

TO AMEND TITLE 39, UNITED STATES CODE, TO EXTEND  
THE AUTHORITY OF THE UNITED STATES POSTAL  
SERVICE TO ISSUE A SEMIPOSTAL TO RAISE FUNDS  
FOR BREAST CANCER RESEARCH

OCTOBER 25, 2007.—Ordered to be printed

Mr. DINGELL, from the Committee on Energy and Commerce,  
submitted the following

R E P O R T

[To accompany H.R. 1236]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 1236) to make permanent the authority of the United States Postal Service to issue a special postage stamp to support breast cancer research, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

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AMENDMENTS

The amendments are as follows:  
Strike all after the enacting clause and insert the following:

**SECTION 1. EXTENSION OF AUTHORITY.**

Section 414(h) of title 39, United States Code, is amended by striking “2007” and inserting “2011”.

**SEC. 2. REPORTING REQUIREMENTS.**

The National Institutes of Health shall submit to Congress and the Government Accountability Office an annual report concerning the use of any amounts that it received under section 414(c) of title 39, United States Code, including a description of any significant advances or accomplishments, during the year covered by the report, that were funded, in whole or in part, with such amounts.

Amend the title so as to read:

A bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

**PURPOSE AND SUMMARY**

The purpose of H.R. 1236 is to extend for four years the authority of the United States Postal Service to issue a special first-class postage stamp to contribute funding for breast cancer research.

**BACKGROUND AND NEED FOR LEGISLATION**

Breast cancer continues to have a devastating effect on the health of women and men and imposes a large financial burden on the general public. Breast cancer is the most commonly diagnosed cancer in women and the second leading cause of cancer deaths among women. Each year, approximately 175,000 women will be diagnosed with invasive breast cancer, and more than 40,000 will succumb to the disease. Breast cancer affects women of all ages, races, ethnicities, socioeconomic strata, and geographical areas.

In 1997, Congress passed the “Stamp Out Breast Cancer Act” (P.L. 105–41) to help support breast cancer research and to raise public awareness about the disease. This act authorized the sale of breast cancer postage stamps (known as semipostals) by the United States Postal Service (USPS). Semipostal stamps, postage sold at a premium to raise funds for a particular cause, have only recently been authorized for use in the United States. After accounting for the Postal Service’s administrative costs, amounts above the regular postal rate collected from sales of the special stamp are transferred to the National Institutes of Health (NIH) and the Department of Defense for breast cancer research. As of December 2006, the Breast Cancer Research Stamp (BCRS) had raised more than \$53.4 million to support breast cancer research. The BCRS is offered through the U.S. Postal Service as an alternative to a First Class postage stamp.

The Semipostal Authorization Act of 2000 extended the breast cancer stamp for two years and authorized the USPS to issue other semipostals until 2010. In the Treasury-Postal Service Appropriations Act of 2002 (P.L. 107–67), Congress extended the BCRS through 2003. The 109th Congress further extended the BCRS until December 31, 2007 (P.L. 109–100). H.R. 1236 would extend this program until December 31, 2011.

**HEARINGS**

The Committee on Energy and Commerce has not held hearings on the legislation.

#### COMMITTEE CONSIDERATION

On Wednesday, October 10, 2007, the Subcommittee on Health met in open markup session and favorably forwarded H.R. 1236, amended, to the full Committee for consideration, by a voice vote. On Tuesday, October 16, 2007, the full Committee met in open markup session and ordered H.R. 1236 favorably reported to the House, as amended by the Subcommittee, by a voice vote. No amendments were offered during full Committee consideration.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto. There were no recorded votes taken during consideration or ordering H.R. 1236 reported to the House. A motion by Mr. Dingell to order H.R. 1236 favorably reported to the House, as amended, was agreed to by a voice vote.

#### COMMITTEE OVERSIGHT FINDINGS

Regarding clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the oversight findings of the Committee are reflected in this report.

#### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

The purpose of H.R. 1236 is to extend the authority of the USPS to issue a special postage stamp to support breast cancer research.

#### NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Regarding compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of budget authority and revenues regarding H.R. 1236 prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. The Committee finds that H.R. 1236 would result in no new or increased entitlement authority or tax expenditures.

#### EARMARKS AND TAX AND TARIFF BENEFITS

Regarding compliance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1236 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

#### COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 1236 prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

#### CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate provided by

the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

OCTOBER 18, 2007.

Hon. JOHN D. DINGELL,  
*Chairman, Committee on Energy and Commerce,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1236, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

PETER R. ORSZAG,  
*Director.*

Enclosure.

*H.R. 1236—A bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research*

Summary: The Stamp Out Breast Cancer Act (Public Law 105–41) authorized a special postage stamp for first-class mail. The price of this stamp is 55 cents, 14 cents above the regular rate of 41 cents. The authority to issue the stamp expires on December 31, 2007. After accounting for the Postal Service’s administrative costs, amounts above the regular postal rate collected from sales of the special stamp are transferred to the National Institutes of Health (NIH) and the Department of Defense (DoD) to spend on breast cancer research. H.R. 1236 would extend this program until December 31, 2011.

CBO estimates that enacting H.R. 1236 would affect direct spending in most of the years 2008 through 2014, but would have no net effect on direct spending over the period as a whole. On balance, we estimate that enacting the bill would result in a net reduction in direct spending of \$5 million over the 2008–2012 period; that savings would be offset by increased direct spending in 2013 and 2014, leading to no net impact over the 2008–2017 period.

