

PUBLIC LAW 106-253—JULY 28, 2000

SEMIPOSTAL AUTHORIZATION ACT

Public Law 106–253
106th Congress

An Act

July 28, 2000
[H.R. 4437]

To grant to the United States Postal Service the authority to issue semipostals,
and for other purposes.

Semipostal
Authorization
Act.
39 USC 101 note.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Semipostal Authorization Act”.

SEC. 2. AUTHORITY TO ISSUE SEMIPOSTALS.

(a) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“§ 416. Authority to issue semipostals

“(a) DEFINITIONS.—For purposes of this section—

“(1) the term ‘semipostal’ means a postage stamp which is issued and sold by the Postal Service, at a premium, in order to help provide funding for a cause described in subsection (b); and

“(2) the term ‘agency’ means an Executive agency within the meaning of section 105 of title 5.

“(b) DISCRETIONARY AUTHORITY.—The Postal Service is hereby authorized to issue and sell semipostals under this section in order to advance such causes as the Postal Service considers to be in the national public interest and appropriate.

“(c) RATE OF POSTAGE.—The rate of postage on a semipostal issued under this section shall be established by the Governors, in accordance with such procedures as they shall by regulation prescribe (in lieu of the procedures under chapter 36), except that—

“(1) the rate established for a semipostal under this section shall be equal to the rate of postage that would otherwise regularly apply, plus a differential of not to exceed 25 percent; and

“(2) no regular rates of postage or fees for postal services under chapter 36 shall be any different from what they otherwise would have been if this section had not been enacted. The use of any semipostal issued under this section shall be voluntary on the part of postal patrons.

“(d) AMOUNTS BECOMING AVAILABLE.—

“(1) IN GENERAL.—The amounts becoming available from the sale of a semipostal under this section shall be transferred to the appropriate agency or agencies under such arrangements as the Postal Service shall by mutual agreement with each such agency establish.

“(2) IDENTIFICATION OF APPROPRIATE CAUSES AND AGENCIES.—Decisions concerning the identification of appropriate causes and agencies to receive amounts becoming available from the sale of a semipostal under this section shall be made in accordance with applicable regulations under subsection (e).

“(3) DETERMINATION OF AMOUNTS.—

“(A) IN GENERAL.—The amounts becoming available from the sale of a semipostal under this section shall be determined in a manner similar to that provided for under section 414(c)(2) (as in effect on July 1, 2000).

“(B) ADMINISTRATIVE COSTS.—Regulations under subsection (e) shall specifically address how the costs incurred by the Postal Service in carrying out this section shall be computed, recovered, and kept to a minimum.

“(4) OTHER FUNDING NOT TO BE AFFECTED.—Amounts which have or may become available from the sale of a semipostal under this section shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished to an agency in any year.

“(5) RECOVERY OF COSTS.—Before transferring to an agency in accordance with paragraph (1) any amounts becoming available from the sale of a semipostal over any period, the Postal Service shall ensure that it has recovered the full costs incurred by the Postal Service in connection with such semipostal through the end of such period.

“(e) REGULATIONS.—

“(1) IN GENERAL.—Except as provided in subsection (c), the Postal Service shall prescribe any regulations necessary to carry out this section, including provisions relating to—

“(A) which office or other authority within the Postal Service shall be responsible for making the decisions described in subsection (d)(2);

“(B) what criteria and procedures shall be applied in making those decisions; and

“(C) what limitations shall apply, if any, relating to the issuance of semipostals (such as whether more than one semipostal may be offered for sale at the same time).

“(2) NOTICE AND COMMENT.—Before any regulation is issued under this section, a copy of the proposed regulation shall be published in the Federal Register, and an opportunity shall be provided for interested parties to present written and, where practicable, oral comment. All regulations necessary to carry out this section shall be issued not later than 30 days before the date on which semipostals are first made available to the public under this section.

Federal Register,
publication.

Deadline.

“(f) ANNUAL REPORTS.—

“(1) IN GENERAL.—The Postmaster General shall include in each report rendered under section 2402, with respect to any period during any portion of which this section is in effect, information concerning the operation of any program established under this section.

“(2) SPECIFIC REQUIREMENT.—If any semipostal ceases to be offered during the period covered by such a report, the information contained in that report shall also include—

“(A) the commencement and termination dates for the sale of such semipostal;

“(B) the total amount that became available from the sale of such semipostal; and

“(C) of that total amount, how much was applied toward administrative costs.

For each year before the year in which a semipostal ceases to be offered, any report under this subsection shall include, with respect to that semipostal (for the year covered by such report), the information described in subparagraphs (B) and (C).

“(g) TERMINATION.—This section shall cease to be effective at the end of the 10-year period beginning on the date on which semipostals are first made available to the public under this section.”

39 USC 416 note.

(b) REPORTS BY AGENCIES.—Each agency that receives any funding in a year under section 416 of title 39, United States Code (as amended by this section) shall submit a written report under this subsection, with respect to such year, to the congressional committees with jurisdiction over the United States Postal Service. Each such report shall include—

(1) the total amount of funding received by such agency under such section 416 during the year;

(2) an accounting of how any funds received by such agency under such section 416 were allocated or otherwise used by such agency in such year; and

(3) a description of any significant advances or accomplishments in such year that were funded, in whole or in part, out of amounts received by such agency under such section 416.

Deadlines.
39 USC 416 note.

(c) REPORTS BY THE GENERAL ACCOUNTING OFFICE.—

(1) INTERIM REPORT.—The General Accounting Office shall submit to the President and each House of Congress an interim report on the operation of the program established under section 416 of title 39, United States Code (as amended by this section) not later than 4 years after semipostals are first made available to the public under such section.

(2) FINAL REPORT.—The General Accounting Office shall transmit to the President and each House of Congress a final report on the operation of the program established under such section 416, not later than 6 months before the date on which it is scheduled to expire. The final report shall contain a detailed statement of the findings and conclusions of the General Accounting Office, together with any recommendations it considers appropriate.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“416. Authority to issue semipostals.”.

39 USC 416 note.

(e) EFFECTIVE DATE.—The program under section 416 of title 39, United States Code (as amended by this section) shall be established within 6 months after the date of the enactment of this Act.

SEC. 3. EXTENSION OF AUTHORITY TO ISSUE SEMIPOSTALS FOR BREAST CANCER RESEARCH.

(a) IN GENERAL.—Section 414(g) of title 39, United States Code, is amended to read as follows:

“(g) This section shall cease to be effective after July 29, 2002, or the end of the 2-year period beginning on the date of the enactment of the Semipostal Authorization Act, whichever is later.”.

Termination
date.

(b) REPORTING REQUIREMENT.—No later than 3 months and no earlier than 6 months before the date as of which section 414 of title 39, United States Code (as amended by this section) is scheduled to expire, the Comptroller General of the United States shall submit to the Congress a report on the operation of such section. Such report shall be in addition to the report required by section 2(b) of Public Law 105–41, and shall address at least the same matters as were required to be included in that earlier report.

Deadline.
39 USC 414 note.

Approved July 28, 2000.

LEGISLATIVE HISTORY—H.R. 4437:

HOUSE REPORTS: No. 106–734 (Comm. on Government Reform).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 17, considered and passed House.

July 26, considered and passed Senate.

