

117TH CONGRESS
1ST SESSION

H. R. 1582

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

MARCH 3, 2021

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 of 2021”.

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 by adding at the end the following new subsections:

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

8 “(1) hold a political position; or

9 “(2) solicit funds for—

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

12 or

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

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

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

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

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

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

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

6 **SEC. 3. FINANCIAL DISCLOSURES REQUIRED PRIOR TO AS-**
 7 **SUMING DUTIES OF POSTMASTER GENERAL**
 8 **OR DEPUTY POSTMASTER GENERAL.**

9 The Ethics in Government Act of 1978 (5 U.S.C.
 10 App) is amended—

11 (1) in section 101(a)—

12 (A) by striking “(a) Within” and inserting
 13 “(a)(1) Within”; and

14 (B) by adding at the end the following:

15 “(2)(A) An individual proposed pursuant to section
 16 202 of title 39, United States Code, to assume the position
 17 of Postmaster General or Deputy Postmaster General
 18 shall file the report required by paragraph (1) before as-
 19 suming such position.

20 “(B) An individual proposed for such a position may
 21 not carry out any duty of the position until the report sub-
 22 mitted by the individual pursuant to subparagraph (A) is
 23 reviewed and signed by the Director of the Office of Gov-
 24 ernment Ethics under section 106(b)(1), and any action
 25 taken by that individual in the performance of any func-

1 tion or duty of the applicable position before the date on
2 which such signature occurs shall have no force or effect.”;
3 and

4 (2) in section 103(b)—

5 (A) by striking “(b) The President” and
6 inserting “(b)(1) The President”; and

7 (B) by adding at the end the following:

8 “(2) Notwithstanding subsection (a), an individual
9 proposed pursuant to section 202 of title 39, United
10 States Code, to assume the position of Postmaster General
11 or Deputy Postmaster General shall file the report re-
12 quired under section 101(a) with the Director of the Office
13 of Government Ethics.”.

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