<sup>36</sup>

H.R. 2309 was referred to the Committee on Oversight and Government Reform.

## **S. 353<sup>37</sup>**

Senator Susan Collins introduced S. 353, U.S. Postal Service Improvements Act of 2011, on February 15, 2011. S. 353 carries provisions that would

- amend 39 U.S.C. to require the USPS to deliver to Congress a plan to supplement existent retail postal facilities by co-locating postal outlets within private sector retail facilities;<sup>38</sup> and
- amend 39 U.S.C. to require the USPS to provide a report to Congress by January 1, 2012, on its progress in implementing this plan.<sup>39</sup>

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<sup>33</sup> H.R. 2692, Section 4. The effect of this provision would be to compel the USPS to recognize a public right to appeal the closure of any USPS-operated retail postal facilities to the Postal Regulatory Commission. Currently, the USPS denies the public’s right to appeal the closure of post office branches and stations. See “Post Office Organization and Administration: Establishment, Classification, and Discontinuance,” at 76 F.R. 41414-41415, and 41421.

<sup>34</sup> H.R. 2692, Section 2.

<sup>35</sup> Ibid.

<sup>36</sup> H.R. 2692, Section 3.

<sup>37</sup> H.R. 1262, which was introduced by Representative Gerry Connolly on March 30, 2011, carries nearly identical provisions.

<sup>38</sup> S. 353, Section 105.

<sup>39</sup> Ibid.

S. 353 was referred to the Committee on Homeland Security and Governmental Affairs, of which Senator Collins is the Ranking Member.

## **S. 1010**

Senator Thomas Carper introduced S. 1010, the Postal Operations and Sustainment Transformation Act of 2011, on May 17, 2011. S. 1010 carries provisions that would

- increase the USPS’s authority to close post offices by striking language from 39 U.S.C. 101(b): “The Postal Service shall provide a ~~maximum degree~~ of effective and regular postal services to rural areas, communities, and small towns ~~where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit,~~ it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities”;<sup>40</sup>
- amend 39 U.S.C. 404(d), which sets forth the process for the USPS to follow when it closes post offices. The requirement to provide “effective and regular postal services to rural areas, communities, and small towns” would become the top-ranking criteria for the USPS in making its decisions to close a post office. (Currently, the first criteria is “the effect of such closing or consolidation on the community served by such post office”);<sup>41</sup>
- amend 39 U.S.C. to require the USPS to prepare a plan to expand the public’s access to retail postal services via self-service kiosks, vending machines, the Internet, USPS delivery personnel, and contract postal units;<sup>42</sup> and
- direct the USPS to use its authority under 39 U.S.C. 3641 to report annually on its progress in expanding retail access by the aforementioned means, and establish service standards to measure its retail access performance.<sup>43</sup>

S. 1010 was referred to the Committee on Homeland Security and Governmental Affairs, on which Senator Carper sits.

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<sup>40</sup> S. 1010, Section 201.

<sup>41</sup> S. 1010, Section 202.

<sup>42</sup> S. 1010, Section 203.

<sup>43</sup> S. 1010, Section 204.