

118TH CONGRESS
2D SESSION

H. R. 7631

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

MARCH 12, 2024

Mr. GRAVES of Missouri (for himself, Mr. ALFORD, and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Oversight and Accountability

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
9 to a citizen assessed any fee or penalty for the late pay-

1 ment of a bill an amount determined under subsection (b)
2 if such bill, notice of such bill, or payment is delivered
3 late.

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

9 (c) APPLICATION.—

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

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

20 (d) UNFORESEEN CIRCUMSTANCES EXCEPTION.—
21 For the purposes of this section, a bill, notice of bill, or
22 payment is not delivered late if a cause not reasonably
23 within the control of the United States Postal Service de-
24 layed the delivery of such bill or notice, including a major
25 disaster or emergency declared by the President.

1 (e) APPEALS.—

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

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

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

14 (g) DEFINITIONS.—In this section:

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

18 (A) such bill, notice, or payment was
19 mailed;

20 (B) in the case of a bill or notice of bill,
21 the United States Postal Service received the
22 mail containing such bill or notice not less than
23 12 days prior to the date on which the payment
24 for the bill was due and the United States Post-
25 al Service delivered such mail less than 6 days

1 prior to the date on which payment for the bill
2 was due; and

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

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

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

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

20 (1) the average delivery time and average delay
21 time for—

22 (A) mail delivered under an agreement be-
23 tween the sender, other than a sender primarily
24 engaged in the transportation or delivery of

1 parcels or letters carried out of the mails, and
2 the United States Postal Service; and

3 (B) all other mail delivered by the United
4 States Postal Service;

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

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

13 (b) PRIORITIZATION AUDIT.—

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

22 (2) REPORT.—Not later than one year after the
23 date of enactment of this Act, the Inspector General
24 of the United States Postal Service shall submit to
25 the Committee on Oversight and Accountability of

1 the House of Representatives and the Committee on
2 Homeland Security and Governmental Affairs of the
3 Senate a report on the findings of the assessment
4 required by paragraph (1).

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

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