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which it has previously complied, unless a management decision by an appropriate department head is made to terminate compliance, in whole or in part, following advice from the General Counsel that the issuance is not binding, in whole or in part, on the Postal Service. This policy is not enforceable by any party outside the Postal Service. No party outside the Postal Service is authorized to use the mere non-compliance with this policy against the Postal Service in any way.

§211.4 Interim personnel regulations.

(a) *Continuation of Personnel Regulations of the Post Office Department.* All regulations of the former Post Office Department dealing with officers and employees, in effect at the time the U.S. Postal Service commenced operations, continue in effect according to their terms until modified or repealed by the Postal Service or pursuant to a collective bargaining agreement under the Postal Reorganization Act.

(b) *Continuation of Personnel Provisions of Former title 39, U.S.C.* Except as they may be inconsistent with other regulations adopted by the Postal Service or with a collective bargaining agreement under the Postal Reorganization Act, all provisions of former title 39, U.S.C., dealing with and applicable to postal officers and employees immediately prior to the commencement of operations of the Postal Service continue in effect as regulations of the Postal Service.

(c) *Continuation of Other Laws and Regulations as Postal Regulations.* Except as they may be inconsistent with the provisions of the Postal Reorganization Act, with other regulations adopted by the Postal Service, or with a collective bargaining agreement under the Postal Reorganization Act, all regulations of Federal agencies other than the Postal Service or Post Office Department and all laws other than provisions of revised title 39, U.S.C., or provisions of other laws made applicable to the Postal Service by revised title 39, U.S.C., dealing with officers and employees applicable to postal officers and employees immediately prior to the commencement of operations of the Postal Service, continue in effect as regulations of the

Postal Service. Any regulation or law the applicability of which is continued by paragraphs (a) through (c) of this section which requires any action by any agency other than the Postal Service or Post Office Department shall be deemed to require such action by the Postal Service, unless by agreement with the Postal Service the other agency involved consents to the continuation of its action.

(d) *Effect of Collective Bargaining on Certain Regulations.* All rules and regulations continued or established by paragraphs (a) through (c) of this section which establish fringe benefits as defined in title 39, U.S.C. 1005(f) of employees for whom there is a collective bargaining representative continue to apply until modified by a collective bargaining agreement concluded pursuant to the Postal Reorganization Act. Those rules and regulations affecting other terms and conditions of employment encompassed by section 8(d) of the National Labor Relations Act, as amended, shall continue to apply to such employees until such collective bargaining agreement has been concluded, and, unless specifically continued by such agreement, shall apply thereafter until modified or repealed by the Postal Service pursuant to its authority under title 39, U.S.C. 1001(e) and other pertinent provisions of the Postal Reorganization Act. In the event a condition occurs which shall excuse the Postal Service from continuing negotiations prior to the parties thereto concluding an agreement in accordance with the Postal Reorganization Act, the Postal Service reserves the right in accordance with the reorganization measures mandated by the Congress and consistent with the provisions of the Act, and any collective bargaining agreements in existence at that time, insofar as they do not unduly impede such reorganization measures, to continue, discontinue, or revise all compensation, benefits, and terms and conditions of employment of such employees of the Postal Service.

PART 221—GENERAL ORGANIZATION

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221.1 The United States Postal Service.

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AUTHORITY: 39 U.S.C. 201, 202, 203, 204, 207, 401(2), 402, 403, 404, 409, 1001; Inspector General Act of 1978 (Pub. L. 95-452), 5 U.S.C. App. 3.

SOURCE: 69 FR 53000, Aug. 31, 2004, unless otherwise noted.

§ 221.1 The United States Postal Service.

The United States Postal Service was established as an independent establishment within the executive branch of the government of the United States under the Postal Reorganization Act of August 12, 1970 (Pub. L. 91-375, 84 Stat. 719).

§ 221.2 Board of Governors.

(a) *Composition.* The Board of Governors consists of 11 members. Nine governors are appointed by the President of the United States, by and with the advice and consent of the Senate. Not more than five governors may be adherents of the same political party. The governors are chosen to represent the public interest generally, and they may not be representatives of specific interests using the Postal Service. The governors may be removed only for cause. The postmaster general and the deputy postmaster general are also voting members of the Board of Governors.

