

# Union Calendar No. 415

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4437

**[Report No. 106–734, Part I]**

To grant to the United States Postal Service the authority to issue semipostals, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2000

Mr. McHUGH (for himself and Mr. FATTAH) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 17, 2000

Reported from the Committee on Government Reform with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

JULY 17, 2000

Referral to the Committees on Commerce and Armed Services extended for a period ending not later than July 17, 2000

JULY 17, 2000

Committees on Commerce and Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# A BILL

To grant to the United States Postal Service the authority to issue semipostals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Semipostal Authoriza-*  
5 *tion Act”.*

6 **SEC. 2. AUTHORITY TO ISSUE SEMIPOSTALS.**

7 *(a) IN GENERAL.—Chapter 4 of title 39, United States*  
8 *Code, is amended by adding at the end the following:*

9 **“§ 416. Authority to issue semipostals**

10 *“(a) DEFINITIONS.—For purposes of this section—*

11 *“(1) the term ‘semipostal’ means a postage*  
12 *stamp which is issued and sold by the Postal Service,*  
13 *at a premium, in order to help provide funding for*  
14 *a cause described in subsection (b); and*

15 *“(2) the term ‘agency’ means an Executive agen-*  
16 *cy within the meaning of section 105 of title 5.*

17 *“(b) DISCRETIONARY AUTHORITY.—The Postal Service*  
18 *is hereby authorized to issue and sell semipostals under this*  
19 *section in order to advance such causes as the Postal Service*

1 *considers to be in the national public interest and appro-*  
2 *priate.*

3       “(c) *RATE OF POSTAGE.*—*The rate of postage on a*  
4 *semipostal issued under this section shall be established by*  
5 *the Governors, in accordance with such procedures as they*  
6 *shall by regulation prescribe (in lieu of the procedures*  
7 *under chapter 36), except that—*

8               “(1) *the rate established for a semipostal under*  
9 *this section shall be equal to the rate of postage that*  
10 *would otherwise regularly apply, plus a differential of*  
11 *not to exceed 25 percent; and*

12               “(2) *no regular rates of postage or fees for postal*  
13 *services under chapter 36 shall be any different from*  
14 *what they otherwise would have been if this section*  
15 *had not been enacted.*

16 *The use of any semipostal issued under this section shall*  
17 *be voluntary on the part of postal patrons.*

18       “(d) *AMOUNTS BECOMING AVAILABLE.*—

19               “(1) *IN GENERAL.*—*The amounts becoming*  
20 *available from the sale of a semipostal under this sec-*  
21 *tion shall be transferred to the appropriate agency or*  
22 *agencies under such arrangements as the Postal Serv-*  
23 *ice shall by mutual agreement with each such agency*  
24 *establish.*

1           “(2) *IDENTIFICATION OF APPROPRIATE CAUSES*  
 2           *AND AGENCIES.*—*Decisions concerning the identifica-*  
 3           *tion of appropriate causes and agencies to receive*  
 4           *amounts becoming available from the sale of a*  
 5           *semipostal under this section shall be made in accord-*  
 6           *ance with applicable regulations under subsection (e).*

7           “(3) *DETERMINATION OF AMOUNTS.*—

8                   “(A) *IN GENERAL.*—*The amounts becoming*  
 9                   *available from the sale of a semipostal under this*  
 10                  *section shall be determined in a manner similar*  
 11                  *to that provided for under section 414(c)(2) (as*  
 12                  *in effect on July 1, 2000).*

13                  “(B) *ADMINISTRATIVE COSTS.*—*Regulations*  
 14                  *under subsection (e) shall specifically address*  
 15                  *how the costs incurred by the Postal Service in*  
 16                  *carrying out this section shall be computed, re-*  
 17                  *covered, and kept to a minimum.*

18           “(4) *OTHER FUNDING NOT TO BE AFFECTED.*—  
 19           *Amounts which have or may become available from*  
 20           *the sale of a semipostal under this section shall not*  
 21           *be taken into account in any decision relating to the*  
 22           *level of appropriations or other Federal funding to be*  
 23           *furnished to an agency in any year.*

24           “(5) *RECOVERY OF COSTS.*—*Before transferring*  
 25           *to an agency in accordance with paragraph (1) any*

1        *amounts becoming available from the sale of a*  
2        *semipostal over any period, the Postal Service shall*  
3        *ensure that it has recovered the full costs incurred by*  
4        *the Postal Service in connection with such semipostal*  
5        *through the end of such period.*

6        “(e) *REGULATIONS.*—

7                “(1) *IN GENERAL.*—*Except as provided in sub-*  
8        *section (c), the Postal Service shall prescribe any reg-*  
9        *ulations necessary to carry out this section, including*  
10       *provisions relating to—*

11                “(A) *which office or other authority within*  
12        *the Postal Service shall be responsible for making*  
13        *the decisions described in subsection (d)(2);*

14                “(B) *what criteria and procedures shall be*  
15        *applied in making those decisions; and*

16                “(C) *what limitations shall apply, if any,*  
17        *relating to the issuance of semipostals (such as*  
18        *whether more than 1 semipostal may be offered*  
19        *for sale at the same time).*

