

118TH CONGRESS  
2D SESSION

# S. 4378

To require on-time delivery of periodicals to unlock additional rate authority,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 21, 2024

Mr. WELCH (for himself, Mr. ROUNDS, Ms. KLOBUCHAR, Mr. CRAMER, Mr. WYDEN, Mr. HOEVEN, Mr. MERKLEY, Ms. SMITH, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To require on-time delivery of periodicals to unlock additional  
rate authority, 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 “Deliver for Democracy  
5 Act”.

6 **SEC. 2. ADDITIONAL RATE AUTHORITY FOR PERIODICALS.**

7 Not later than 1 year after the date of enactment  
8 of this Act, the Postal Regulatory Commission shall  
9 amend section 3030.222 of title 39, Code of Federal Regu-

1 lations, to provide that, for any fiscal year ending after  
2 the date of enactment of this Act, the Commission shall  
3 not authorize the United States Postal Service any addi-  
4 tional rate authority with respect to periodicals under that  
5 section for the following fiscal year, unless the Commission  
6 determines that the United States Postal Service  
7 achieved—

8           (1) a 95 percent on-time delivery performance  
9           for periodicals during the fiscal year of the deter-  
10          mination, as measured by the service standards in  
11          effect on the date of enactment of this Act; or

12          (2) an increase in the on-time delivery perform-  
13          ance for periodicals during the fiscal year of the de-  
14          termination, as measured by the service standards in  
15          effect on the date of enactment of this Act, of not  
16          less than 2 percentage points, as compared to the  
17          on-time delivery performance percentage in the fiscal  
18          year before, on, or after the date of enactment of  
19          this Act in which the on-time delivery performance  
20          percentage is the highest measured, as measured by  
21          such service standards.

22 **SEC. 3. ANNUAL PROGRESS REPORT.**

23           (a) REPORT REQUIRED.—

24           (1) IN GENERAL.—Subject to subsections (c)  
25          and (d), the Postmaster General shall submit to the

1 Postal Regulatory Commission and make publicly  
2 available an annual report on the progress of the  
3 United States Postal Service in including in the peri-  
4 odical service performance measurements of the  
5 Postal Service on-time performance data for in-coun-  
6 ty and out-of-county newspaper mail that is entered  
7 and accepted at each delivery unit for delivery.

8 (2) STAKEHOLDER INPUT.—In carrying out the  
9 report requirement under paragraph (1), the Post-  
10 master General shall solicit feedback from relevant  
11 stakeholders.

12 (b) IMPLEMENTATION OF REPORT REQUIREMENT.—  
13 If the relevant information is not available for each indi-  
14 vidually-addressed piece of mail for purposes of a report  
15 required under subsection (a), the Postal Regulatory Com-  
16 mission, in consultation with the Postmaster General,  
17 shall develop a system for generating service performance  
18 data for use in the report by producing digital information  
19 for relevant mail bundles.

20 (c) TERMINATION OF REPORT REQUIREMENT.—The  
21 Postmaster General shall submit and make publicly avail-  
22 able the report described in subsection (a) annually until  
23 the date on which the Postal Regulatory Commission de-  
24 termines that the United States Postal Service has incor-  
25 porated the categories of mail described in subsection (a),

1 or any other relevant mail categories used in the report  
2 in accordance with subsection (d), into the existing appli-  
3 cable service performance measurements.

4 (d) PROXY INFORMATION.—

5 (1) IN GENERAL.—If the Postal Regulatory  
6 Commission and the Postmaster General jointly de-  
7 termine that identifying newspaper mail within the  
8 periodicals mail category is not practicable for pur-  
9 poses of a report under subsection (a), the Postal  
10 Regulatory Commission may determine what infor-  
11 mation with respect to the closest relevant mail cat-  
12 egory the Postmaster General may use in the report.

13 (2) PUBLIC REPORT ON DETERMINATION.—If  
14 the Postal Regulatory Commission and the Post-  
15 master General make the determination described in  
16 paragraph (1), the Postal Regulatory Commission  
17 and the Postmaster General shall make publicly  
18 available a report describing the process and ration-  
19 ale for the determination, including a description  
20 of—

21 (A) the potential costs for the United  
22 States Postal Service and applicable businesses  
23 resulting from the report requirement under  
24 subsection (a);

1 (B) the ability of the Postmaster General  
2 to ascertain accurate results for inclusion in the  
3 report under subsection (a); and

4 (C) any other factor contributing to the  
5 determination.

6 **SEC. 4. GAO STUDY AND REPORT.**

7 (a) STUDY.—The Comptroller General of the United  
8 States shall conduct a study of alternative pricing schemes  
9 and other options for the United States Postal Service  
10 that would improve the financial position of periodicals  
11 and other products that do not cover their costs and evalu-  
12 ate the potential impact of such alternative pricing  
13 schemes and other options.

14 (b) REPORT.—Not later than 2 years after the date  
15 of enactment of this Act, the Comptroller General of the  
16 United States shall submit to the Committee on Homeland  
17 Security and Governmental Affairs of the Senate and the  
18 Committee on Oversight and Accountability of the House  
19 of Representatives a report on the study conducted under  
20 subsection (a).

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