

AUTHORIZING THE POSTMASTER GENERAL TO CONTRACT FOR MAIL MESSENGER SERVICE

MAY 14, 1924.—Ordered to be printed

Mr. STERLING, from the Committee on Post Offices and Post Roads, submitted the following

REPORT

[To accompany H. R. 6482]

The Committee on Post Offices and Post Roads, to whom was referred the bill (H. R. 6482) authorizing the Postmaster General to contract for mail messenger service, having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendment:

On page 1, line 7, after the word "General" insert the word "postmasters," to be followed by a comma.

This legislation has been requested by the Postmaster General as of an emergency character, as appears from his letter which follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., April 7, 1924.

HON. THOMAS STERLING,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR STERLING: Reference is made to bill H. R. 6482, which, it is understood, is now before your committee. That bill was introduced in the House at my request with the view of authorizing this department to continue to employ as mail messengers certain employees of the postal service.

The proposed legislation, except that concerning special delivery messengers, is practically the same as the provision in the act of July 28, 1916, in connection with the appropriation of that year for mail messenger service. That provision it is understood, was intended as permanent legislation. However, it seems the wording of it was not sufficiently clear to manifest such an intention by Congress. The office of the Comptroller General last November (in Review 5826) decided that the legislation expired with the appropriation act in which it was contained. The Comptroller General gives notice that in view of the permanent construction heretofore placed on the proviso, it will not be questioned for the remainder of the present fiscal year in order to afford an opportunity to obtain a statutory construction from Congress of a more permanent nature. That implies that after July 1, 1924, the office of the Comptroller General will not pass accounts for the payment to postmasters and others involved for mail messenger service. We have many contracts with postmasters at the smaller

offices for mail messenger service. It may be necessary to terminate those contracts from June 30, unless legislative authority be continued.

It will be understood that this authority under which we have been acting since 1917 and which it is proposed to continue is in the nature of an exception to section 3850 of the Revised Statutes which is as follows:

"No postmaster, assistant postmaster, or clerk employed in any post office shall be a contractor or concerned in any contract for carrying the mail."

With respect to that part of the bill authorizing special delivery messengers to contract for mail messenger service, that authority would facilitate the service and permit an economy. I may cite a recent case of this kind where a bidder offers to carry the mails to and from the railroad station as mail messenger at the rate of \$954 a year, provided he be permitted to deliver special delivery letters and receive the fees therefor. Under the present law, he can not be permitted to perform both services. His bid for the mail messenger service without the privilege of delivering special delivery letters is at the rate of \$1,150 a year.

I consider favorable action on this bill very important.

Very truly yours,

HARRY S. NEW,
Postmaster General.

The committee believes that in view of the fact that this legislation is so urgently needed by the department and that it will result in great economies and more dependable service, that it should be enacted into law.

