

107TH CONGRESS
1ST SESSION

H. R. 3251

To amend title 39, United States Code, to provide, for a limited emergency period, that the payment of a bill, invoice, or statement of account due, if made by mail, shall be considered to have been made on the date as of which the envelope which is used to transmit such payment is postmarked.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2001

Ms. MILLENDER-MCDONALD introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 39, United States Code, to provide, for a limited emergency period, that the payment of a bill, invoice, or statement of account due, if made by mail, shall be considered to have been made on the date as of which the envelope which is used to transmit such payment is postmarked.

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 “Emergency Customer
5 Protection Act of 2001”.

1 **SEC. 2. DATE OF POSTMARK TO BE TREATED AS DATE OF**
2 **PAYMENT OF A BILL, INVOICE, OR STATE-**
3 **MENT OF ACCOUNT DURING LIMITED EMER-**
4 **GENCY PERIOD.**

5 (a) IN GENERAL.—Chapter 26 of title 39, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 **“§ 2606. Date of postmark to be treated as date of**
9 **payment of a bill, invoice, or statement of**
10 **account due**

11 “(a) If, during the 90-day period beginning on the
12 date of the enactment of the Emergency Customer Protec-
13 tion Act of 2001, any payment required to be made on
14 or before a prescribed date is, after such date, delivered
15 by the Postal Service to the payee, such payment shall
16 be deemed received by the payee on the date of the United
17 States postmark stamped on the envelope or other cover
18 in which such payment is mailed.

19 “(b) Subsection (a) shall not apply with respect to
20 any payment—

21 “(1) other than a payment on a bill, invoice, or
22 statement of account due;

23 “(2) which is required, by law, regulation, or
24 contract, to be delivered by any method other than
25 by mail; or

1 “(3) which is subject to any other provision of
2 Federal law specifying how a postmark date shall be
3 used in determining the date on which such payment
4 shall be deemed to have been delivered or made.

5 “(c) Subsection (a) shall apply only if—

6 “(1) the postmark date falls on or before the
7 prescribed date for making the payment; and

8 “(2) the payment was, on or before such date,
9 deposited in the mail in the United States in an en-
10 velope or under other appropriate cover, postage pre-
11 paid, properly addressed to the payee.

12 “(d) Subsection (a) shall not apply in the case of a
13 postmark not made by the Postal Service.

14 “(e) For purposes of this section—

15 “(1) the term ‘payee’, as used with respect to
16 a payment, includes any person duly authorized to
17 receive such payment; and

18 “(2) the term ‘United States’ means the 50
19 States, the District of Columbia, the Commonwealth
20 of Puerto Rico, and any territory or possession of
21 the United States.

22 “(f) Regulations to carry out this section may be pre-
23 scribed by the Postal Service.”.

1 (b) CONFORMING AMENDMENT.—The table of sec-
2 tions for chapter 26 of title 39, United States Code, is
3 amended by adding at the end the following new item:

“2606. Date of postmark to be treated as date of payment of a bill, invoice,
or statement of account during limited emergency period.”.

