

105TH CONGRESS  
2D SESSION

# H. R. 4612

To amend title 39, United States Code, to require certain notices in any mailing using a game of chance for the promotion of a product or service, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1998

Mr. ROGAN introduced the following bill; which was referred to the Committee on Government Reform and Oversight

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## A BILL

To amend title 39, United States Code, to require certain notices in any mailing using a game of chance for the promotion of a product or service, 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. NOTICE REQUIRED ON MAILINGS USING**  
4       **GAMES OF CHANCE.**

5       (a) IN GENERAL.—Section 3001 of title 39, United  
6       States Code, is amended—

7               (1) by redesignating subsections (j) and (k) as  
8       subsections (k) and (l), respectively; and

1           (2) by inserting after subsection (i) the follow-  
2       ing:

3       “(j)(1) Matter otherwise legally acceptable in the  
4       mails that constitutes a solicitation or offer in connection  
5       with the sales promotion for a product or service that uses  
6       any game of chance of winning anything of value (includ-  
7       ing any sweepstakes) shall not be carried or delivered by  
8       mail, and may be disposed of as the Postal Service directs,  
9       unless such matter in conspicuous and legible type in con-  
10      trast by typography, layout, or color with other printing  
11      on its face, in accordance with regulations which the Post-  
12      al Service shall prescribe—

13           “(A) bears on the envelope—

14               “(i) the mailing address (and, if different,  
15              the address of the location) of the principal  
16              place of business of the person making the so-  
17              licitation or offer; and

18               “(ii) the following notice: ‘This is a game  
19              of chance (or sweepstakes, if applicable). You  
20              may not have automatically won.’, or a notice to  
21              the same effect in words which the Postal Serv-  
22              ice may prescribe; and

23           “(B) bears on the top of the first page of en-  
24      closed printed matter—

1           “(i) the following notice: ‘This is a game of  
2           chance (or sweepstakes, if applicable). You may  
3           not have automatically won. Your chances of  
4           winning are (insert applicable mathematical  
5           probability). To win a prize (insert statement as  
6           to whether or not any purchase is necessary  
7           and a description of all other conditions that  
8           apply, if any).’, or a notice to the same effect  
9           in words which the Postal Service may pre-  
10          scribe; and

11           “(ii) a clear and concise statement as to  
12          when and how the official list of winners will be  
13          made available or may be obtained.

14          “(2) The notice described in paragraph (1)(A)(i)  
15          shall be printed in at least 14-point font.”.

16          (b) PENALTIES.—Section 3005(a) of title 39, United  
17          States Code, is amended by striking “3001(d), (h), or (i)”  
18          each place it appears and inserting “3001(d), (h), (i), or  
19          (j)”.

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