

107TH CONGRESS
1ST SESSION

S. 1562

To amend title 39, United States Code, with respect to cooperative mailings.

IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2001

Mr. SANTORUM introduced the following bill; which was read twice and
referred to the Committee on Governmental Affairs

A BILL

To amend title 39, United States Code, with respect to
cooperative mailings.

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. PURPOSE.**

4 The purpose of this Act is to clarify section
5 3626(j)(1)(D)(ii) of title 39, United States Code.

6 **SEC. 2. COOPERATIVE MAILINGS.**

7 Section 3626(j) of title 39, United States Code, is
8 amended by adding at the end the following:

9 “(4)(A) Notwithstanding any other provision of
10 this section or any rule or regulation of the Postal
11 Service, but subject to subparagraph (C), in the case

1 of mail matter sent (or proposed to be sent) by or
 2 on behalf of an authorized organization having a
 3 contractual or any other business relationship with
 4 an entity described in subparagraph (B)(ii), rates of
 5 postage under former section 4452 (b) or (c) of this
 6 title shall apply if those rates would apply in the
 7 case of identical mail matter sent by such organiza-
 8 tion absent such relationship.

9 “(B) For purposes of this paragraph—

10 “(i) the term ‘authorized organization’
 11 means an organization authorized to mail at the
 12 rates for mail under former section 4452 (b) or
 13 (c) of this title; and

14 “(ii) an entity described in this clause is
 15 any organization or other person that is not an
 16 authorized organization.

17 “(C) This paragraph does not authorize mail
 18 that advertises, promotes, offers, or, for a fee or
 19 consideration, recommends, describes, or announces
 20 the availability of, any products or services to be
 21 mailed at the rates of postage under former section
 22 4452 (b) or (c) of this title which would otherwise
 23 be excluded from being mailed at such rates by any
 24 other provision of this title.”.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that nothing in this Act
3 should be considered to alter the authority of the United
4 States Postal Service to—

5 (1) apply regular rates of postage, rather than
6 nonprofit rates, to mail matter described in subpara-
7 graph (A), (B), (C), or (D)(i) of section 3626(j)(1)
8 of title 39, United States Code; or

9 (2) enforce any criminal law within its jurisdic-
10 tion.

11 **SEC. 4. EFFECTIVE DATE.**

12 The amendment made by this Act shall apply with
13 respect to mail matter sent before, on, or after the date
14 of enactment of this Act, except that nothing in this Act
15 or in the amendment made by this Act shall be considered
16 to create a cause of action against the United States Post-
17 al Service to recover postage paid on mail matter sent on
18 or before such date of enactment.

○