

The
United States
Power
Squadrons

UNITED STATES POWER SQUADRONS®

Sail and Power Boating — America's Boating Club

District 18 Bylaws

January 2008



Prepared by the D/18 Committee on Rules:

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dedicated to
making boating
safer and more fun

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**BYLAWS OF
DISTRICT 18
UNITED STATES POWER SQUADRONS**

ARTICLE 1

District Organization

Section 1.1 This district shall be known as District 18.

Section 1.2 The district shall be composed of the squadrons assigned it by the Governing Board of United States Power Squadrons. It shall be governed by a District Conference functioning as the governing body and by a District Council functioning as an executive committee of the District Conference, all in accordance with the policy and authority of USPS.

Word and Term Meaning

Section 1.3 As used herein, and unless the context clearly indicates otherwise, the term:

1.3.1 USPS means United States Power Squadrons.

1.3.2 Governing Board refers to and means the Governing Board of USPS

1.3.3 National refers to and means the national organization and officers of USPS .

1.3.4 Conference, council, district, squadron, division, officers, committees, aides, members, and subjects treated generally, refer to and mean those of this district

1.3.5 *Policy and authority of USPS* refers to and means the bylaws of USPS, the policies adopted by the Governing Board of USPS, and the current USPS Operations Manual which supplements these documents.

1.3.6 Active member also include "Additional Active member".

Section 1.4 Any word denoting gender used in these bylaws shall apply equally to either gender as the context may require.

ARTICLE 2

Officers and Committees

General Provisions

Section 2.1 All officers and committee members, elected or appointed, shall be subject to the following general provisions:

2.1.1 All elected officers and elected committee members shall be active members of squadrons in the district. All appointed officers and committee members shall be members of squadrons in the district.

2.1.2 All bridge officers shall have been awarded at least one advanced grade and at least one merit mark. This requirement may be waived by the national executive officer for good cause in accordance with USPS Bylaws Section 6.8.

2.1.3 Except as otherwise provided in these bylaws, all officers, committee members, and appointees shall: (1) be elected or appointed annually; (2) serve for one year or until their successors are elected or appointed, or if applicable, installed; and (3) begin their term of office at the time at which they are elected or appointed, or if applicable, installed.

2.1.4 No member shall be nominated for or hold more than one district flag office simultaneously, except that the district offices of secretary and treasurer may be held by the same person. A member may hold elected flag offices at other levels of USPS if there does not seem to be a conflict of interest.

2.1.5 [RESERVED]

2.1.6 Committees whose members have staggered terms shall have members elected or appointed initially for terms to meet such qualifications. One of the members whose term next expires shall be appointed chairman except for the general committees, which shall select their own chairmen.

2.1.7 A vacancy occurring in any elective office shall be filled by the Council for the unexpired term and a vacancy occurring in any appointive office shall be filled by appointment by the commander. Persons selected to fill vacancies in the offices of educational officer and assistant educational officer must have their qualifications approved as provided in 6.3 herein.

2.1.8 In addition to the specific duties set forth herein, all district officers shall be expected to perform such other duties relating to their office as may be prescribed by the policy and authority of USPS.

2.1.9 In all instances relating to rank, grade, appointment, duties, and procedures, the policy and authority of USPS shall prevail.

2.1.10 Upon leaving office, officers shall turn over to their successors all records, reports, communications and documents in their possession that pertain to the affairs of the district.

Elected Officers

Section 2.2 The commander, the ranking officer, shall:

2.2.1 Preside at all meetings of the Conference and the Council and represent the district at meetings and functions of USPS.

2.2.2 Visit each squadron at least once a year. If unable to make such visitations in person, designate a representative to do so, preferably one of the district lieutenant commanders or a past district commander.

2.2.3 Call meetings of the Conference and the Council as provided herein.

2.2.4 Be an *ex officio* member of all committees except the Nominating, Rules, and Auditing committees.

2.2.5 Appoint appointive officers and the chairmen and members of the appointive committees.

Section 2.3 The executive officer shall: (1) assist the commander; (2) have general supervision of the Executive Department as directed by the commander, the Council, or the Conference; (3) be an *ex officio* member of all committees of the Executive Department; (4) be the liaison between the district and the squadron

commanders and receive their reports; and (5) in the temporary absence or incapacity of the commander, perform the duties and exercise the powers of the commander.

