

115TH CONGRESS
1ST SESSION

S. 1208

To direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2017

Mr. MENENDEZ (for himself, Mr. PERDUE, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening the De-
3 partment of Homeland Security Secure Mail Initiative
4 Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act—

7 (1) the terms “Hold for Pickup service” and
8 “Signature Confirmation service” means the services
9 described in sections 508.7.2.1 and 503.8.1.1.a, re-
10 spectively, of the Domestic Mail Manual (or any suc-
11 cessor services);

12 (2) the term “Immigration Examinations Fee
13 Account” means the account established under sec-
14 tion 286(m) of the Immigration and Nationality Act
15 (8 U.S.C. 1356(m));

16 (3) the term “Postal Service” means the United
17 States Postal Service; and

18 (4) the term “Secretary” means the Secretary
19 of Homeland Security.

20 **SEC. 3. OFFERING HOLD FOR PICKUP AND SIGNATURE**
21 **CONFIRMATION SERVICES UNDER THE SE-**
22 **CURE MAIL INITIATIVE.**

23 (a) IN GENERAL.—Beginning not later than 1 year
24 after the date of enactment of this Act, the Secretary shall
25 provide for an option under the Secure Mail Initiative (or
26 any successor program) under which a person to whom

1 a document is sent under that initiative may elect, except
2 as provided in subsection (e), to have the Postal Service
3 use the Hold for Pickup service or the Signature Con-
4 firmation service in delivering the document.

5 (b) FEE.—

6 (1) IN GENERAL.—The Secretary, in accord-
7 ance with section 286(m) of the Immigration and
8 Nationality Act (8 U.S.C. 1356(m)), shall require
9 the payment of a fee from a person electing a service
10 under subsection (a), which shall be set at a level
11 that ensures recovery of—

12 (A) the full costs of providing all such
13 services; and

14 (B) any additional costs associated with
15 the administration of the fees collected.

16 (2) ALLOCATION OF FUNDS.—Of the fees col-
17 lected under paragraph (1), the Secretary shall—

18 (A) deposit as offsetting receipts into the
19 Immigration Examinations Fee Account the
20 portion representing—

21 (i) the cost to the Secretary of pro-
22 viding the services under subsection (a);
23 and

1 (ii) any additional costs associated
2 with the administration of the fees col-
3 lected; and

4 (B) transfer to the Postal Service the por-
5 tion representing the cost to the Postal Service
6 of providing the services under subsection (a).

7 (c) REGULATIONS.—The Postal Service may promul-
8 gate regulations that—

9 (1) subject to paragraph (2), minimize the cost
10 of providing the services under subsection (a); and

11 (2) do not require the Postal Service to incur
12 additional expenses that are not recoverable under
13 subsection (b).

14 (d) NOTICE OF CHANGES.—The Postal Service shall
15 notify the Secretary of any changes to the Hold for Pickup
16 service or the Signature Confirmation service.

17 (e) USE OF PRIVATE CARRIER.—

18 (1) IN GENERAL.—If the Secretary determines
19 that a private carrier that offers substantially simi-
20 lar services to the Hold for Pickup and Signature
21 Confirmation services would provide better service
22 and value than the Postal Service provides under
23 subsection (a), the Secretary may, in accordance
24 with paragraph (2) of this subsection—

1 (A) discontinue use of the services of the
2 Postal Service under subsection (a); and

3 (B) enter into a contract with the private
4 carrier under which a person to whom a docu-
5 ment is sent under the Secure Mail Initiative
6 (or any successor program) may elect to have
7 the private carrier use one of the substantially
8 similar services in delivering the document.

9 (2) REQUIREMENTS.—The Secretary may not
10 exercise the authority under paragraph (1) unless
11 the Secretary—

12 (A) determines, and notifies the Postal
13 Service, that the private carrier offers services
14 that are substantially similar to the Hold for
15 Pickup and Signature Confirmation services;

16 (B) provides for an option under the Se-
17 cure Mail Initiative (or any successor program)
18 under which a person to whom a document is
19 sent under that initiative may elect a service
20 under paragraph (1)(B);

21 (C) requires the payment of a fee from a
22 person electing a service under paragraph
23 (1)(B), which shall be set at a level that en-
24 sures recovery of—

- 1 (i) the full cost of contracting with the
2 private carrier to provide all such services;
3 and
4 (ii) any additional costs associated
5 with the administration of the fees col-
6 lected; and
7 (D) deposits the fees collected under sub-
8 paragraph (C) as offsetting receipts into the
9 Immigration Examinations Fees Account.

10 **SEC. 4. REPORT.**

11 Not later than 2 years after the date of enactment
12 of this Act, the Secretary shall submit to Congress a re-
13 port that describes—

- 14 (1) the implementation of the requirements
15 under section 3;
16 (2) the fee imposed under subsection (b) or
17 (e)(2)(C), as applicable, of section 3; and
18 (3) the number of times during the previous
19 year that a person used a service under subsection
20 (a) or (e)(1)(B) of section 3.

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