

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2754

To establish a Presidential Commission on the United States Postal Service.

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IN THE SENATE OF THE UNITED STATES

JULY 18, 2002

Ms. COLLINS introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To establish a Presidential Commission on the United States Postal Service.

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 “United States Postal  
5       Service Commission Act of 2002”.

6       **SEC. 2. ESTABLISHMENT OF COMMISSION.**

7       (a) **ESTABLISHMENT.**—There is established the Pres-  
8       idential Commission on the United States Postal Service  
9       (in this Act referred to as the “Commission”).

10       (b) **MEMBERSHIP.**—

1           (1) COMPOSITION.—The Commission shall be  
2 composed of 11 members appointed by the Presi-  
3 dent, of whom—

4           (A) 1 shall be designated by the President  
5 as chairperson of the Commission;

6           (B) at least 1 shall not be a Federal officer  
7 or employee; and

8           (C) at least 1 shall be a union representa-  
9 tive.

10          (2) PROHIBITION.—No member of the Commis-  
11 sion appointed under paragraph (1) may be a stake-  
12 holder.

13          (3) DEFINITION OF STAKEHOLDER—In this Act  
14 the term “stakeholder” means any individual who—

15           (A) has close ties to the United States  
16 Postal Service, including—

17           (i) any employee or officer of, or any  
18 competitor with, the United States Postal  
19 Service; and

20           (ii) any member of a labor organiza-  
21 tion representing any unit of the United  
22 States Postal Service or any entity in com-  
23 petition with the United States Postal  
24 Service; or

1 (B) is an employee of the Postal Rate  
2 Commission.

3 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
4 bers shall be appointed for the life of the Commission. Any  
5 vacancy in the Commission shall not affect its powers, but  
6 shall be filled in the same manner as the original appoint-  
7 ment.

8 (d) INITIAL MEETING.—Not later than 90 days after  
9 the date on which all members of the Commission have  
10 been appointed, the Commission shall hold its first meet-  
11 ing.

12 (e) MEETINGS.—The Commission shall meet at the  
13 call of the chairperson.

14 (f) QUORUM.—A majority of the members of the  
15 Commission shall constitute a quorum, but a lesser num-  
16 ber of members may hold hearings.

17 **SEC. 3. DUTIES OF THE COMMISSION.**

18 (a) STUDY.—The Commission shall study matters re-  
19 lating to—

20 (1) the mission and role of the United States  
21 Postal Service, including the scope of competition  
22 with the private sector, the extent of the monopoly  
23 of the United States Postal Service on letter mail,  
24 and the extent to which the United States Postal

1 Service should engage in any postal-related activity,  
2 rate setting, and price flexibilities;

3 (2) the best structure of the United States  
4 Postal Service to ensure its future financial viability,  
5 including proposals that would restructure the  
6 United States Postal Service as a private entity,  
7 Government agency, or commercial Government enti-  
8 ty and examine the human capital issues of the  
9 United States Postal Service;

10 (3) infrastructure, including post offices and  
11 mail processing centers;

12 (4) the regulatory and governance structure of  
13 the United States Postal Service, including the Post-  
14 al Rate Commission and the Board of Governors;

15 (5) the transparency and accountability of  
16 United States Postal Service operations;

17 (6) security of United States Postal Service em-  
18 ployees and customers;

19 (7) increasing the efficiency of the United  
20 States Postal Service, including cost-cutting meas-  
21 ures, productivity, and technology implementation;  
22 and

23 (8) other issues that the Commission deter-  
24 mines are relevant to ensuring the long term viabil-

1       ity and increased efficiency of the United States  
2       Postal Service.

3       (b) REPORT.—Not later than the date that is the ear-  
4       lier of the date occurring 1 year after the initial meeting  
5       of the Commission or 15 months after the date of the en-  
6       actment of this Act, the Commission shall submit a report  
7       to the President, the Committee on Governmental Affairs  
8       of the Senate, and the Committee on Governmental Re-  
9       form of the House of Representatives that includes—

10           (1) a detailed statement of the findings and  
11           conclusions of the Commission addressing the mat-  
12           ters studied under subsection (a); and

13           (2) the recommendations of the Commission for  
14           such legislation and administrative actions as it con-  
15           siders appropriate.