Section 2.4 The educational officer shall: (1) assist the commander; (2) have general supervision of the Educational Department and coordinate the squadrons' educational programs as directed by the commander, the Council, or the Conference; (3) advise the squadron nominating committees with respect to candidates for squadron educational officer and assistant educational officer and approve such nominations if the national educational officer has delegated such authority; and (4) be an *ex officio* member of all committees of the Educational Department.

Section 2.5 The administrative officer shall: (1) assist the commander; (2) have general supervision of the Administrative Department as directed by the commander, the Council, or the Conference; (3) be an *ex officio* member of all committees of the Administrative Department; and (4) in the temporary absence or incapacity of the executive officer, perform the duties and exercise the powers of the executive officer.

Section 2.6 The secretary shall:

2.6.1 Assist the commander.

2.6.2 Keep a record of the proceedings of the Conference and the Council and conduct the correspondence of these bodies.

2.6.3 Have custody of the official copy of the bylaws, which shall be kept corrected to date and send promptly to the designated member of the Committee on Rules duplicate copies of bylaws amendments adopted by the Conference, certified as instructed in section 10.61 of the USPS Operations Manual.

2.6.4 Keep and file all documents, records, reports and communications connected with the business of the district.

2.6.5 Make a report at each meeting of the Council and the Conference and as directed by the commander.

2.6.6 Send a copy of all conference and council minutes to each member of the Council and a copy of all conference minutes to the national executive officer and to the national secretary.

2.6.7 Report to the national secretary at the USPS HQ address the names of all officers and committee chairmen when so requested. In the event of an interim election or appointment, report such changes within 10 days of election or appointment.

2.6.8 Send notices for meetings of the Conference and the Council as required by 5.6 herein.

2.6.9 Be an *ex officio* member of all committees assigned to the Secretary's Department.

Section 2.7 The treasurer shall:

2.7.1 Assist the commander.

2.7.2 Collect and hold, in the name of the district, all moneys belonging to the district.

2.7.3 Pay all bills contracted by the district, which have been approved by the Council or provided for in the budget adopted by the Conference.

2.7.4 Deposit district funds in financial institutions insured by an agency of the U.S. government and approved by the Council.

2.7.5 Make a written report of the district financial condition at each meeting of the Council and the Conference, and as may be directed by the commander.

2.7.6

Send to each squadron a notice of the annual assessment levied against it by the Conference. Assessments, This assessment shall be determined by the Conference based on the number of Individual Members and Individual Members with Family. It shall be payable to the treasurer on the basis of the number of members, excluding life and sustaining members, as shown on the records of USPS as of 01 March of the year for which the assessment is to be paid. Assessment notices shall be mailed within 30 days of the foregoing date, less any assessments received during the assessment period. Payments shall be made within 30 days of receipt of notice.

2.7.7 Prepare and file in a timely manner all required federal, state and local tax and information returns, following the instructions and recommendations of the national treasurer.

2.7.8 Be an *ex officio* member of all committees assigned to the Treasurer's Department.

Elected Assistants

Section 2.8 The Council may authorize election of an assistant educational officer, an assistant administrative officer, an assistant secretary, and/or an assistant treasurer. Any such officers shall assist their principals and, in the absence or incapacity of their principals, act in the principals' stead.

General Committees

Section 2.9 The following general committees shall be elected by the Conference and shall report directly to the Conference the results of their assigned duties and responsibilities.

2.9.1 The number of members on the Nominating Committee shall equal the number of squadrons in the district and shall consist of a chairman and other members; if possible there shall be one member from each of the squadrons that comprise the district. New member(s) shall be elected each year for a term of three years. If practical, this committee shall be so constituted that at least half the members are past district commanders or past district lieutenant commanders and with not more than one member from any one squadron. No member of this committee whose term is expiring shall be re-nominated to this committee, and no member of this committee shall be eligible for nomination by the committee to any elective office of the district during the bridge year following service on this committee. This committee shall annually nominate a candidate for each elective district position and its nominating report shall be mailed first class, hand delivered or sent via e-mail, to the district secretary not fewer than 45 days prior to the date of the spring conference.

