

105TH CONGRESS  
1ST SESSION

# H. R. 2439

To provide for the establishment of an Official Mass Mailing Allowance for Members of the House of Representatives, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1997

Mr. CASTLE introduced the following bill; which was referred to the Committee on House Oversight

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## A BILL

To provide for the establishment of an Official Mass Mailing Allowance for Members of the House of Representatives, 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 “Franked Mail Savings  
5       Act”.

6       **SEC. 2. OFFICIAL MASS MAILING ALLOWANCE.**

7       Subsection (f) of section 311 of the Legislative  
8       Branch Appropriations Act, 1991 (2 U.S.C. 59e(f)) is  
9       amended to read as follows:

1       “(f)(1) There is established in the House of Rep-  
2       resentatives an Official Mass Mailing Allowance for Mem-  
3       bers of the House of Representatives.

4       “(2) The Official Mass Mailing Allowance of a Mem-  
5       ber of the House of Representatives—

6               “(A) shall be available only for postage for any  
7       mass mailing sent by such Member as franked mail;

8               “(B) shall be the sole source of funding for any  
9       such postage; and

10              “(C) shall be available, in a session of Con-  
11       gress, in an amount not to exceed the total amount  
12       allocated to the Official Mail Allowance of such  
13       Member in such session.

14       “(3) No amount may be transferred to or from the  
15       Official Mass Mailing Allowance of a Member of the  
16       House of Representatives (including as described in the  
17       parenthetical matter in subsection (a)(2)(A)), except as  
18       provided in subsection (e)(3)(B).

19       “(4) For purposes of subsection (b), the Official Mass  
20       Mailing Allowance of (and any mass mailing sent by) a  
21       Member of the House of Representatives shall be treated  
22       separately from the Official Mail Allowance of (and any  
23       other official mail sent by) such Member.

24       “(5)(A) Otherwise applicable provisions of law relat-  
25       ing to mass mailings sent by a Member of (or Member-

1 elect to) the House of Representatives shall continue to  
2 govern such mass mailings—

3 “(i) except that—

4 “(I) for purposes of carrying out those  
5 other provisions of law, the term ‘mass mailing’  
6 shall have the meaning given it under para-  
7 graph (8); and

8 “(II) a mass mailing may not be sent if it  
9 would be postmarked during any session that  
10 begins in an even-numbered calendar year, sub-  
11 ject to subparagraph (B); and

12 “(ii) except as otherwise provided in this sub-  
13 section.

14 “(B) Nothing in subclause (II) of subparagraph  
15 (A)(i) shall be considered to preclude the mailing of any  
16 mail matter—

17 “(i) sent after the Tuesday next after the 1st  
18 Monday in November of such year, and any mass  
19 mailing described in section 3210(a)(6)(B) of title  
20 39, United States Code; or

21 “(ii) which relates to an emergency or disaster  
22 declared by the President, if—

23 “(I) the mailing is sent within 60 days  
24 after the emergency or disaster is declared;

1           “(II) the recipients of the mailing are lo-  
2 cated in a congressional district any portion of  
3 which is within (or adjacent to) an area in-  
4 cluded in the President’s declaration;

5           “(III) the mailing includes not more than  
6 3 references to the Member (excluding any ref-  
7 erence appearing as the frank, consisting of the  
8 signature and name at the end of the mailing,  
9 or otherwise specified in regulations of the  
10 House Commission on Congressional Mailing  
11 Standards), and does not include any picture,  
12 sketch, or other likeness of the Member;

13           “(IV) the mailing complies with clauses (i)  
14 and (ii)(II) of section 3210(a)(6)(A) of title 39,  
15 United States Code; and

16           “(V) the mailing relates solely to the emer-  
17 gency or disaster.

18       “(6) A Member of the House of Representatives  
19 shall—

20           “(A) before making any mass mailing, submit a  
21 sample of the mail matter involved to the House  
22 Commission on Congressional Mailing Standards for  
23 an advisory opinion as to whether such proposed  
24 mailing is in compliance with applicable provisions of  
25 law, rule, or regulation; and

1           “(B) before making any mailing of substantially  
2           identical mail which totals 250 pieces or less (but  
3           more than 50) in the same session, and which in  
4           every other respect meets the definition of a mass  
5           mailing (determined disregarding the exclusion  
6           under subclause (II) of paragraph (8)(A)(i)), submit  
7           a sample of the mail matter involved to such Com-  
8           mission.