The legislation would not affect revenues and would have no impact on direct spending after 2014. CBO estimates that implementing the bill would have discretionary costs of less than \$500,000 annually for NIH to prepare reports on its spending of the proceeds from sales of the special stamp.

H.R. 1236 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1236 is shown in the following table. The costs of this legislation fall within budget functions 050 (national defense), 370 (commerce and housing credit), and 550 (health).

	By fiscal year, in millions of dollars—											
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2008– 2012	2008– 2017
CHANGES IN DIRECT SPENDING <sup>1</sup>												
Off-Budget Effects												
Impact on the Postal Service:												
Estimated Budget Authority .....	–4	0	0	0	4	0	0	0	0	0	0	0
Estimated Outlays .....	–4	0	0	0	4	0	0	0	0	0	0	0
On-Budget Effects												
Impact on NIH and DoD:												
Estimated Budget Authority .....	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays .....	–2	–4	–1	0	2	4	1	0	0	0	–5	0
Unified Budget Effects												
Total Changes:												
Estimated Budget Authority .....	–4	0	0	0	4	0	0	0	0	0	0	0
Estimated Outlays .....	–6	–4	–1	0	6	4	1	0	0	0	–5	0

<sup>1</sup> Implementing H.R. 1236 also would increase discretionary spending by NIH to prepare reports to the Congress on the breast cancer stamp. CBO estimates that those costs would be less than \$500,000 in each year.

Basis of estimate: Extending the authority to issue the special breast cancer stamp would generate additional offsetting receipts that would be spent without further appropriation action for research on the disease. The amounts collected and transferred by the Postal Service would be classified as “off-budget,” while the amounts received and spent by NIH and DoD would be recorded on the budget. All of those transactions would be considered direct spending. The budgetary impacts on each category and in individual years would vary because of the timing of such collections and spending, but all of the additional receipts would ultimately be spent, so CBO estimates that implementing this bill would have no net impact on the unified budget over the 2008–2017 period.

Based on sales of the special breast cancer stamp in recent years, CBO estimates that enacting H.R. 1236 would generate collections above the regular postage rate of \$36 million—roughly \$7 million in fiscal year 2008, \$9 million in each of fiscal years 2009 through 2011, and \$2 million in 2012. After covering its administrative costs (about \$100,000 over this period), the Postal Service would transfer those collections to NIH and DoD in May and November of each year. In fiscal year 2008, for example, the Postal Service would transfer \$3 million to NIH and DoD, resulting in a net reduction of \$4 million in Postal Service outlays in 2008. The net impact on Postal Service outlays over the 2008–2012 period, however, would be zero. Spending and collections of the Postal Service are classified as “off-budget.”

CBO estimates that enacting H.R. 1236 would increase NIH and DoD collections (from Postal Service transfers) by \$3 million in 2008, \$9 million annually over the 2009–2011 period, and \$6 million in 2012. Spending of those collections by the two agencies would lag behind the amounts collected by several months. For example, in fiscal year 2008, we estimate that NIH and DoD would collect \$3 million from the Postal Service but spend only \$1 million. We estimate that research spending would be \$5 million in 2009, \$8 million in 2010, \$9 million in 2011, \$8 million in 2012, \$4 million in 2013, and about \$1 million in 2014. The on-budget NIH and DoD accounts would show net outlay reductions totaling \$7 million over the 2008–2010 period and a corresponding increase in outlays from 2012 through 2014. Thus, the net impact of the proposal on the unified budget (including on budget and off-budget effects) would be zero over the 2008–2014 period, with no effect after 2014.

Intergovernmental and private-sector impact: H.R. 1236 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Previous CBO estimate: On September 27, 2007, CBO transmitted a cost estimate for H.R. 1236 as ordered reported by the House Committee on Oversight and Government Reform on September 20, 2007. The two bills are very similar, and the cost estimates are identical.

On August 9, 2007, CBO transmitted a cost estimate for S. 597, a bill to extend the special postage stamp for breast cancer research for two years, as ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on August 1, 2007. CBO estimated that enacting that bill would have no net effect on direct spending over the 2008–2012 period. In contrast, en-

acting H.R. 1236 would lead to net savings over that five-year period, but would have no net impact over the 2008–2017 period.

Estimate prepared by: Federal costs: Mark Grabowicz; Impact on state, local, and tribal governments: Elizabeth Cove; Impact on the private sector: MarDestinee Perez.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 1236 prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 1236.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes, and in the provisions of Article I, section 8, clause 1, that relate to expending funds to provide for the general welfare of the United States.

#### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

#### SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

##### *Section 1. Extension of authority*

Section 1 extends the authority of USPS to issue a special postage stamp to support breast cancer research until December 31, 2011.

##### *Section 2. Reporting requirements*

Section 2 requires NIH to prepare reports on spending of the proceeds from sales of the BCRS stamp.

Section 2 requires the title so as to read: “A bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.”

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets, new matter is printed in italic,  
existing law in which no change is proposed is shown in roman):

**TITLE 39, UNITED STATES CODE**

\* \* \* \* \*

**PART I—GENERAL**

\* \* \* \* \*

**CHAPTER 4—GENERAL AUTHORITY**

\* \* \* \* \*

**§ 414. Special postage stamps**

(a) \* \* \*

\* \* \* \* \*

(h) This section shall cease to be effective after December 31,  
**[2007]** *2011*.

\* \* \* \* \*