2.9.2 The Rules Committee shall consist of a chairman and two other members, one of whom shall be elected each year for a term of three years. This committee shall: (1) be responsible for adherence to the USPS Bylaws, USPS policy, and these bylaws; (2) be cognizant of the latest Model Bylaws for Districts of USPS and prepare necessary recommendations for district bylaws to maintain consistency with the policy and authority of USPS; and (3) prepare wording for amendments on motion of a committee member or as may be directed by the Council or the Conference.

2.9.3 The Auditing Committee shall consist of a chairman and two other members, one of whom shall be elected each year for a term of three years. This committee shall examine all records of the treasurer annually and submit a report of its findings to the spring meeting of the Conference. An additional audit shall be performed should a different individual assume the office of treasurer prior to the end of the fiscal year.

Appointed Committees

Section 2.10 The following committees shall be appointed by the commander and shall report to the Council or their respective department heads as required or directed

Standing Committees (Reporting to Council)

2.10.1 The number of members on the Planning Committee shall equal the number of squadrons in the district and shall consist of a chairman and other members; if possible there shall be one member from each of the squadrons that comprise the district. New member(s) shall be appointed each year, as required, for a term of three years. The committee shall elect its own chairman. If practical, this committee shall be so constituted that at least half the members are past district commanders or past district lieutenant commanders and with not more than one member from any one squadron. This committee shall make recommendations for proposed changes benefiting the district in response to requests from the Council, the Conference, or from within the committee. It shall file an annual report at the spring conference.

2.10.2 The Budget and Finance Committee shall consist of three members, one of whom shall be appointed by the commander each year for a term of three years. This committee shall recommend policy concerning general reserves and operating funds as directed by the Council, and shall annually draft a detailed budget of operating expenses, anticipated income, and recommended per capita assessment to be levied against the squadrons for the following budget year. The complete budget shall be proposed to the Council prior to the fall conference. Any change in per capita assessment adopted at a fall conference shall not take effect until the beginning of the next USPS dues year.

2.10.3 The Membership Committee shall be composed of three members appointed annually by the commander. This committee shall be familiar with the policies and procedures outlined in the current edition of the *USPS Membership Manual* and shall coordinate membership activities within the district.

2.10.4 The Member Involvement Committee shall be composed of three members appointed annually by the commander. This committee shall work closely with other district committees to encourage participation in district activities by members of district squadrons and, as requested, provide to the squadrons suggestions for programs to increase member participation in squadron activities by providing guidance to the squadron membership committees.

2.10.5 The Law Committee shall consist of the law officer as chairman and an assistant law officer from each additional state, if any, served by the district. All shall be attorneys licensed to practice in their respective states. This committee shall perform such legal duties as may be assigned it by the commander, the Council, or the Conference which concern the affairs of the district, its squadrons, and its USPS affiliations.

Other Committees

2.10.6 The Personnel Committee shall consist of two members. This committee shall maintain a current inventory of district members' interests and skills for use as a source of qualified candidates for specific duties.

2.10.7 The USPS Educational Fund representative shall keep members informed of the progress of the fund and encourage gifts and memorials to the fund. The representative should have an aide in each squadron.

2.10.8 The Marketing Committee shall be composed of three or more members appointed annually by the commander. This committee shall make recommendations to the Conference of ways to market USPS.

2.10.9 Other committees consisting of those customarily assigned to the various departments of this district by the policy and authority of USPS may be appointed. They shall perform such duties as are usual for their responsibilities and as may be directed by their department heads and shall make such reports as are required by their operations.

Other Appointed Officers

Section 2.11 The commander may appoint an editor and an associate editor who shall report to the district secretary and perform such duties as may be required for preparing district publications.

Section 2.12 The commander may appoint a property officer who shall have physical custody of all district property which is not procured for resale to members and who shall maintain a current listing of such property showing location, date procured, and condition. A copy of the listing shall be supplied to the treasurer upon request.

Section 2.13 The commander may appoint a chaplain, a flag lieutenant, and such other aides or lieutenants as deemed necessary, to perform such duties as the commander, the Council, or the Conference may assign.

ARTICLE 3

The Council

Section 3.1 The Council shall be composed of the elected bridge officers, the immediate past district commander or the most recent past commander willing to serve, the chairmen of the general committees, and the squadron commanders, which persons shall be the voting members of the Council.

