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82D CONGRESS, 2d Session } SENATE { REPORT No. 2069

AUTHORIZING THE POSTMASTER GENERAL TO PROVIDE FOR THE USE IN FIRST- AND SECOND-CLASS POST OFFICES OF SPECIAL CANCELING STAMPS OR POSTMARKING DIES IN ORDER TO ENCOURAGE VOTING IN GENERAL ELECTIONS

JULY 2 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. PASTORE, from the Committee on Post Office and Civil Service, submitted the following

REPORT

[To accompany S. 3435]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 3435) to authorize the Postmaster General to provide for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

This bill is identical to H. R. 7871 as amended and reported to the House (Rept. No. 2336). If H. R. 7871 is received from the House, it should be substituted on the Senate Calendar for S. 3435.

The purpose of this legislation is to authorize the Postmaster General, for a period of 60 days before each general election, to provide for the use in all first- and second-class post offices of special canceling stamps or postmarking dies bearing a legend designed to remind citizens of the coming general election and urge them to vote in such general election. The selection of the words, the design of the postmarking die, and the general handling of this particular type of advertising are left to the discretion of the Postmaster General.

On January 1, 1952, there were 2,845 post offices of the first class and 5,954 post offices of the second class.

Public Law 218, Sixty-seventh Congress, approved May 11, 1922 (42 Stat. 539, 540), reads as follows:

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

That the Postmaster General be, and he is hereby, authorized, under such rules and regulations as he may prescribe, to grant permission for the use in first- and second-class post offices of special canceling stamps or postmarking dies for advertising purposes in the following cases only: First, where the event to be advertised is for some national purpose for which Congress has made an appropriation; second, where the event to be advertised is of general public interest and importance and is to endure for a definite period of time and is not to be conducted for private gain or profit: *Provided*, That such permit shall not be for a longer period than six months and the duration of the event to be advertised: *Provided further* That nothing in this Act shall be construed to authorize the expenditure of any postal funds or appropriation either for the purchase of special canceling stamps or postmarking dies or for adapting canceling machines for the use of such stamps or dies or for installing the same, but all expense shall be prepared by the permittee.

SEC. 2. That any permission granted under this Act is hereby revocable in the event the Government shall find it expedient or necessary to use special canceling stamps or postmarking dies for its own purposes.

It will be noted that present law (Public Law 218) authorizes the Postmaster General to permit the use of such special canceling stamp or postmarking dies for certain advertising purposes for not over 6 months provided (*a*) Congress has made an appropriation or (*b*) it is of general public interest and importance, is to endure for a definite time, and is not for private profit. No specific provision is made for use at Government expense of a special stamp or die urging citizens to vote. Under existing law, as pointed out by the attached report from the Bureau of the Budget, the Postmaster General has authority for use of such an advertising device to urge citizens to vote, but without the enactment of this bill it is doubtful if the Department would have authority to incur the expense of such.

As introduced, H. R. 7871 authorized the Postmaster General to permit the use for not over 6 months of a special canceling stamp or postmarking die for advertising purposes, at the expense of the permittee, where the purpose of such special canceling stamp or postmarking die is to urge citizens to register and vote in general elections.

At the hearings before the House Committee on Post Office and Civil Service, representatives of veterans' organizations testified in favor of the proposed legislation, and a representative of the Post Office Department discussed the methods which would be used by the Department to put the legislation into effect.

H. R. 7871 was amended to reduce the time involved as to the voting legend from 6 months to 60 days, and under the language of section 2 (a) present law is amended as to the requirement that the permittee be required to bear the cost of such advertising in the event the Government shall find it expedient or necessary to use special canceling stamps or postmarking dies for its own purposes.

S. 3435 is identical to H. R. 7871 as amended.

The Postmaster General has estimated the cost of this legislation will be $175,650.80.

AGENCY REPORTS

There was not sufficient time after the introduction of S. 3435 to permit the committee to secure agency reports; but, since the Senate and House bills are identical, the committee is attaching the following reports from the Postmaster General and the Acting Director of the Bureau of the Budget.

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., May 22, 1952.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request for an early report on H. R. 7871, a bill entitled "To authorize the Postmaster General to grant permission for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections."

It is believed that each eligible citizen should be urged to exercise his right to vote. However, this Department is of the opinion that in some areas of public opinion there would be objection to use of the facilities of the Post Office Department for such a purpose since it would be felt that the suggested activity on the part of the Post Office Department would be in the nature of a partisan act.

Considering all aspects of the situation, including the primary fact that the Post Office Department was established for the transmission of mail matter and not as an instrument for influencing public action, it is not believed that its facilities should be used for the purposes contemplated by this measure.

In view of the foregoing, this Department does not recommend the enactment of this bill.

The Bureau of the Budget has advised that there would be no objection to the presentation of this report to your Committee.

Sincerely yours,

J. M. DONALDSON, *Postmaster General.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 18, 1952.

Hon. TOM MURRAY,
Chairman, Committee on Post Office and Civil Service,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This will acknowledge your letter of May 16, 1952, inviting the Bureau of the Budget to comment on H. R. 7871, to authorize the Postmaster General to grant permission for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections.

It appears to this office that the Postmaster General has sufficient authority, under the provisions of the act of May 11, 1902 (39 U. S. C. 368), to grant permission for the use, as contemplated under H. R. 7871, of such special canceling stamps or postmarking dies provided at the expense of the permittee.

Sincerely yours,

ELMER B. STAATS, *Acting Director.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill (S. 3435), as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italics; existing law in which no change is proposed is shown in roman):

SECTION 1 OF THE ACT OF MAY 11, 1922 (39 U. S. C., SEC. 368)

That the Postmaster General be, and he is hereby, authorized, under such rule and regulations as he may prescribe, to grant permission for the use in first and second class post offices of special canceling stamps or postmarking dies for advertising purposes in the following cases only: First, where the event to be advertised is for some national purpose for which Congress has made an appropriation; second, where the event to be advertised is of general public interest

and importance and is to endure for a definite period of time and is not to be conducted for private gain or [profit] *profit; Third, where the purpose is to urge citizens to register and to vote in general elections: Provided,* That such permit shall not be for a longer period than six months and the duration of the event to be advertised: *Provided further,* That nothing in this Act shall be construed to authorize the expenditure of any postal funds or appropriation either for the purchase of special canceling stamps or postmarking dies or for adapting canceling machines for the use of such stamps or dies or for installing the same, but all expense shall be prepaid by the permittee.

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