

§ 2605. Suits to recover wrongful or fraudulent payments

The Postal Service shall request the Attorney General to bring a suit to recover with interest any payment made from moneys of, or credit granted by, the Postal Service as a result of—

- (1) mistake;
- (2) fraudulent representations;
- (3) collusion; or
- (4) misconduct of an officer or employee of the Postal Service.

(Pub. L. 91–375, Aug. 12, 1970, 84 Stat. 745.)

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 28—STRATEGIC PLANNING AND PERFORMANCE MANAGEMENT

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§ 2801. Definitions

For purposes of this chapter the term—

- (1) “outcome measure” refers to an assessment of the results of a program activity compared to its intended purpose;
- (2) “output measure” refers to the tabulation, calculation, or recording of activity or effort and can be expressed in a quantitative or qualitative manner;
- (3) “performance goal” means a target level of performance expressed as a tangible, measurable objective, against which actual achievement shall be compared, including a goal expressed as a quantitative standard, value, or rate;
- (4) “performance indicator” refers to a particular value or characteristic used to measure output or outcome;
- (5) “program activity” means a specific activity related to the mission of the Postal Service; and
- (6) “program evaluation” means an assessment, through objective measurement and systematic analysis, of the manner and extent to which Postal Service programs achieve intended objectives.

(Added Pub. L. 103–62, § 7, Aug. 3, 1993, 107 Stat. 292.)

CONSTRUCTION

No provision or amendment made by Pub. L. 103–62 to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any provision or amendment made by Pub. L. 103–62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103–62, set out as a Construction of 1993 Amendment note under section 1101 of Title 31, Money and Finance.

§ 2802. Strategic plans

(a) No later than September 30, 1997, the Postal Service shall submit to the President and the

Congress a strategic plan for its program activities. Such plan shall contain—

- (1) a comprehensive mission statement covering the major functions and operations of the Postal Service;
- (2) general goals and objectives, including outcome-related goals and objectives, for the major functions and operations of the Postal Service;
- (3) a description of how the goals and objectives are to be achieved, including a description of the operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;
- (4) a description of how the performance goals included in the plan required under section 2803 shall be related to the general goals and objectives in the strategic plan;
- (5) an identification of those key factors external to the Postal Service and beyond its control that could significantly affect the achievement of the general goals and objectives; and
- (6) a description of the program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations.

(b) The strategic plan shall cover a period of not less than five years forward from the fiscal year in which it is submitted, and shall be updated and revised at least every three years.

(c) The performance plan required under section 2803 shall be consistent with the Postal Service’s strategic plan. A performance plan may not be submitted for a fiscal year not covered by a current strategic plan under this section.

(d) When developing a strategic plan, the Postal Service shall solicit and consider the views and suggestions of those entities potentially affected by or interested in such a plan, and shall advise the Congress of the contents of the plan.

(Added Pub. L. 103–62, § 7, Aug. 3, 1993, 107 Stat. 292.)

STRATEGIC PLANNING

Pub. L. 104–208, div. A, title I, §101(f) [title VI, §662(d)], Sept. 30, 1996, 110 Stat. 3009–314, 3009–381, provided that:

“(1) OFFICE OF INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE.—

“(A) IN GENERAL.—Strategic plans shall be prepared under this paragraph addressing staffing requirements, general goals and objectives for major functions and operations of the Office of Inspector General of the United States Postal Service, and how goals and objectives of the Office are to be achieved, including a description of operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives.

“(B) SPECIFIC REQUIREMENTS.—Plans under this paragraph—

“(i) shall be prepared by the Inspector General of the United States Postal Service;

“(ii) shall each cover a 5-year period (the beginning and ending dates of which shall be specified in each such plan); and

“(iii) shall be included, as part of the annual budget required under section 2009 of title 39, United States Code, at least every 3 years.

“(C) FIRST SUBMISSION.—The first plan under this paragraph shall be prepared in time to be included

with the annual budget under section 2009 of title 39, United States Code, next due to be submitted after the end of the 6-month period beginning on the date of the appointment of the first Inspector General to be 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].

“(2) POSTAL INSPECTION SERVICE.—The Chief Postal Inspector shall, with respect to the Postal Inspection Service, prepare a strategic plan similar in content to that required under paragraph (1)(A) with respect to the Office of Inspector General of the United States Postal Service. Such plan shall be prepared in time to be included with the annual budget under section 2009 of such title 39 next due to be submitted after the end of the 30-day period beginning on the date of the enactment of this Act [Sept. 30, 1996].”

§ 2803. Performance plans

(a) The Postal Service shall prepare an annual performance plan covering each program activity set forth in the Postal Service budget, which shall be included in the comprehensive statement presented under section 2401(e) of this title. Such plan shall—

(1) establish performance goals to define the level of performance to be achieved by a program activity;

(2) express such goals in an objective, quantifiable, and measurable form unless an alternative form is used under subsection (b);

(3) briefly describe the operational processes, skills and technology, and the human, capital, information, or other resources required to meet the performance goals;

(4) establish performance indicators to be used in measuring or assessing the relevant outputs, service levels, and outcomes of each program activity;

(5) provide a basis for comparing actual program results with the established performance goals; and

(6) describe the means to be used to verify and validate measured values.

(b) If the Postal Service determines that it is not feasible to express the performance goals for a particular program activity in an objective, quantifiable, and measurable form, the Postal Service may use an alternative form. Such alternative form shall—

(1) include separate descriptive statements of—

- (A) a minimally effective program, and
- (B) a successful program,

with sufficient precision and in such terms that would allow for an accurate, independent determination of whether the program activity's performance meets the criteria of either description; or

(2) state why it is infeasible or impractical to express a performance goal in any form for the program activity.

(c) In preparing a comprehensive and informative plan under this section, the Postal Service may aggregate, disaggregate, or consolidate program activities, except that any aggregation or consolidation may not omit or minimize the significance of any program activity constituting a major function or operation.

(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)”.