Section 3.2 The Council shall:

3.2.1 Carry on the interim business of the district between meetings of the Conference.

3.2.2 Have authority to establish committees and make appointments thereto.

3.2.3 Fill any vacancy in any elective office or on any elective committee, the person so selected to hold office until his successor shall be elected and installed. Persons selected to fill vacancies in the office of educational officer and assistant educational officer shall have their qualifications approved as provided in 6.3 herein.

3.2.4 At or before the Council meeting prior to the fall conference, approve for recommendation to the Conference a detailed budget, including per capita assessment to be levied against squadrons for the following year.

3.2.5 Have authority to approve interim changes in the budget.

3.2.6 Consider resolutions and recommendations from the squadrons and refer them to the Conference for action or refer them to committee for further study.

3.2.7 Have authority to confer honorary membership, for not more than one year at a time, upon any person not a member of USPS who has rendered conspicuous service in the interest of the district. Honorary membership shall not be subject to the payment of entrance fees, dues, or district

assessments. Honorary members shall not have any of the privileges extended to other classes of membership except they may wear the USPS membership lapel pin.

3.2.8 Perform such other duties as may be required by the policy and authority of USPS.

ARTICLE 4

The Conference

Section 4.1 The Conference shall be composed of the Council, the past district commanders of this district who are active members of district squadrons, and the delegates, which persons shall be the voting members of the Conference.

Section 4.2 Delegates.

4.2.1 Delegates shall be selected by each squadron, from that squadron's active members, on the basis of one delegate for each 25 active members in good standing, or major fraction thereof, as of the preceding 01 March, with a minimum of two delegates per squadron.

4.2.2 During the first year of a new squadron, the number of its delegates to the Conference shall be based upon the number of its charter members, with a minimum of two delegates.

4.2.3 Prior to each meeting of the Conference, each squadron commander shall submit in writing to the district secretary a list of the squadron's delegates entitled to vote at such meeting.

4.2.4 If a delegate is disqualified or is unable to attend, the squadron commander may appoint a substitute and notify the district secretary prior to the convening of the meeting.

Section 4.3 The Conference shall:

4.3.1 Elect annually, at its spring meeting, elective officers as provided herein and members of the general committees.

4.3.2 Adopt annually, at its fall meeting, a detailed budget, including per capita assessment to be levied against squadrons. Assessments for members joining squadrons after the date specified in 2.7.6 herein may be levied by the Conference. Assessments shall not be levied upon squadrons of a division of the district without authority of the Conference.

4.3.3 Have authority to establish committees and make appointments thereto or delegate such authority to the Council or to the commander.

4.3.4 Consider and act upon reports, resolutions, and recommendations from the Council, officers, and committees (and division officers, if any) and conduct other necessary business.

4.3.5 Adopt and forward appropriate recommendations and resolutions to the Governing Board.

4.3.6 Adopt amendments to these bylaws.

4.3.7 Establish and promulgate district rules and regulations consistent with the policy and authority of USPS and these bylaws. Such rules and regulations shall be binding upon all officers and squadrons of the district.

ARTICLE 5

Meetings, Notices, and Quorums

Section 5.1 There shall be two regular meetings of the Conference in each calendar year, to be known as the *spring conference* and the *fall conference*. The meetings shall be scheduled in accordance with the policy and authority of USPS and care shall be taken that dates not conflict with national events.

Section 5.2 The Council shall fix the number of its regular meetings provided, however, that there shall be at least two, one of which shall be held within 40 days prior to each conference.

Section 5.3 Regular meetings of the Council and the Conference shall be held at places, on dates, and at times selected and fixed by the commander with the approval of the Council.

Section 5.4 Special meetings of the Council or of the Conference may be called by: (1) the commander; (2) the Council; or (3) petition supported by a two-thirds vote of the Executive Committees of at least three squadrons of the district and such petition shall set forth the reason for calling the meeting.

5.4.1 The commander shall select the date, time and place of such special meetings. In the case of a special meeting called by petition, the date shall be within 30 days of receipt of the petition.

5.4.2 The business of any special meeting shall be limited to action upon the agenda items contained in the meeting notice.

Section 5.5 Regular or Special meetings of the council may be conducted by electronic means, as defined by the currently available technology, provided that all other applicable sections of article 5 are adhered to. Reasonable provisions must be made for all eligible members to participate in the format selected.

