

year thereafter in addition to any other law relating to the use of the franking privilege.

“(b) For the purposes of this paragraph—

“(1) the term ‘mass mailing’—

“(A) means, with respect to a session of Congress, a mailing of more than 500 newsletters or other pieces of mail with substantially identical content (whether such mail is deposited singly or in bulk, or at the same time or different times), but

“(B) does not include a mailing—

“(i) of matter in direct response to a communication from a person to whom the matter is mailed;

“(ii) to other Members of Congress or to a Federal, State, or local government official;

“(iii) of a news release to the communications media;

“(iv) of a town meeting notice, but no such mailing may be made fewer than 60 days immediately before the date of any primary election or general election (whether regular, special, or runoff) for any Federal, State, or local office in which a Member of the Senate is a candidate for election; or

“(v) of a Federal publication or other item that is provided by the Senate to all Senators or made available by the Senate for purchase by all Senators from official funds specifically for distribution.

“(c) Except as provided in section 5, a Senator may not mail a mass mailing under the frank.

“(d) The Senate Committee on Rules and Administration shall prescribe rules and regulations and take other action as the Committee considers necessary and proper for Senators to comply with this section and regulations.”

Pub. L. 101-163, §316(a), formerly §316(a), (b), as renumbered and amended by Pub. L. 101-520, title III, §311(h)(3), Nov. 5, 1990, 104 Stat. 2280; Pub. L. 102-392, title III, §308(a), Oct. 6, 1992, 106 Stat. 1722, provided that: “Effective January 1, 1990, a mass mailing (as defined in section 3210(a)(6)(E) of title 39, United States Code) by a Senator shall be limited to 2 sheets of paper (or their equivalent), including any enclosure that—

“(1) is prepared by or for the Senator who makes the mailing; or

“(2) contains information concerning, expresses the views of, or otherwise relates to the Senator who makes the mailing.”

[Pub. L. 102-392, title III, §308(b), Oct. 6, 1992, 106 Stat. 1722, provided that: “The amendments made by subsection (a) [amending section 316(a) of Pub. L. 101-163, set out above] shall take effect on October 1, 1992.”]

### § 3211. Public documents

The Vice President, Members of Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, each of the elected officers of the House of Representatives (other than a Member of the House) during the 90-day period immediately following the expiration of their respective terms of office, may send and receive as franked mail all public documents printed by order of Congress.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 754; Pub. L. 93-191, §2, Dec. 18, 1973, 87 Stat. 741; Pub. L. 97-69, §5(a), Oct. 26, 1981, 95 Stat. 1043.)

#### AMENDMENTS

1981—Pub. L. 97-69 substituted “during the 90-day period immediately” for “until the first day of April”.

1973—Pub. L. 93-191 substituted “each of the elected officers of the House of Representatives (other than a Member of the House) until the first day of April” for “the Clerk of the House of Representatives, and the Sergeant at Arms of the House of Representatives, until the thirtieth day of June”.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-191 effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as a note under section 3210 of this title.

### § 3212. Congressional Record under frank of Members of Congress

(a) Members of Congress may send the Congressional Record as franked mail.

(b) Members of Congress may send, as franked mail, any part of, or a reprint of any part of, the Congressional Record, including speeches or reports contained therein, if such matter is mailable as franked mail under section 3210 of this title.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 754; Pub. L. 93-191, §3, Dec. 18, 1973, 87 Stat. 741.)

#### AMENDMENTS

1973—Subsec. (a). Pub. L. 93-191 incorporated existing text in provisions designated as subsec. (a).

Subsec. (b). Pub. L. 93-191 incorporated existing text in provisions designated as subsec. (b), authorized sending, as franked mail, reprints of parts of Congressional Record, and authorized the mailing of Congressional Record if the listed matter is mailable as franked mail under section 3210 of this title.

#### EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-191 effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as a note under section 3210 of this title.

### § 3213. Seeds and reports from Department of Agriculture

Seeds and agricultural reports emanating from the Department of Agriculture may be mailed—

(1) as penalty mail by the Secretary of Agriculture; and

(2) during the 90-day period immediately following the expiration of their terms of office, as franked mail by Members of Congress.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 754; Pub. L. 97-69, §5(b), Oct. 26, 1981, 95 Stat. 1043.)

#### AMENDMENTS

1981—Par. (2). Pub. L. 97-69 substituted “during the 90-day period immediately” for “until the thirtieth day of June”.

### § 3214. Mailing privilege of former President; surviving spouse of former President

A former President and the surviving spouse of a former President may send nonpolitical mail within the United States and its territories and possessions as franked mail. Such mail of a former President and of the surviving spouse of a former President marked “Postage and Fees Paid” in the manner prescribed by the Postal Service shall be accepted by the Postal Service for transmission in the international mails.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 754; Pub. L. 93-191, §4(a), Dec. 18, 1973, 87 Stat. 742; Pub. L. 103-123, title IV, §6(b), Oct. 28, 1993, 107 Stat. 1246; Pub. L. 105-61, title IV, §409(b), Oct. 10, 1997, 111 Stat. 1299.)

#### AMENDMENTS

1997—Pub. L. 105-61 struck out subsec. (a) designation, substituted “A former President” for “Subject to