(b) *Responsibilities.* The Board of Governors directs the exercise of the powers of the Postal Service, reviews the practices and policies of the Postal Service, and directs and controls its expenditures.

§ 221.3 Office of Inspector General.

(a) *Establishment.* The Office of Inspector General (OIG) was established as an independent law enforcement and oversight agency for the United States Postal Service under the Inspector General Act of 1978 (5 U.S.C. App. 3), as amended in 1988 (Pub. L. 100-504, 102 Stat. 2515) and 1996 (Pub. L. 104-208, 110 Stat. 3009).

(b) *Responsibilities.* The OIG was established to:

(1) Provide an independent and objective unit to conduct and supervise audits and investigations relating to programs and operations of the Postal Service.

(2) Provide leadership and coordination and recommend policies for activities designed to:

(i) Promote economy, efficiency, and effectiveness in the administration of postal programs and operations.

(ii) Prevent and detect fraud and abuse in postal programs and operations.

(3) Provide a means of keeping the governors and Congress fully and currently informed about:

(i) Problems and deficiencies relating to the administration of postal programs and operations.

(ii) The necessity for corrective action.

(iii) The progress of corrective action.

(4) Provide oversight of all activities of the Postal Inspection Service.

(c) *Inspector General—(1) Appointment.* The inspector general is appointed for a 7-year term by the nine governors.

(2) *Responsibilities.* The inspector general is responsible for the operations of the OIG: ensuring independent and objective audits and investigations of postal operations and programs; overseeing the Postal Inspection Service; and apprising the governors and Congress of significant observations. The inspector general has no direct responsibility for designing, installing, and/or operating postal operations or programs.

(3) *Extent of powers.* In addition to the authority otherwise provided by the Inspector General Act of 1978, as amended, the inspector general is authorized to:

(i) Have unrestricted access to all Postal Service operations, programs, records, and documents, whether in custody of the Postal Service or available by law, contract, or regulation.

(ii) Have direct and prompt access to the governors when necessary for any purpose pertaining to the performance of the functions and responsibilities of the OIG.

(iii) Administer oaths when necessary in performance of the functions assigned to the OIG.

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(iv) Require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the functions of the OIG.

(v) Select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the OIG.

(vi) Obtain the temporary or intermittent services of experts or consultants in accordance with applicable laws and regulations.

§ 221.4 Corporate officers.

The Board of Governors determines the number of corporate officers and appoints the postmaster general. The governors and the postmaster general appoint the deputy postmaster general. The postmaster general appoints the remaining corporate officers. The corporate officers of the Postal Service are the following:

- (a) The postmaster general and chief executive officer.
- (b) The deputy postmaster general.
- (c) The chief operating officer and executive vice president.
- (d) The chief financial officer and executive vice president.
- (e) The senior vice presidents.
- (f) The general counsel and senior vice president.
- (g) The vice presidents.
- (h) The chief inspector.
- (i) The consumer advocate and vice president.
- (j) The judicial officer.
- (k) Such other officers as the Board may designate from time to time.

§ 221.5 Headquarters organization.

(a) *Postmaster General*—(1) *Appointment*. The postmaster general (PMG), the chief executive officer of the Postal Service, is appointed by and can be removed by a majority of the governors in office.

(2) *Responsibilities*. The postmaster general is responsible for the overall operation of the Postal Service. The postmaster general determines appeals from the actions of staff and corporate officers, except in cases where he or she has delegated authority to make a decision to a subordinate; such subordi-

nate may also determine appeals within the authority delegated.

(3) *Extent of powers*. The postmaster general, as directed by the Board of Governors, exercises the powers of the Postal Service to the extent that such exercise does not conflict with power reserved to the Board by law. The postmaster general is authorized to direct any officer, employee, or agent of the Postal Service to exercise such of the postmaster general's powers as the postmaster general deems appropriate.

(b) *Deputy Postmaster General*. The deputy postmaster general is appointed and can be removed by the postmaster general and the governors in office. The deputy postmaster general reports directly to the postmaster general.

(c) *Chief Operating Officer and Executive Vice President*. The chief operating officer and executive vice president is appointed by the postmaster general and directs all processing, distribution, and customer service functions.