Section 5.6 Notice of any district meeting shall be sent by the secretary to members of the Council not less than 30 days prior to the date of a regular meeting and not less than 15 days prior to the date of a special meeting. For meetings of the Conference: (1) notice shall also be sent to each past district commander of the district; (2) the squadron commanders shall notify their respective delegates; and (3) notice of the spring conference shall include a list of members nominated by the Nominating Committee for election to positions within the district. Publication of notices in a regular district publication, duly and timely circulated, shall fulfill the foregoing requirements. E-mail may also be used provided the recipient has agreed to this method of distribution.

Section 5.7 At any meeting of the Council, 50 percent of the members of the Council shall constitute a quorum. At any meeting of the Conference, 25 percent of the members of the Conference shall constitute a quorum. At any meeting of a committee of more than two members, a quorum shall be a majority of its members.

Section 5.8 Voting at district meetings shall be as follows:

5.8.1 Each voting member shall have one vote on each question.

5.8.2 Voting at a meeting of the Council shall be by members of the Council only; voting at a meeting of the Conference shall be by members of the Conference only.

5.8.3 In the absence of a squadron commander, the squadron executive officer or administrative officer may act for the commander and in the absence of an officer for whom there is an elected assistant, the assistant may act for the principal.

5.8.4 Voting shall be by voice unless a poll is demanded by a person duly qualified to vote, in which event votes shall be cast by show of hands. Upon a motion supported by at least one-fifth of the members present and voting, a roll call vote shall be taken. The presiding officer may require that voting be by secret ballot if circumstances warrant.

5.8.5 Voting at an election shall be as provided in 6.5 herein.

Section 5.9 At any meeting of the Conference, any active member may have the floor when recognized by the presiding officer, who may limit the time thereof.

Section 5.10 Any member of the Conference shall have the prerogative of offering a resolution or recommendation for consideration by the Conference.

Section 5.11 Should any meeting of the Conference be adjourned to reconvene more than 24 hours later than the time set for the original meeting, or to a different location, then there shall be issued a notice for such adjourned conference as provided in 5.6 herein. Such notice shall set forth the items to be included on the adjourned conference agenda. No action at such adjourned conference shall be valid unless a quorum is present.

ARTICLE 6

Nominations and Elections

Section 6.1 Candidates for elective offices to be voted on at the spring conference shall be nominated by the Nominating Committee or by written petition signed by at least 10 active members in good standing from each of at least three squadrons. Such petition shall be sent by first class mail or delivered to the secretary at least 15 days before the date of the election. At least 10 days before the date of the election, the secretary shall forward the names of those nominated by petition to each member of the Council and to each past district commander of the district. Squadron commanders shall notify delegates representing their squadrons.

Section 6.2 If vacancies exist in the properly formulated slate of nominees at the time of any election, they shall be filled by nominations from the floor.

Section 6.3 Prior to nomination for the office of educational officer or assistant educational officer, the candidate's qualifications for such office must have the approval of the national educational officer's designee.

Section 6.4 No person shall be eligible for nomination without first signifying willingness and ability to serve if elected.

Section 6.5 At any election, each member of the Conference present and in good standing shall have one vote for each office to be filled. Voting shall be in the following manner:

6.5.1 Cumulative voting is prohibited.

6.5.2 Election to an uncontested office may be effected by a supported motion and a ballot cast and recorded by the secretary.

6.5.3 Election to a contested office shall be effected by secret ballot, unsigned and cast in person. Such elections shall be determined by a judge of election and not fewer than three tellers, all of whom shall be appointed by the commander. The secret ballots shall be delivered to the judge of election and opened and inspected by the tellers, and the final results shall be tabulated and announced to the members before the close of the meeting.

6.5.4 Polls shall remain open for no more than one hour after the election is initiated as an order of business.

Section 6.6 In the event the commander, the executive officer, or the administrative officer is determined, by self-declaration or by two-thirds vote of the Council, to be incapable of performing the duties of office because of

illness or otherwise, the Council may assign the duties and powers of such office to a past district commander agreeable to serve. Such assumption of duties by a past commander shall last only until the earliest of: (1) the next spring conference; (2) the officer rescinds the self-declaration of incapability; (3) the Council rescinds its declaration of incapability; or (4) the next meeting of the Conference at least 50 days after the declaration of incapability at which meeting the Council shall recommend to the Conference whether the period of incapability should be extended or the office should be declared vacant. Should the Council recommend the office be declared vacant, such recommendation shall be made in time for a report of the Nominating Committee to be included in the notice of the meeting of the Conference. If the Conference by a two-thirds vote concurs, an election shall be held to fill such vacancy. Candidates for such office shall be nominated according to the provisions of 6.1 above.

