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”.


SEC. 2. POSTAL SERVICE OFFICERS’ POLITICAL ACTIVITIES LIMITED.

(a) Hatch Act Officer Applicability.—

(1) In general.—Section 410 of title 39, United States Code, is amended by adding at the end the following new subsection:

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

“(1) The Postmaster General.

“(2) The Deputy Postmaster General.

“(3) Any individual holding a position in the Postal Service to which such individual was appointed by the President, by and with the advice and consent of the Senate, including a Governor appointed under section 202.”.

(2) Further restricted employees.—Section 7323(b)(2)(B) of title 5, United States Code, is amended—

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

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

(C) by adding at the end the following new clause:
“(iii) a person holding a position described in section 410(e) of title 39.”.

(b) **Political Activities of Board Members.**—

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

(1) in subsection (c)—

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

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

“(2) The Governors may appoint as the Postmaster General only an individual who has not held a political position at any time during the 4-year period ending on the date on which such individual is so appointed.”;

(2) in subsection (d)—

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

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

“(2) The Governors and the Postmaster General may appoint as the Deputy Postmaster General only an individual who has not held a political position at any time during the 4-year period ending on
the date on which such individual is so appointed.”;

and

(3) by adding at the end the following new subsections:

“(f) While serving as a member of the Board, an individual may not—

“(1) hold a political position; or

“(2) solicit funds for—

“(A) the campaign of a candidate for election for a Federal, State, or local elected office;

or

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

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

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

“(2) files paperwork to be a candidate for election for a Federal, State, or local elected office; or

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

(e) SEVERABILITY.—If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is
held to be unconstitutional, the remainder of this Act, the
amendments made by this Act, and the application of the
provisions of such to any person or circumstance shall not
be affected thereby.