20                “(2) *NOTICE AND COMMENT.*—*Before any regula-*  
21        *tion is issued under this section, a copy of the pro-*  
22        *posed regulation shall be published in the Federal*  
23        *Register, and an opportunity shall be provided for in-*  
24        *terested parties to present written and, where prac-*  
25        *ticable, oral comment. All regulations necessary to*

1       *carry out this section shall be issued not later than*  
2       *30 days before the date on which semipostals are first*  
3       *made available to the public under this section.*

4       “(f) *ANNUAL REPORTS.*—

5               “(1) *IN GENERAL.*—*The Postmaster General*  
6       *shall include in each report rendered under section*  
7       *2402, with respect to any period during any portion*  
8       *of which this section is in effect, information con-*  
9       *cerning the operation of any program established*  
10       *under this section.*

11              “(2) *SPECIFIC REQUIREMENT.*—*If any*  
12       *semipostal ceases to be offered during the period cov-*  
13       *ered by such a report, the information contained in*  
14       *that report shall also include—*

15                      “(A) *the commencement and termination*  
16                      *dates for the sale of such semipostal;*

17                      “(B) *the total amount that became available*  
18                      *from the sale of such semipostal; and*

19                      “(C) *of that total amount, how much was*  
20                      *applied toward administrative costs.*

21       *For each year before the year in which a semipostal*  
22       *ceases to be offered, any report under this subsection*  
23       *shall include, with respect to that semipostal (for the*  
24       *year covered by such report), the information de-*  
25       *scribed in subparagraphs (B) and (C).*

1       “(g) *TERMINATION.*—*This section shall cease to be ef-*  
 2 *fective at the end of the 10-year period beginning on the*  
 3 *date on which semipostals are first made available to the*  
 4 *public under this section.*”.

5       (b) *REPORTS BY AGENCIES.*—*Each agency that re-*  
 6 *ceives any funding in a year under section 416 of title 39,*  
 7 *United States Code (as amended by this section) shall sub-*  
 8 *mit a written report under this subsection, with respect to*  
 9 *such year, to the congressional committees with jurisdiction*  
 10 *over the United States Postal Service. Each such report*  
 11 *shall include—*

12               (1) *the total amount of funding received by such*  
 13 *agency under such section 416 during the year;*

14               (2) *an accounting of how any funds received by*  
 15 *such agency under such section 416 were allocated or*  
 16 *otherwise used by such agency in such year; and*

17               (3) *a description of any significant advances or*  
 18 *accomplishments in such year that were funded, in*  
 19 *whole or in part, out of amounts received by such*  
 20 *agency under such section 416.*

21       (c) *REPORTS BY THE GENERAL ACCOUNTING OF-*  
 22 *FICE.*—

23               (1) *INTERIM REPORT.*—*The General Accounting*  
 24 *Office shall submit to the President and each House*  
 25 *of Congress an interim report on the operation of the*

1        *program established under section 416 of title 39,*  
 2        *United States Code (as amended by this section) not*  
 3        *later than 4 years after semipostals are first made*  
 4        *available to the public under such section.*

5            (2) *FINAL REPORT.*—*The General Accounting*  
 6        *Office shall transmit to the President and each House*  
 7        *of Congress a final report on the operation of the pro-*  
 8        *gram established under such section 416, not later*  
 9        *than 6 months before the date on which it is scheduled*  
 10       *to expire. The final report shall contain a detailed*  
 11       *statement of the findings and conclusions of the Gen-*  
 12       *eral Accounting Office, together with any rec-*  
 13       *ommendations it considers appropriate.*

14        (d) *CLERICAL AMENDMENT.*—*The table of sections for*  
 15       *chapter 4 of title 39, United States Code, is amended by*  
 16       *adding at the end the following:*

*“416. Authority to issue semipostals.”.*

17        (e) *EFFECTIVE DATE.*—*The program under section*  
 18       *416 of title 39, United States Code (as amended by this*  
 19       *section) shall be established within 6 months after the date*  
 20       *of enactment of this Act.*

21        **SEC. 3. EXTENSION OF AUTHORITY TO ISSUE SEMIPOSTALS**  
 22                                **FOR BREAST CANCER RESEARCH.**

23        (a) *IN GENERAL.*—*Section 414(g) of title 39, United*  
 24       *States Code, is amended to read as follows:*

1       “(g) *This section shall cease to be effective after July*  
2 *29, 2002, or the end of the 2-year period beginning on the*  
3 *date of enactment of the Semipostal Authorization Act,*  
4 *whichever is later.*”.

5       (b) *REPORTING REQUIREMENT.—No later than 3*  
6 *months and no earlier than 6 months before the date as*  
7 *of which section 414 of title 39, United States Code (as*  
8 *amended by this section) is scheduled to expire, the Comp-*  
9 *troller General of the United States shall submit to the Con-*  
10 *gress a report on the operation of such section. Such report*  
11 *shall be in addition to the report required by section 2(b)*  
12 *of Public Law 105–41, and shall address at least the same*  
13 *matters as were required to be included in that earlier re-*  
14 *port.*

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