9           “(7)(A) The regulations prescribed in connection with  
10          subsection (a)(3) shall be amended to require, in addition  
11          to the information otherwise required to be included in the  
12          quarterly report referred to therein, a statement of—

13               “(i) costs charged against the Official Mass  
14          Mailing Allowance of each Member; and

15               “(ii) the number of pieces of mail in any mass  
16          mailing sent by a Member.

17          “(B)(i) The House Commission on Congressional  
18          Mailing Standards shall by regulation establish procedures  
19          under which there shall be made available to the public  
20          for review and copying any matter submitted to the Com-  
21          mission under paragraph (6). Any copying under the pre-  
22          ceding sentence shall be at the expense of the person who  
23          requests the copying.

1       “(ii) Under the regulations, mail matter shall be  
2 made available within 2 weeks after the date on which it  
3 is requested in accordance with applicable procedures.

4       “(8) For the purpose of this subsection—

5               “(A) the term ‘mass mailing’ means, with re-  
6 spect to a session of Congress, any mailing of news-  
7 letters or other pieces of mail with substantially  
8 identical content (whether such mail is deposited sin-  
9 gly or in bulk, or at the same time or different  
10 times), totaling more than 250 pieces in that ses-  
11 sion, except that such term does not include—

12               “(i)(I) any mailing of matter in direct re-  
13 sponse to a communication from a person to  
14 whom the matter is mailed; or

15               “(II) a single follow-up to any such direct  
16 response, if it is made before the end of the  
17 Congress in which the direct response was  
18 made, it occurs within 6 weeks after any signifi-  
19 cant congressional action (as defined by the  
20 House Commission on Congressional Mailing  
21 Standards) on the subject matter involved, and  
22 it complies with any requirements which would  
23 be applicable to it under clause (i) or (ii)(II) of  
24 section 3210(a)(6)(A) of title 39, United States  
25 Code, if it were a mass mailing;

1 “(ii) any mailing from a Member of Con-  
 2 gress to other Members of Congress, or to Fed-  
 3 eral, State, or local government officials;

4 “(iii) any mailing of a news release to the  
 5 communications media;

6 “(iv) any mailing described in clause (iv)  
 7 or (v) of section 6(b)(1)(B) of the Legislative  
 8 Branch Appropriations Act, 1995 (39 U.S.C.  
 9 3210 note), subject to the same restriction as  
 10 specified in such clause (iv) with respect to a  
 11 Member of the Senate; or

12 “(v) a town meeting notice; and

13 “(B) the term ‘franked mail’ has the meaning  
 14 given such term by section 3201(4) of title 39,  
 15 United States Code.”.

16 **SEC. 3. PROVISIONS RELATING TO MEMBERS’ OFFICIAL**  
 17 **MAIL ALLOWANCE.**

18 (a) REDUCTION IN MAXIMUM ALLOCATION.—Section  
 19 311(e)(2)(B)(i) of the Legislative Branch Appropriations  
 20 Act, 1991 (2 U.S.C. 59e(e)(2)(B)(i)) is amended by strik-  
 21 ing “3” and inserting “0.5”.

22 (b) LIMITATION ON TRANSFERS.—Paragraph (3) of  
 23 section 311(e) of such Act is amended to read as follows:

1       “(3)(A) Except as provided in subparagraph (B), no  
2 amount may be transferred to or from the Official Mail  
3 Allowance of a Member of the House of Representatives.

4       “(B) A Member of the House of Representatives may  
5 transfer amounts from the Official Mass Mailing Allow-  
6 ance of the Member to the Official Mail Allowance of the  
7 Member.”.

8   **SEC. 4. EFFECTIVE DATE.**

9       This Act and the amendments made by this Act shall  
10 take effect as of the first day of the first regular session  
11 of Congress beginning after the date of the enactment of  
12 this Act.

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