

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8109
OFFERED BY M . _____

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Nonpartisan Post-
3 master General Act of 2020”.

4 **SECTION 2. POSTAL SERVICE OFFICERS’ POLITICAL AC-**
5 **TIVITIES LIMITED.**

6 (a) HATCH ACT OFFICER APPLICABILITY.—

7 (1) IN GENERAL.—Section 410 of title 39,
8 United States Code, is amended by adding at the
9 end the following new subsection:

10 “(e) For the purposes of applying subchapter III of
11 chapter 73 of title 5, and any regulations thereunder, to
12 the Postal Service pursuant to subsection (b)(1), the fol-
13 lowing are deemed to be employees of the Postal Service:

14 “(1) The Postmaster General.

15 “(2) The Deputy Postmaster General.

16 “(3) Any individual holding a position in the
17 Postal Service to which such individual was ap-
18 pointed by the President, by and with the advice and

1 consent of the Senate, including a Governor ap-
2 pointed under section 202.”.

3 (2) FURTHER RESTRICTED EMPLOYEES.—Sec-
4 tion 7323(b)(2)(B) of title 5, United States Code, is
5 amended—

6 (A) in clause (i)(XIV), by striking “or” at
7 the end;

8 (B) in clause (ii), by striking the period at
9 the end and inserting “; and” ; and

10 (C) by adding at the end the following new
11 clause:

12 “(iii) a person holding a position described in
13 section 410(e) of title 39.”.

14 (b) POLITICAL ACTIVITIES OF BOARD MEMBERS.—
15 Section 202 of title 39, United States Code, is amended—

16 (1) in subsection (c)—

17 (A) by striking “The Governors shall” and
18 inserting “(1) The Governors shall”; and

19 (B) by adding at the end the following new
20 paragraph:

21 “(2) The Governors may appoint as the Post-
22 master General only an individual who has not held
23 a political position at any time during the 4-year pe-
24 riod ending on the date on which such individual is
25 so appointed.”;

1 (2) in subsection (d)—

2 (A) by striking “The Governors and the
3 Postmaster General shall” and inserting “(1)
4 The Governors and the Postmaster General
5 shall”; and

6 (B) by adding at the end the following new
7 paragraph:

8 “(2) The Governors and the Postmaster Gen-
9 eral may appoint as the Deputy Postmaster General
10 only an individual who has not held a political posi-
11 tion at any time during the 4-year period ending on
12 the date on which such individual is so appointed.”;
13 and

14 (3) by adding at the end the following new sub-
15 sections:

16 “(f) While serving as a member of the Board, an indi-
17 vidual may not—

18 “(1) hold a political position; or

19 “(2) solicit funds for—

20 “(A) the campaign of a candidate for elec-
21 tion for a Federal, State, or local elected office;
22 or

23 “(B) a Federal, State, or local political
24 party (as defined in the Federal Election Cam-
25 paign Act of 1971 (52 U.S.C. 30101 et seq.)).

1 “(g) For purposes of this section, an individual holds
2 a political position if such individual—

3 “(1) holds Federal, State, or local elected office;

4 “(2) files paperwork to be a candidate for elec-
5 tion for a Federal, State, or local elected office; or

6 “(3) is an officer, director, or employee of a
7 Federal, State, or local political party (as defined in
8 subsection (f)(2)(B)).”

9 (c) SEVERABILITY.—If any provision of this Act, an
10 amendment made by this Act, or the application of such
11 provision or amendment to any person or circumstance is
12 held to be unconstitutional, the remainder of this Act, the
13 amendments made by this Act, and the application of the
14 provisions of such to any person or circumstance shall not
15 be affected thereby.

