

## SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-41, §1, Aug. 13, 1997, 111 Stat. 1119, provided that: "This Act [enacting section 414 of this title and provisions set out as a note under section 414 of this title] may be cited as the 'Stamp Out Breast Cancer Act'."

## SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-123, title VII, §701(a), Oct. 28, 1993, 107 Stat. 1267, provided that: "This title [enacting section 3642 of this title, amending sections 410, 2401, 3202, 3601, 3625 to 3627, and 3683 of this title, and enacting provisions set out as notes under sections 2401, 3621, 3626, and 3683 of this title] may be cited as the 'Revenue Forgone Reform Act'."

## SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-421, §1, Sept. 24, 1976, 90 Stat. 1303, provided: "That this Act [amending sections 404, 2003, 2401, 3601, 3604, 3622, 3623, 3624, 3626, 3641, and 3683 of this title, and enacting provisions set out as notes under sections 404, 3601, 3624, 3641, and 3661 of this title] may be cited as the 'Postal Reorganization Act Amendments of 1976'."

## SHORT TITLE

Pub. L. 91-375, §1, Aug. 12, 1970, 84 Stat. 719, provided: "That this Act [revising this title, enacting sections 1735 to 1737 of Title 18, Crimes and Criminal Procedure, amending section 356 of Title 2, The Congress, section 19 of Title 3, The President, sections 101, 104, 2104, 2105, 3104, 3304a, 4301, 5102, 5303, 5304, 5312, 5314 to 5316, 5541, 6301, 6323, 7101, and 8344 of Title 5, Government Organization and Employees, sections 24 seventh par., 1701d-3, and 1701e of Title 12, Banks and Banking, section 637 of Title 15, Commerce and Trade, section 460l-1 of Title 16, Conservation, section 8 of former Title 17, Copyrights, sections 12, 440, 441, 500, 501, 612, 876, 877, 1114, 1303, 1341, 1342, 1463, 1696, 1699, 1703, 1704, 1707, 1709 to 1713, 1715, 1716, 1716A, 1717, 1718, 1721 to 1725, 1729, 1730, 1733, and 3061 of Title 18, section 611 of Title 22, Foreign Relations and Intercourse, sections 72 fifth par., 129, and 724a of former Title 31, Money and Finance, sections 356, 474, 615, 723, and 724 of former Title 40, Public Buildings, Property, and Works, and section 2942 of Title 42, The Public Health and Welfare, repealing section 3327 of Title 5 and section 1028 of former Title 31, and enacting provisions set out as notes under this section and sections 201, 601, 1001, 1003, 1201, 2002, 2004, 3010, and 3621 of this title] may be cited as the 'Postal Reorganization Act'."

**§ 102. Definitions**

As used in this title—

(1) "Postal Service" means the United States Postal Service established by section 201 of this title;

(2) "Board of Governors", and "Board", unless the context otherwise requires, mean the Board of Governors established under section 202 of this title;

(3) "Governors" means the 9 members of the Board of Governors appointed by the President, by and with the advice and consent of the Senate, under section 202(a) of this title;

(4) "Inspector General" means the Inspector General appointed under section 202(e) of this title;

(5) "postal service" refers to the delivery of letters, printed matter, or mailable packages, including acceptance, collection, sorting, transportation, or other functions ancillary thereto;

(6) "product" means a postal service with a distinct cost or market characteristic for

which a rate or rates are, or may reasonably be, applied;

(7) "rates", as used with respect to products, includes fees for postal services;

(8) "market-dominant product" or "product in the market-dominant category of mail" means a product subject to subchapter I of chapter 36;

(9) "competitive product" or "product in the competitive category of mail" means a product subject to subchapter II of chapter 36; and

(10) "year", as used in chapter 36 (other than subchapters I and VI thereof), means a fiscal year.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 720; Pub. L. 104-208, div. A, title I, §101(f) [title VI, §662(a)(2)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-379; Pub. L. 109-435, title I, §101, Dec. 20, 2006, 120 Stat. 3199.)

## AMENDMENTS

2006—Pars. (5) to (10). Pub. L. 109-435 added pars. (5) to (10).

1996—Par. (4). Pub. L. 104-208 added par. (4).

## EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

**CHAPTER 2—ORGANIZATION**

Sec. 201.	United States Postal Service.
202.	Board of Governors.
203.	Postmaster General; Deputy Postmaster General.
204.	General Counsel; Judicial Officer; Chief Postal Inspector.
205.	Procedures of the Board of Governors.
206.	Advisory Council.
207.	Seal.
208.	Reservation of powers.

## AMENDMENTS

**§ 201. United States Postal Service**

There is established, as an independent establishment of the executive branch of the Government of the United States, the United States Postal Service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 720.)

## EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

## TRANSFER OF FUNCTIONS; ABOLITION OF OFFICE

Section 4(a) of Pub. L. 91-375 provided that: "There are hereby transferred to the United States Postal Service all the functions, powers, and duties of the Post Office Department and the Postmaster General of the Post Office Department, and the Post Office Department and the office of Postmaster General of the Post Office Department are abolished."

Provisions of section 4(a) of Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of this title.

## INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE

Pub. L. 104-208, div. A, title I, §101(f) [title VI, §662(e)], Sept. 30, 1996, 110 Stat. 3009-314, 3009-382, provided that:

“(1) FIRST APPOINTMENT.—The first Inspector General of the United States Postal Service appointed pursuant to the amendments made by this section [amending sections 102, 202, 204, 410, and 1003 of this title, section 5315 of Title 5, Government Organization and Employees, and section 8G of the Inspector General Act of 1978, Pub. L. 95-452, set out in the Appendix to Title 5, and renumbering another section 8G of the Inspector General Act of 1978 as 8H] shall be appointed before the end of the 90-day period beginning on the date of the enactment of this Act [Sept. 30, 1996].

“(2) TRANSFERS.—

“(A) IN GENERAL.—All measures described in section 8G(b) of the Inspector General Act of 1978 necessary to establish an Office of Inspector General within the United States Postal Service pursuant to this section, including all appropriate transfers, shall occur—

“(i) no earlier than the date the appointment under paragraph (1) is made; and

“(ii) no later than 60 days after the date the appointment under paragraph (1) is made.

“(B) PROVISIONS RELATING TO PERSONNEL.—

“(i) CONSULTATION.—Decisions concerning which personnel are to be transferred pursuant to subparagraph (A) shall be made by the Governors (within the meaning of section 102(3) of title 39, United States Code) in consultation with the Inspector General appointed under paragraph (1).

“(ii) TRANSFERRED PERSONNEL.—Personnel transferred pursuant to subparagraph (A) shall, to the extent not inconsistent with other provisions of this subsection, be transferred in accordance with applicable laws and regulations relating to the transfer of functions within the United States Postal Service, except that, notwithstanding any provision of section 1003(b) of title 39, United States Code, as amended by this section, the classification and compensation of such personnel shall not be reduced, by reason of having been transferred, for 1 year after being so transferred.

“(3) TRANSITION PROVISION.—The Chief Postal Inspector may continue to serve as Inspector General of the United States Postal Service until the date on which an Inspector General is appointed under paragraph (1) or, if earlier, the end of the period referred to in such paragraph. Compensation for any service under this paragraph shall be determined as if this section had not been enacted.”

### § 202. Board of Governors

(a)(1) The exercise of the power of the Postal Service shall be directed by a Board of Governors composed of 11 members appointed in accordance with this section. Nine of the members, to be known as Governors, shall be appointed by the President, by and with the advice and consent of the Senate, not more than 5 of whom may be adherents of the same political party. The Governors shall elect a Chairman from among the members of the Board. The Governors shall represent the public interest generally, and shall be chosen solely on the basis of their experience in the field of public service, law or accounting or on their demonstrated ability in managing organizations or corporations (in either the public or private sector) of substantial size; except that at least 4 of the Governors shall be chosen solely on the basis of their demonstrated ability in managing organizations or corporations (in either the public or

private sector) that employ at least 50,000 employees. The Governors shall not be representatives of specific interests using the Postal Service, and may be removed only for cause. Each Governor shall receive a salary of \$30,000 a year plus \$300 a day for not more than 42 days of meetings each year and shall be reimbursed for travel and reasonable expenses incurred in attending meetings of the Board. Nothing in the preceding sentence shall be construed to limit the number of days of meetings each year to 42 days.

(2) In selecting the individuals described in paragraph (1) for nomination for appointment to the position of Governor, the President should consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate.

(b)(1) The terms of the 9 Governors shall be 7 years, except that the terms of the 9 Governors first taking office shall expire as designated by the President at the time of appointment, 1 at the end of 1 year, 1 at the end of 2 years, 1 at the end of 3 years, 1 at the end of 4 years, 1 at the end of 5 years, 1 at the end of 6 years, 1 at the end of 7 years, 1 at the end of 8 years, and 1 at the end of 9 years, following the appointment of the first of them. Any Governor appointed to fill a vacancy before the expiration of the term for which his predecessor was appointed shall serve for the remainder of such term. A Governor may continue to serve after the expiration of his term until his successor has qualified, but not to exceed one year.

(2) No person may serve more than 2 terms as a Governor.

(c) The Governors shall appoint and shall have the power to remove the Postmaster General, who shall be a voting member of the Board. His pay and term of service shall be fixed by the Governors.

(d) The Governors and the Postmaster General shall appoint and shall have the power to remove the Deputy Postmaster General, who shall be a voting member of the Board. His term of service shall be fixed by the Governors and the Postmaster General and his pay by the Governors.

(e)(1) The Governors shall appoint and shall have the power to remove the Inspector General.

(2) The Inspector General shall be appointed—

(A) for a term of 7 years;

(B) without regard to political affiliation; and

(C) solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) The Inspector General may at any time be removed upon the written concurrence of at least 7 Governors, but only for cause. Nothing in this subsection shall be considered to exempt the Governors from the requirements of section 8G(e) of the Inspector General Act of 1978.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 720; Pub. L. 98-81, §2, Aug. 23, 1983, 97 Stat. 487; Pub. L. 99-190, §144, Dec. 19, 1985, 99 Stat. 1324; Pub. L. 104-208, div. A, title I, §101(f) [title VI, §§644(a), 662(a)(1)], Sept. 30, 1996, 110 Stat. 3009-314,