

103^D CONGRESS
1ST SESSION

H. R. 88

To provide for the privatization of the United States Postal Service.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. CRANE introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To provide for the privatization of 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. TRANSFER TO A PRIVATE CORPORATION.**

4 In accordance with the plan prescribed under section
5 3, all right, title, and interest of the United States in and
6 to all property of the Postal Service shall be transferred
7 to a corporation if, within 1 year after the date of the
8 enactment of this Act, such corporation satisfies the re-
9 quirements set forth in section 2.

1 **SEC. 2. REQUIREMENTS FOR THE CORPORATION.**

2 (a) IN GENERAL.—A corporation shall be considered
3 to satisfy the requirements of this section if such corpora-
4 tion—

5 (1) is incorporated under the laws of a State;

6 (2) is not a department, agency, or establish-
7 ment of the United States;

8 (3) is incorporated by not more than 9 individ-
9 uals who are especially qualified to establish and op-
10 erate an effective mail system by virtue of their edu-
11 cation, training, or experience, and who are chosen
12 by the employees of the Postal Service in an election
13 which shall be held at such time and in such manner
14 as the President shall by regulation prescribe;

15 (4) includes among its purposes the delivery of
16 postal services in a manner consistent with section
17 101(b) of title 39, United States Code, at rates es-
18 tablished in a manner consistent with section 101(d)
19 of such title;

20 (5) issues securities in a manner consistent
21 with subsection (b); and

22 (6) satisfies such other requirements as the
23 President may by regulation prescribe in order to
24 carry out the purposes of this Act.

25 (b) SECURITIES.—Any securities issued by the corpo-
26 ration—

1 (1) shall, during the 1-year period beginning on
2 the date of the enactment of this Act, be issued—

3 (A) only to employees of the Postal Serv-
4 ice;

5 (B) under a system (as developed under
6 section 4) which provides that securities shall
7 be issued to individuals based on their years of
8 service and levels of compensation; and

9 (C) subject to such terms and conditions,
10 including terms and conditions relating to the
11 sale, transfer, or other disposition of such secu-
12 rities following their issuance by the corpora-
13 tion, as may be necessary to promote the reten-
14 tion of well-qualified personnel; and

15 (2) may, after the end of that period, be offered
16 for sale to members of the general public under such
17 terms and conditions as the corporation considers
18 appropriate.

19 (c) RETIREMENT BENEFITS.—Retirement benefits
20 provided to employees of the corporation must be com-
21 parable to those which would have been afforded to those
22 individuals as employees of the Postal Service had this
23 Act not been enacted.

1 **SEC. 3. TRANSFER PLAN; PRESIDENTIAL DETERMINATION;**
2 **RATE-SETTING AUTHORITY.**

3 (a) TRANSFER PLAN.—Not later than the sixtieth
4 day after the date on which a corporation first satisfies
5 the requirements of section 2, as determined under sub-
6 section (b), the President shall, after consultation with the
7 commission under section 4, transmit to Congress—

8 (1) a comprehensive plan providing for the or-
9 derly transfer of all property subject to this Act, in-
10 cluding a timetable under which such transfer is
11 completed not later than 180 days after the date on
12 which such corporation first satisfies such require-
13 ments; and

14 (2) such recommendations for legislation as the
15 President considers necessary in order to carry out
16 the plan described in paragraph (1), including
17 recommendations—

18 (A) for the abolishment of the Postal Serv-
19 ice;

20 (B) for the continuation of the private ex-
21 press statutes with respect to the corporation
22 during the first 5 years of its existence; and

23 (C) for the repeal or modification of appro-
24 priate Federal statutes.

25 (b) PRESIDENTIAL DETERMINATION.—The Presi-
26 dent shall, for purposes of this section, determine the date

1 on which a corporation first satisfies the requirements of
2 section 2.

3 (c) RATE-SETTING AUTHORITY.—After consulting
4 with the Postal Rate Commission, the President shall de-
5 velop and include as part of the recommendations submit-
6 ted under subsection (a) proposals relating to the means
7 by which rates of postage would be established during the
8 5-year period referred to in subsection (a)(2)(B). Such
9 recommendations may include continuing any operations
10 of the Postal Rate Commission (whether on a modified
11 basis or otherwise) which may be appropriate.

12 **SEC. 4. POSTAL PRIVATIZATION COMMISSION.**

13 (a) ESTABLISHMENT.—In order to carry out the
14 functions set forth in sections 2(b)(1)(B) and 3(a), there
15 is established a commission to be known as the “Postal
16 Privatization Commission”.

17 (b) MEMBERSHIP.—The Commission shall consist of
18 12 members, to be selected by the President, of whom—

19 (1) 3 shall be selected from among individuals
20 recommended jointly by the Speaker of the House of
21 Representatives and the President pro tempore of
22 the Senate;

23 (2) 3 shall be selected to represent the interests
24 of employees of the Postal Service;

1 (3) 3 shall be selected to represent the interests
2 of postal management; and

3 (4) 3 shall be selected from such other postal
4 experts as the President considers appropriate.

5 (c) COMPENSATION.—

6 (1) IN GENERAL.—Except as provided in para-
7 graph (2), members of the Commission shall be paid
8 at the daily equivalent of a rate, not to exceed the
9 rate of basic pay payable for level IV of the Execu-
10 tive Schedule, for each day (including travel time)
11 during which they are engaged in the performance
12 of duties of the Commission.

13 (2) EXCEPTION.—Members of the Commission
14 who are full-time officers or employees of the United
15 States shall receive no additional pay by reason of
16 their service on the Commission.

17 (d) TERMINATION.—The Commission shall cease to
18 exist as of the date on which the work of the Commission
19 has been completed.

20 **SEC. 5. DEFINITIONS.**

21 For purposes of this Act—

22 (1) the term “Postal Service” means the United
23 States Postal Service and the Postal Rate Commis-
24 sion;

1 (2) the term “property”, when used with re-
2 spect to the Postal Service, means all assets and
3 rights, and all liabilities and obligations, of the Post-
4 al Service; and

5 (3) the term “State” means each of the several
6 States, the District of Columbia, and the Common-
7 wealth of Puerto Rico.

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