

116TH CONGRESS
2D SESSION

H. R. 8109

To clarify and increase the restrictions on political activities that are applicable to the members of the Postal Service Board of Governors, including the Postmaster General and the Deputy Postmaster General, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 2020

Mrs. CAROLYN B. MALONEY of New York introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To clarify and increase the restrictions on political activities that are applicable to the members of the Postal Service Board of Governors, including the Postmaster General and the Deputy Postmaster General, 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 “Nonpartisan Post-
5 master General Act”.

1 **SEC. 2. POSTAL SERVICE OFFICERS' POLITICAL ACTIVITIES**

2 **LIMITED.**

3 (a) HATCH ACT OFFICER APPLICABILITY.—

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

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

11 “(1) The Postmaster General.

12 “(2) The Deputy Postmaster General.

13 “(3) Any individual holding a position in the
14 Postal Service to which such individual was ap-
15 pointed by the President, by and with the advice and
16 consent of the Senate, including a Governor ap-
17 pointed under section 202.”.

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

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

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

25 (C) by adding at the end the following new
26 clause:

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

3 (b) POLITICAL ACTIVITIES OF BOARD MEMBERS.—

4 Section 202 of title 39, United States Code, is amended—

5 (1) in subsection (c)—

6 (A) by striking “The Governors shall” and
7 inserting “(1) The Governors shall”; and

8 (B) by adding at the end the following new
9 paragraph:

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

15 (2) in subsection (d)—

16 (A) by striking “The Governors and the
17 Postmaster General shall” and inserting “(1)
18 The Governors and the Postmaster General
19 shall”; and

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

22 “(2) The Governors and the Postmaster Gen-
23 eral may appoint as the Deputy Postmaster General
24 only an individual who has not held a political posi-
25 tion at any time during the 4-year period ending on

1 the date on which such individual is so appointed.”;
2 and

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

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

7 “(1) hold a political position; or

8 “(2) solicit funds for—

9 “(A) the campaign of a candidate for elec-
10 tion for a Federal, State, or local elected office;
11 or

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

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

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

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

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

23 (c) SEVERABILITY.—If any provision of this Act, an
24 amendment made by this Act, or the application of such
25 provision or amendment to any person or circumstance is

1 held to be unconstitutional, the remainder of this Act, the
2 amendments made by this Act, and the application of the
3 provisions of such to any person or circumstance shall not
4 be affected thereby.

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