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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require the United States Postal Service to reimburse fees charged for the late payment of bills that were delayed in the mail, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GRAVES introduced the following bill; which was referred to the Committee on _____

A BILL

To require the United States Postal Service to reimburse fees charged for the late payment of bills that were delayed in the mail, 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 “Pony Up Act”.

5 **SEC. 2. PAYMENT OF FEES RESULTING FROM DELAYED DE-**
6 **LIVERY.**

7 (a) IN GENERAL.—Except as otherwise provided in
8 this section, the United States Postal Service shall pay

1 to a citizen assessed any fee or penalty for the late pay-
2 ment of a bill an amount determined under subsection (b)
3 if such bill, notice of such bill, or payment is delivered
4 late.

5 (b) PAYMENT CALCULATION.—The amount to which
6 a citizen is entitled under subsection (a) is the amount
7 that is equal to the total amount of the fees and penalties
8 described in such subsection that such citizen is obligated
9 to pay.

10 (c) APPLICATION.—

11 (1) IN GENERAL.—A citizen seeking a payment
12 under this section shall submit to the United States
13 Postal Service an application at such time, in such
14 manner, and containing such information as the
15 United States Postal Service determines appropriate.

16 (2) APPLICATION SUBMISSION.—The United
17 States Postal Service shall allow citizens to submit
18 the application required by paragraph (1) on a pub-
19 licly available website of the United States Postal
20 Service, by mail, and at any post office.

21 (d) UNFORESEEN CIRCUMSTANCES EXCEPTION.—
22 For the purposes of this section, a bill, notice of bill, or
23 payment is not delivered late if a cause not reasonably
24 within the control of the United States Postal Service de-

1 layed the delivery of such bill or notice, including a major
2 disaster or emergency declared by the President.

3 (e) APPEALS.—

4 (1) IN GENERAL.—A citizen may appeal a de-
5 termination made by the United States Postal Serv-
6 ice under this section to the Judicial Officer by sub-
7 mitting such appeal in writing within 30 days after
8 receiving notice of such determination.

9 (2) PROCEDURE.—The Judicial Officer shall
10 issue a decision with respect to an appeal under
11 paragraph (1) as soon as practicable, and such deci-
12 sion shall be final.

13 (f) REGULATIONS.—Not later than 60 days after the
14 date of enactment of this Act, the United States Postal
15 Service shall issue rules implementing this section.

16 (g) DEFINITIONS.—In this section:

17 (1) DELIVERED LATE.—The term “delivered
18 late”, with respect to a bill, notice of bill, or pay-
19 ment, means that—

20 (A) such bill, notice, or payment was
21 mailed;

22 (B) in the case of a bill or notice of bill,
23 the United States Postal Service received the
24 mail containing such bill or notice not less than
25 12 days prior to the date on which the payment

1 for the bill was due and the United States Post-
2 al Service delivered such mail less than 6 days
3 prior to the date on which payment for the bill
4 was due; and

5 (C) in the case of a payment, the United
6 States Postal Service received the mail con-
7 taining such payment not less than 5 days prior
8 to the date on which the payment was due and
9 the United States Postal Service delivered such
10 mail after the date on which payment was due.

11 (2) JUDICIAL OFFICER.—The term “Judicial
12 Officer” means the Judicial Officer appointed under
13 section 204 of title 39, United States Code.

14 **SEC. 3. REPORT ON MAIL DELIVERY DELAYS.**

15 (a) ANNUAL REPORT.—Not later than one year after
16 the date of enactment of this Act, and annually thereafter,
17 the United States Postal Service shall submit to the Com-
18 mittee on Oversight and Government Reform of the House
19 of Representatives and the Committee on Homeland Secu-
20 rity and Governmental Affairs of the Senate a report on
21 delays in delivering mail, including, for each class of
22 mail—

23 (1) the average delivery time and average delay
24 time for—

1 (A) mail delivered under an agreement be-
2 tween the sender, other than a sender primarily
3 engaged in the transportation or delivery of
4 parcels or letters carried out of the mails, and
5 the United States Postal Service; and

6 (B) all other mail delivered by the United
7 States Postal Service;

8 (2) the volume of mail described in paragraph
9 (1)(A) that is presorted and an explanation of the
10 effect of presorting such mail on the average delivery
11 time and average delay time for such mail; and

12 (3) the volume of mail described in paragraph
13 (1)(B) that is presorted and an explanation of the
14 effect of presorting such mail on the average delivery
15 time and average delay time for such mail.

16 (b) PRIORITIZATION AUDIT.—

17 (1) IN GENERAL.—The Inspector General of
18 the United States Postal Service shall conduct an
19 assessment of the policies and practices of the
20 United States Postal Service to determine if the
21 United States Postal Service prioritizes the delivery
22 of mail described in subsection (a)(1)(A) over mail
23 that is the same class of mail and is not described
24 in such subsection.

1 (2) REPORT.—Not later than one year after the
2 date of enactment of this Act, the Inspector General
3 of the United States Postal Service shall submit to
4 the Committee on Oversight and Government Re-
5 form of the House of Representatives and the Com-
6 mittee on Homeland Security and Governmental Af-
7 fairs of the Senate a report on the findings of the
8 assessment required by paragraph (1).

9 (c) CLASS OF MAIL DEFINED.—For the purposes of
10 this section, the term “class of mail” means the items de-
11 scribed in paragraphs (1) through (10) of section 3621(a)
12 of title 5, United States Code, and the items described
13 in paragraphs (1) through (5) of section 3631(a) of such
14 title.