

Calendar No. 241115TH CONGRESS
1ST SESSION**S. 1208****[Report No. 115–171]**

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

OCTOBER 16, 2017

Reported by Mr. JOHNSON, with amendments

[Omit the part struck through and insert the part printed in *italic*]**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,*

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. DEFINITIONS.**

8 In this Act—

9 (1) the terms “Hold for Pickup service” and
10 “Signature Confirmation service” ~~means~~ *mean* the
11 services described in sections ~~508.7.2.1~~ *507.3.0* and
12 503.8.1.1.a, respectively, of the Domestic Mail Man-
13 ual (or any successor services);

14 (2) the term “Immigration Examinations Fee
15 Account” means the account established under sec-
16 tion 286(m) of the Immigration and Nationality Act
17 (8 U.S.C. 1356(m));

18 (3) the term “Postal Service” means the United
19 States Postal Service; and

20 (4) the term “Secretary” means the Secretary
21 of Homeland Security.

1 **SEC. 3. OFFERING HOLD FOR PICKUP AND SIGNATURE**
2 **CONFIRMATION SERVICES UNDER THE SE-**
3 **CURE MAIL INITIATIVE.**

4 (a) IN GENERAL.—Beginning not later than 1 year
5 after the date of enactment of this Act, the Secretary shall
6 provide for an option under the Secure Mail Initiative (or
7 any successor program) under which a person to whom
8 a document is sent under that initiative may elect, except
9 as provided in subsection (e), to have the Postal Service
10 use the Hold for Pickup service or the Signature Con-
11 firmation service in delivering the document.

12 (b) FEE.—

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

19 (A) the full costs of providing all such
20 services; and

21 (B) any additional costs associated with
22 the administration of the fees collected.

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

1 (A) deposit as offsetting receipts into the
2 Immigration Examinations Fee Account the
3 portion representing—

4 (i) the cost to the Secretary of pro-
5 viding the services under subsection (a);
6 and

7 (ii) any additional costs associated
8 with the administration of the fees col-
9 lected; and

10 (B) transfer to the Postal Service the por-
11 tion representing the cost to the Postal Service
12 of providing the services under subsection (a).

13 (c) REGULATIONS.—The Postal Service may promul-
14 gate regulations that—

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

17 (2) do not require the Postal Service to incur
18 additional expenses that are not recoverable under
19 subsection (b).

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

23 (e) USE OF PRIVATE CARRIER.—

24 (1) IN GENERAL.—If the Secretary determines
25 that a private carrier that offers substantially simi-

1 lar services to the Hold for Pickup and Signature
2 Confirmation services would provide better service
3 and value than the Postal Service provides under
4 subsection (a), the Secretary may, in accordance
5 with paragraph (2) of this subsection—

6 (A) discontinue use of the services of the
7 Postal Service under subsection (a); and

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

14 (2) REQUIREMENTS.—The Secretary may not
15 exercise the authority under paragraph (1) unless
16 the Secretary—

17 (A) determines, and notifies the Postal
18 Service, that the private carrier offers services
19 that are substantially similar to the Hold for
20 Pickup and Signature Confirmation services;

21 (B) provides for an option under the Se-
22 cure Mail Initiative (or any successor program)
23 under which a person to whom a document is
24 sent under that initiative may elect a service
25 under paragraph (1)(B);

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

5 (i) the full cost of contracting with the
6 private carrier to provide all such services;
7 and

8 (ii) any additional costs associated
9 with the administration of the fees col-
10 lected; and

11 (D) deposits the fees collected under sub-
12 paragraph (C) as offsetting receipts into the
13 Immigration Examinations Fees Account.

14 **SEC. 4. REPORT.**

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

18 (1) the implementation of the requirements
19 under section 3;

20 (2) the fee imposed under subsection (b) or
21 (e)(2)(C), as applicable, of section 3; and

22 (3) the number of times during the previous
23 year that a person used a service under subsection
24 (a) or (e)(1)(B) of section 3.

Calendar No. 241

115TH CONGRESS
1ST Session

S. 1208

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