

104TH CONGRESS
1ST SESSION

H. R. 923

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1995

Mr. CASTLE (for himself, Mr. STENHOLM, Mr. ROBERTS, Mr. HORN, Mr. HALL of Texas, Mr. BLUTE, Mr. NEY, Mr. POSHARD, Mr. SHADEGG, Mr. KILDEE, Mr. BROWDER, Mr. KLUG, Mr. LOBIONDO, Ms. PRYCE, Ms. DANNER, Mr. SALMON, Mr. LATOURETTE, Mr. HANCOCK, Mr. FRANK of Massachusetts, Mr. BACHUS, Mr. BROWNBACk, and Mrs. WALDHOLTZ) introduced the following bill; which was referred to the Committee on House Oversight

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”.

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

2 Section 311(f) of the Legislative Branch Appropria-
3 tions Act, 1991 (2 U.S.C. 59e(f)) is amended to read as
4 follows:

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

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

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

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

14 “(C) shall be available, in a session of Congress
15 (subject to paragraph (5)(A)(ii)), in an amount not
16 to exceed the total amount allocated to the Official
17 Mail Allowance of such Member in such session.

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

23 “(4) For purposes of subsection (b), the Official Mass
24 Mailing Allowance of (and any mass mailing sent by) a
25 Member of the House of Representatives shall be treated

1 separately from the Official Mail Allowance of (and any
2 other official mail sent by) such Member.

3 “(5) Otherwise applicable provisions of law relating
4 to mass mailings sent by a Member of (or Member-elect
5 to) the House of Representatives shall continue to govern
6 such mass mailings—

7 “(A) except that—

8 “(i) for purposes of carrying out those
9 other provisions of law, the term ‘mass mailing’
10 shall have the meaning given it under para-
11 graph (8); and

12 “(ii) a mass mailing may not be sent if it
13 would be postmarked during any session that
14 begins in an even-numbered calendar year (ex-
15 cluding any mail sent after the Tuesday next
16 after the 1st Monday in November of such year,
17 and any mass mailing described in section
18 3210(a)(6)(B) of title 39, United States Code);
19 and

20 “(B) except as otherwise provided in this sub-
21 section.

22 “(6) A Member of the House of Representatives
23 shall—

24 “(A) before making any mass mailing, submit a
25 sample of the mail matter involved to the House

1 Commission on Congressional Mailing Standards for
2 an advisory opinion as to whether such proposed
3 mailing is in compliance with applicable provisions of
4 law, rule, or regulation;

5 “(B) before making any mailing of substantially
6 identical mail which totals 250 pieces or less (but
7 more than 50), and which in every other respect
8 meets the definition of a mass mailing, submit a
9 sample of the mail matter involved to such Commis-
10 sion; and

11 “(C) before making any mailing of substantially
12 identical mail, in the nature of a town meeting no-
13 tice, which totals more than 50 pieces, and which in
14 every other respect (aside from such nature and
15 number) meets the definition of a mass mailing, sub-
16 mit a sample of the mail matter involved to such
17 Commission.

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

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

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

1 “(B) The House Commission on Congressional Mail-
2 ing Standards shall by regulation establish procedures
3 under which there shall be made available to the public
4 for review and copying any matter submitted to the Com-
5 mission under paragraph (6). Any copying under the pre-
6 ceding sentence shall be at the expense of the person who
7 requests the copying.

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

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

17 “(i) of matter in direct response to a com-
18 munication from a person to whom the matter
19 is mailed;

20 “(ii) from a Member of Congress to other
21 Members of Congress, or to Federal, State, or
22 local government officials;

23 “(iii) of a news release to the communica-
24 tions media; or

1 “(iv) described in clause (iv) or (v) of sec-
2 tion 6(b)(1)(B) of the Legislative Branch Ap-
3 propriations Act, 1995 (39 U.S.C. 3210 note),
4 subject to the same restriction as specified in
5 such clause (iv) with respect to a Member of
6 the Senate;

7 “(B) the term ‘franked mail’ has the meaning
8 given such term by section 3201(4) of title 39, Unit-
9 ed States Code; and

10 “(C) the term ‘town meeting notice’ means (in-
11 cluding for purposes of subparagraph (A)(iv)) any
12 mailing which—

13 “(i) relates solely to a notice of the time
14 and place at which a Member of the House of
15 Representatives or 1 or more members of the
16 Member’s staff will be available to meet con-
17 stituents regarding legislative issues or prob-
18 lems with Federal programs;

19 “(ii) appears on a mailing 5½” x 8” or
20 smaller;

21 “(iii) includes not more than 3 references
22 to the Member (excluding any reference appear-
23 ing as the frank, consisting of the signature
24 and name at the end of the mailing, or other-
25 wise specified in regulations of the House Com-

1 mission on Congressional Mailing Standards);
2 and

3 “(iv) does not include any picture, sketch,
4 or other likeness of the Member.”.

5 **SEC. 3. PROVISIONS RELATING TO MEMBERS’ OFFICIAL**
6 **MAIL ALLOWANCE.**

7 (a) REDUCTION IN MAXIMUM ALLOCATION.—Section
8 311(e)(2)(B)(i) of the Legislative Branch Appropriations
9 Act, 1991 (2 U.S.C. 59e(e)(2)(B)(i)) is amended by strik-
10 ing “3” and inserting “0.5”.

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

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

16 “(B) A Member of the House of Representatives may
17 transfer amounts from the Official Mass Mailing Allow-
18 ance of the Member to the Official Mail Allowance of the
19 Member.”.

20 **SEC. 4. EFFECTIVE DATE.**

21 The amendments made by this Act shall take effect
22 as of the first day of the first regular session of Congress
23 beginning after the date of the enactment of this Act.

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