

(d) The Postal Service may prepare a non-public annex to its plan covering program activities or parts of program activities relating to—

- (1) the avoidance of interference with criminal prosecution; or
- (2) matters otherwise exempt from public disclosure under section 410(c) of this title.

(Added Pub. L. 103–62, § 7, Aug. 3, 1993, 107 Stat. 293; amended Pub. L. 109–435, title X, § 1010(d)(2), Dec. 20, 2006, 120 Stat. 3261.)

#### AMENDMENTS

2006—Subsec. (a). Pub. L. 109–435 substituted “section 2401(e)” for “section 2401(g)” in introductory provisions.

### § 2804. Program performance reports

(a) The Postal Service shall prepare a report on program performance for each fiscal year, which shall be included in the annual comprehensive statement presented under section 2401(e) of this title.

(b)(1) The program performance report shall set forth the performance indicators established in the Postal Service performance plan, along with the actual program performance achieved compared with the performance goals expressed in the plan for that fiscal year.

(2) If performance goals are specified by descriptive statements of a minimally effective program activity and a successful program activity, the results of such program shall be described in relationship to those categories, including whether the performance failed to meet the criteria of either category.

(c) The report for fiscal year 2000 shall include actual results for the preceding fiscal year, the report for fiscal year 2001 shall include actual results for the two preceding fiscal years, and the report for fiscal year 2002 and all subsequent reports shall include actual results for the three preceding fiscal years.

(d) Each report shall—

- (1) review the success of achieving the performance goals of the fiscal year;
- (2) evaluate the performance plan for the current fiscal year relative to the performance achieved towards the performance goals in the fiscal year covered by the report;
- (3) explain and describe, where a performance goal has not been met (including when a program activity’s performance is determined not to have met the criteria of a successful program activity under section 2803(b)(2))—
  - (A) why the goal was not met;
  - (B) those plans and schedules for achieving the established performance goal; and
  - (C) if the performance goal is impractical or infeasible, why that is the case and what action is recommended; and
- (4) include the summary findings of those program evaluations completed during the fiscal year covered by the report.

(Added Pub. L. 103–62, § 7, Aug. 3, 1993, 107 Stat. 294; amended Pub. L. 109–435, title X, § 1010(d)(2), Dec. 20, 2006, 120 Stat. 3261.)

#### AMENDMENTS

2006—Subsec. (a). Pub. L. 109–435 substituted “section 2401(e)” for “section 2401(g)”.

### § 2805. Inherently Governmental functions

The functions and activities of this chapter shall be considered to be inherently Governmental functions. The drafting of strategic plans, performance plans, and program performance reports under this section shall be performed only by employees of the Postal Service.

(Added Pub. L. 103–62, § 7, Aug. 3, 1993, 107 Stat. 294.)

## CHAPTER 29—PROPERTY MANAGEMENT

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### § 2901. Definitions

In this chapter:

(1) **EXCESS PROPERTY.**—The term “excess property” means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

(2) **POSTAL PROPERTY.**—The term “postal property” means any property owned or leased by the Postal Service.

(3) **UNDERUTILIZED PROPERTY.**—The term “underutilized property” means a portion or the entirety of any real property that is postal property, including any improvements, that is used—

(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

(B) for program purposes that can be satisfied only with a portion of the property.

(Added Pub. L. 114–318, § 4(a), Dec. 16, 2016, 130 Stat. 1613.)

### § 2902. Property management

(a) **IN GENERAL.**—The Postal Service—

(1) shall maintain adequate inventory controls and accountability systems for postal property;

(2) shall develop current and future workforce projections so as to have the capacity to assess the needs of the Postal Service workforce regarding the use of property;

(3) may develop a 5-year management template that—

(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

(B) adopts workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

(C) assesses leased space to identify space that is not fully used or occupied;

(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery; and

(E) develops recommendations on ensuring the security of mail processing operations; and

(4) if the Postal Service develops a template under paragraph (3) shall, as part of that template and on a regular basis—