

118TH CONGRESS
1ST SESSION

H. R. 1641

To amend title 39, United States Code, to enhance the administrative subpoena authority of the United States Postal Service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2023

Ms. MALLIOTAKIS (for herself and Ms. MENG) introduced the following bill;
which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 39, United States Code, to enhance the administrative subpoena authority of the United States Postal Service, 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 “USPS Subpoena Au-
5 thority Act”.

6 **SEC. 2. UNITED STATES POSTAL SERVICE ADMINISTRATIVE**
7 **SUBPOENA AUTHORITY.**

8 Section 3016(a)(1) of title 39, United States Code,
9 is amended—

1 (1) by redesignating subparagraph (B) as sub-
2 paragraph (D);

3 (2) by striking subparagraph (A) and inserting
4 the following:

5 “(A) IN GENERAL.—In any investigation
6 relating to a covered offense, the Postmaster
7 General may issue in writing and cause to be
8 served a subpoena requiring the production and
9 testimony described in subparagraph (B). In
10 this subparagraph, the term ‘covered offense’
11 means a violation of—

12 “(i) any section in this chapter;

13 “(ii) any section of chapter 83 of title
14 18 insofar as such violation involves the
15 use of the mails;

16 “(iii) any other provision of law enu-
17 merated in section 3001(a); or

18 “(iv) the Controlled Substances Act
19 (21 U.S.C. 801 et seq.), insofar as such
20 violation involves the use of the mails.

21 “(B) PRODUCTION AND TESTIMONY.—Ex-
22 cept as provided in subparagraph (C), a sub-
23 poena issued under subparagraph (A) may re-
24 quire—

1 “(i) the production of any records (in-
2 cluding books, papers, documents, and
3 other tangible things that constitute or
4 contain evidence) that the Postmaster Gen-
5 eral considers relevant or material to such
6 investigation; and

7 “(ii) testimony by the custodian of the
8 things required to be produced concerning
9 the production and authenticity of those
10 things.

11 “(C) APPLICATION.—A subpoena issued in
12 connection with an investigation under section
13 3005(a) shall not require testimony as set forth
14 in subparagraph (B)(ii).”; and

15 (3) in subparagraph (D), as redesignated by
16 paragraph (1) of this section, by amending clause
17 (iii) to read as follows:

18 “(iii) delegation of subpoena approval
19 authority be limited to the Postal Service’s
20 General Counsel, a Deputy General Coun-
21 sel, or the Chief Postal Inspector.”.

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