ARTICLE 7

Order of Business and Rules of Order

Section 7.1 Unless otherwise provided, the order of business at any regular or special meeting of the Council or the Conference shall be the same as that of USPS.

Section 7.2 Orderly parliamentary procedure shall govern at all meetings.

7.2.1 All questions of procedure not otherwise covered herein or by the policy and authority of USPS shall be answered in accordance with the most current edition of Robert's Rules of Order Newly Revised.

7.2.2 All questions of interpretation of these bylaws shall be answered under the authority of the chairman of the Rules Committee.

ARTICLE 8

Finances

Section 8.1 The fiscal (business) year of the district shall be for 12 consecutive months beginning on 01 December and ending on the last day of November.

Section 8.2 The budget year of the district shall be for 12 consecutive months beginning on 01May and ending on April 30.

Section 8.3 Any person collecting moneys for any activity of the district shall be prepared at all times to make a full and complete accounting of same to the Council or the Conference.

Section 8.4 No person shall contract any bills in the name of the district unless previously authorized by the Council or the Conference, or by the adopted budget.

Section 8.5 Whenever an account is closed or an authorized function is completed, the responsible person shall promptly prepare and submit a full and complete report to the treasurer. Any excess funds shall be immediately turned over to the treasurer.

Section 8.6 No person shall take advantage of USPS membership status in order to achieve personal gain or remuneration which would otherwise be unavailable.

ARTICLE 9

Amendments

Section 9.1 These bylaws may be amended by a two-thirds vote of conference members present and voting at any regular or special meeting of the Conference provided any proposed amendments are stated in full in the notice of the meeting as required by 5.6 herein.

Section 9.2 When any amendment is properly before the Conference it may, before final action thereon, be changed by a majority vote provided the change is germane to the subject covered by the amendment as proposed.

Section 9.3 Amendments shall become effective on the date of formal approval by the USPS Committee on Rules. Notice of such approval shall be provided to the District Council by the district secretary.

ARTICLE 10

Distribution of Assets After Termination

Section 10.1 No individual member of USPS shall have any interest in or title to the assets of USPS, the assets of the district, or the assets of any squadron of the district. Such assets shall be devoted exclusively to the purposes of USPS, the district, and the squadrons of the district.

Section 10.2 In the event of dissolution, or revocation of the district's authority to function:

10.2.1 If there are no squadrons, district assets shall be assigned to USPS or to an institution which qualifies for tax exemption under Section 501 (c)(3) of the Internal Revenue Code of 1986, as from time to time amended, and any regulations promulgated there under or such other section of the code by which USPS is exempt. The recipient of such assignment shall be selected by the Conference or other comparable body of the district. In the absence of such selection, the selection shall be made by the USPS Operating Committee.

10.2.2 Should the squadrons of this district, upon termination of the district's authority to function as such, be assigned to one or more other districts, the assets belonging to this district shall then be divided among such other districts, prorated as to the membership of the squadrons assigned to such districts.

CERTIFICATION

District 18 USPS

The accompanying bylaws (or amendments thereto) were adopted by the Conference of this District on (date): MARCH 29, 2008

Rules Committee James H. Cunn MARCH 29, 2008
Signature of Chairman Date

I certify that the members were notified in accordance with the district's bylaws, that a quorum was present, and that at least two-thirds of those voting voted in favor of all amendments reflected in these bylaws.

Stephen P. Jerome
Signature of Secretary (or Commander)

3/29/08
Date

Dktc Stephen P. Jerome, AP
Rank, name and grade of secretary

Send three copies of this certification, two complete copies of amended bylaws and other required documentation to the appropriate representative of the Committee on Rules

Any of these documents may be sent singly in electronic form so long as required signatures are faithfully reproduced.

APPROVAL

Approved by the USPS Committee on Rules on 9-17-08
(This is the effective date.)
[Signature]
For the Committee on Rules