16 **SEC. 4. POWERS OF THE COMMISSION.**

17       (a) HEARINGS.—The Commission may hold such  
18       hearings, sit and act at such times and places, take such  
19       testimony, and receive such evidence as the Commission  
20       considers advisable to carry out this Act.

21       (b) INFORMATION FROM FEDERAL AGENCIES.—

22           (1) IN GENERAL.—The Commission may secure  
23           directly from any Federal department or executive  
24           agency and from the United States Postal Service  
25           and the Postal Rate Commission such information

1 as the Commission considers necessary to carry out  
2 this Act.

3 (2) INFORMATION REQUEST.—Upon request of  
4 the chairperson of the Commission, the head of such  
5 department or agency shall furnish the information  
6 under paragraph (1) to the Commission.

7 (c) UNITED STATES POSTAL SERVICES.—The Com-  
8 mission may use the United States mails in the same man-  
9 ner and under the same conditions as other departments  
10 and agencies of the Federal Government.

11 **SEC. 5. COMMISSION PERSONNEL MATTERS.**

12 (a) COMPENSATION OF MEMBERS.—Each member of  
13 the Commission who is not an officer or employee of the  
14 Federal Government shall be compensated at a rate equal  
15 to the daily equivalent of the annual rate of basic pay pre-  
16 scribed for level IV of the Executive Schedule under sec-  
17 tion 5315 of title 5, United States Code, for each day (in-  
18 cluding travel time) during which such member is engaged  
19 in the performance of the duties of the Commission. All  
20 members of the Commission who are officers or employees  
21 of the United States shall serve without compensation in  
22 addition to that received for their services as officers or  
23 employees of the United States.

24 (b) TRAVEL EXPENSES.—The members of the Com-  
25 mission shall be allowed travel expenses, including per

1 diem in lieu of subsistence, at rates authorized for employ-  
2 ees of agencies under subchapter I of chapter 57 of title  
3 5, United States Code, while away from their homes or  
4 regular places of business in the performance of services  
5 for the Commission.

6 (c) STAFF.—

7 (1) IN GENERAL.—

8 (A) APPOINTMENT AND TERMINATION.—

9 The chairperson of the Commission may, with-  
10 out regard to the civil service laws and regula-  
11 tions, appoint and terminate an executive direc-  
12 tor and such other additional personnel as may  
13 be necessary to enable the Commission to per-  
14 form its duties.

15 (B) APPROVAL OF EXECUTIVE DIREC-  
16 TOR.—The employment of an executive director  
17 under subparagraph (A) shall be subject to ap-  
18 proval by the Commission.

19 (2) COMPENSATION.—The chairperson of the  
20 Commission may fix the compensation of the execu-  
21 tive director and other personnel without regard to  
22 chapter 51 and subchapter III of chapter 53 of title  
23 5, United States Code, relating to classification of  
24 positions and General Schedule pay rates, except  
25 that the rate of pay for the executive director and

1 other personnel may not exceed the rate payable for  
2 level V of the Executive Schedule under section 5316  
3 of such title.

4 (3) PERSONNEL AS FEDERAL EMPLOYEES.—

5 (A) IN GENERAL.—The executive director  
6 and any personnel of the Commission who are  
7 employees shall be employees under section  
8 2105 of title 5, United States Code, for pur-  
9 poses of chapters 63, 81, 83, 84, 85, 87, 89,  
10 and 90 of that title.

11 (B) MEMBERS OF COMMISSION.—Subpara-  
12 graph (A) shall not be construed to apply to  
13 members of the Commission.

14 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
15 Federal Government employee may be detailed to the  
16 Commission without reimbursement, and such detail shall  
17 be without interruption or loss of civil service status or  
18 privilege.

19 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-  
20 TENT SERVICES.—The chairperson of the Commission  
21 may procure temporary and intermittent services under  
22 section 3109(b) of title 5, United States Code, at rates  
23 for individuals which do not exceed the daily equivalent  
24 of the annual rate of basic pay prescribed for level V of  
25 the Executive Schedule under section 5316 of such title.

1 **SEC. 6. TERMINATION OF THE COMMISSION.**

2       The Commission shall terminate 60 days after the  
3 date on which the Commission submits its report under  
4 section 3.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6       There is authorized to be appropriated such sums as  
7 may be necessary to carry out this Act.

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