(d) *Officers in charge of Headquarters organizational units*. The officers in charge of Headquarters organizational units are appointed by the postmaster general. They report directly to the postmaster general, the deputy postmaster general, an executive vice president, a senior vice president, or another officer, as the postmaster general may direct.

(e) *Responsibilities*. The corporate officers head the organizational units into which Headquarters and the field are divided. They are responsible for the following:

- (1) Program planning, direction, and review.
- (2) Establishment of policies, procedures, and standards.
- (3) Operational determinations not delegated to district officials.

§ 221.6 Field organization.

(a) *General*. There are 8 areas, each with a vice president.

(b) *Area locations*.

Area name	Location
Eastern	Pittsburgh PA.
Great Lakes	Chicago IL.
New York Metro	New York NY.
Northeast	Windsor CT.
Pacific	San Francisco CA.
Southeast	Memphis TN.
Southwest	Dallas TX.

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Area name	Location
Western	Denver CO.

(c) *Area functions.* Functional units and reporting units are as follows:

(1) *Functional units.* Each area is divided into functional units responsible for finance, human resources, marketing, and operations support.

(2) *Reporting units.* Areas are responsible for:

- (i) Customer service districts (CSDs).
 - (ii) Post offices (POs).
 - (iii) Vehicle maintenance facilities (VMFs).
 - (iv) Processing and distribution centers (P&DCs).
 - (v) Processing and distribution facilities (P&DFs).
 - (vi) Air mail centers (AMCs).
 - (vii) Air mail facilities (AMFs).
 - (viii) Bulk mail centers (BMCs).
 - (ix) Bulk mail facilities (BMFs).
 - (x) Remote encoding centers (RECs).
- (d) *Customer Service District Offices.*

Functional units and reporting relationships are as follows:

(1) *Functional units.* The 80 district offices coordinate the day-to-day management of post offices and customer service activities other than processing and distribution within a geographical area. EAS-26 and above postmasters report to their district manager. Each district office is organized into functional units responsible for post office operations, operations programs support, customer service support, finance, human resources, information technology, administrative support, and marketing.

(2) *Reporting relationships.* Independent delivery distribution centers and post offices level EAS-24 and below report to the functional unit responsible for post office operations.

(e) *Support*—(1) *General.* Headquarters field units and service centers provide support for area offices.

(2) *Headquarters field units.* As assigned, Headquarters field units are responsible for legal services, corporate relations, human resources, facility services, finance, information technology, and supply management.

§ 221.7 Postal Service emblem.

The Postal Service emblem, which is identical with the seal, is registered as

a trademark and service mark by the U.S. Patent Office. Except for the emblem on official stationery, the emblem must bear one of the following notations: “Reg. U.S. Pat. Off.,” “Registered in U.S. Patent Office”, or the letter R enclosed within a circle.

PART 222—DELEGATIONS OF AUTHORITY

Sec.

222.1 Authority to administer postal affairs.

222.2 Authority to administer oaths or function as notaries public.

222.3 Other delegation.

AUTHORITY: 39 U.S.C. 201, 202, 203, 204, 207, 401(2), 402, 403, 404, 409, 1001, 1011; Inspector General Act of 1978 (Pub. L. 95-452), 5 U.S.C. App. 3.

SOURCE: 69 FR 53000, Aug. 31, 2004, unless otherwise noted.

§ 222.1 Authority to administer postal affairs.

(a) *The Postmaster General.* The postmaster general has been authorized by the Board of Governors to exercise the powers of the Postal Service to the full extent that such exercise is lawful. The postmaster general is empowered to authorize any employee or agent of the Service to exercise any function vested in the Postal Service, in the postmaster general, or in any other Postal Service employee.

(b) *Corporate officers.* Corporate officers are authorized to exercise the powers and functions of the Postal Service under the Postal Reorganization Act with respect to matters within their areas of responsibility, except as limited by law or by the specific terms of their assignment.

(c) *General counsel.* The general counsel is authorized to settle federal tort claims under section 2672 of title 28, United States Code, up to \$100,000.

§ 222.2 Authority to administer oaths or function as notaries public.

(a) Authority to approve personnel actions and administer oaths of office for employment. The postmaster general, corporate officers, and their delegates are authorized to effect appointments, administer oaths of office for employment, and take other personnel actions.