

correspondence relating to the death of the Member.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 755; Pub. L. 93-191, §11, Dec. 18, 1973, 87 Stat. 746; Pub. L. 97-69, §6(b), (c)(1), Oct. 26, 1981, 95 Stat. 1043.)

AMENDMENTS

1981—Pub. L. 97-69 substituted “survivors” for “surviving spouses” in section catchline and, in text, inserted “(or, if there is no surviving spouse, a member of the immediate family of the Member designated by the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, in accordance with rules and procedures established by the Secretary or the Clerk)” after “such Member”.

1973—Pub. L. 93-191 inserted “nonpolitical” before “correspondence”.

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.

§ 3219. Mailgrams

Any Mailgram sent by the Vice President, a Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, an elected officer of the House of Representatives (other than a Member of the House), the Legislative Counsel of the House of Representatives or the Senate, the Law Revision Counsel of the House of Representatives, or the Senate Legal Counsel, and then delivered by the Postal Service, shall be considered as franked mail, subject to section 3216(a)(2) of this title, if such Mailgram contains matter of the kind authorized to be sent by that official as franked mail under section 3210 of this title.

(Added Pub. L. 93-191, §12(a), Dec. 18, 1973, 87 Stat. 746; amended Pub. L. 95-521, title VII, §714(c), Oct. 26, 1978, 92 Stat. 1884; Pub. L. 97-263, §1(4), Sept. 24, 1982, 96 Stat. 1132.)

AMENDMENTS

1982—Pub. L. 97-263 inserted reference to Law Revision Counsel of House of Representatives.

1978—Pub. L. 95-521 inserted reference to Senate Legal Counsel.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-521 effective Jan. 3, 1979, see section 717 of Pub. L. 95-521, set out as an Effective Date note under section 288 of Title 2, The Congress.

EFFECTIVE DATE

Section effective Dec. 18, 1973, see section 14 of Pub. L. 93-191, set out as an Effective Date of 1976 Amendment note under section 3210 of this title.

§ 3220. Use of official mail in the location and recovery of missing children

(a)(1) The Office of Juvenile Justice and Delinquency Prevention, after consultation with appropriate public and private agencies, shall prescribe general guidelines under which penalty mail may be used to assist in the location and recovery of missing children. The guidelines shall provide information relating to—

(A) the form and manner in which materials and information relating to missing children (such as biographical data and pictures, sketches, or other likenesses) may be included in penalty mail;

(B) appropriate sources from which such materials and information may be obtained;

(C) the procedures by which such materials and information may be obtained; and

(D) any other matter which the Office considers appropriate.

(2) Each executive department and independent establishment of the Government of the United States shall prescribe regulations under which penalty mail sent by such department or establishment may be used in conformance with the guidelines prescribed under paragraph (1).

(b) The Senate Committee on Rules and Administration and the House Commission on Congressional Mailing Standards shall prescribe for their respective Houses rules and regulations, and shall take such other action as the Committee or Commission considers necessary and proper, in order that purposes similar to those of subsection (a) may, in the discretion of the congressional official or office concerned, be carried out by the use of franked mail sent by such official or office.

(c) As used in this section, “Office of Juvenile Justice and Delinquency Prevention” and “Office” each means the Office of Juvenile Justice and Delinquency Prevention within the Department of Justice, as established by section 201 of the Juvenile Justice and Delinquency Prevention Act of 1974.

(Added Pub. L. 99-87, §1(a)(1), Aug. 9, 1985, 99 Stat. 290.)

REFERENCES IN TEXT

Section 201 of the Juvenile Justice and Delinquency Prevention Act of 1974, referred to in subsec. (c), is section 201 of Pub. L. 93-415, which enacted section 5611 of Title 42, The Public Health and Welfare, and amended section 5108 of Title 5, Government Organization and Employees.

TERMINATION DATE

Pub. L. 99-87, §5, Aug. 9, 1985, 99 Stat. 290, as amended by Pub. L. 100-202, §101(m) [title VI, §627(a)], Dec. 22, 1987, 101 Stat. 1329-390, 1329-430; Pub. L. 102-514, §1(2), Oct. 24, 1992, 106 Stat. 3371; Pub. L. 105-126, §1(2), Dec. 1, 1997, 111 Stat. 2542, which provided that the amendments made by section 1 of Pub. L. 99-87, enacting this section and amending sections 3201 and 3204 of this title and section 733 of Title 44, Public Printing and Documents, and any guidelines, rules, or regulations prescribed to carry out such amendments were to cease to be effective after December 31, 2002, was repealed by Pub. L. 109-426, §1, Dec. 20, 2006, 120 Stat. 2911.

ISSUANCE OF GUIDELINES, RULES, AND REGULATIONS

Pub. L. 99-87, §2, Aug. 9, 1985, 99 Stat. 291, provided that:

“(a) GUIDELINES.—The guidelines described in section 3220(a)(1) of title 39, United States Code, as added by this Act, shall be prescribed not later than ninety days after the date of the enactment of this Act (Aug. 9, 1985).

“(b) RULES AND REGULATIONS.—The regulations described in subsection (a)(2) of section 3220 of title 39, United States Code, as added by this Act, and the rules and regulations described in subsection (b) of such section, as so added, shall be prescribed not later than one hundred and eighty days after the date of the enactment of this Act (Aug. 9, 1985).”

REPORTING REQUIREMENTS

Pub. L. 99-87, §3, Aug. 9, 1985, 99 Stat. 291, as amended by Pub. L. 100-202, §101(m) (title VI, §627(b)), Dec. 22,

1987, 101 Stat. 1329–390, 1329–430; Pub. L. 102–514, §1(1), Oct. 24, 1992, 106 Stat. 3371; Pub. L. 105–126, §1(1), Dec. 1, 1997, 111 Stat. 2542, required the Office of Juvenile Justice and Delinquency Prevention, the Senate Committee on Rules and Administration, and the House Commission on Congressional Mailing Standards each to submit a report no later than June 30, 2002, on the authority provided by this section.

CLARIFICATION RELATING TO COORDINATION OF
GOVERNMENT PROGRAMS

Pub. L. 99–87, §4, Aug. 9, 1985, 99 Stat. 292, provided that: “Notwithstanding any other provision of law, the authority provided by section 3220(b) of title 39, United States Code, as added by this Act, shall not be considered to be subject to the authority of any agency within the executive branch of the Government of the United States to coordinate programs relating to missing children.”

**CHAPTER 34—ARMED FORCES AND FREE
POSTAGE**

Sec.	
3401.	Mailing privileges of members of Armed Forces of the United States and of friendly foreign nations.
[3402.	Repealed.]
3403.	Matter for blind and other handicapped persons.
3404.	Unsealed letters sent by blind or physically handicapped persons.
3405.	Markings.
3406.	Balloting materials under the Uniformed and Overseas Citizens Absentee Voting Act.

AMENDMENTS

1986—Pub. L. 99–410, title II, §201(b)(1), Aug. 28, 1986, 100 Stat. 928, added item 3406.

1979—Pub. L. 96–70, title I, §1331(e)(3)(B), Sept. 27, 1979, 93 Stat. 482, struck out item 3402 “Mailing privileges of members of Armed Forces of the United States and of friendly foreign nations in the Canal Zone”.

§ 3401. Mailing privileges of members of Armed Forces of the United States and of friendly foreign nations

(a) Letter mail or sound- or video-recorded communications having the character of personal correspondence shall be carried, at no cost to the sender, in the manner provided by this section, when mailed by—

(1) an individual who is a member of the Armed Forces of the United States on active duty, as defined in section 101 of title 10, or a civilian, otherwise authorized to use postal services at Armed Forces installations, who holds a position or performs one or more functions in support of military operations, as designated by the military theater commander, and addressed to a place within the delivery limits of a United States post office, if—

(A) such letter mail or¹ sound- or video-recorded communication is mailed by such individual at an Armed Forces post office established in an overseas area, as designated by the President, where the Armed Forces of the United States are engaged in action against an enemy of the United States, engaged in military operations involving armed conflict with a hostile foreign force, engaged in temporary military operations under arduous circumstances, serving with a

friendly foreign force in an armed conflict in which the United States is not a belligerent, or temporarily deployed overseas for an operational contingency in arduous circumstances, as determined by the Secretary of Defense; or

(B) such individual is hospitalized in a facility under the jurisdiction of the Armed Forces of the United States as a result of disease or injury incurred as a result of service in an overseas area designated by the President under clause (A) of this paragraph; or

(2) a member of an armed force of a friendly foreign nation at an Armed Forces post office and addressed to a place within the delivery limits of a United States post office, or a post office of the nation in whose armed forces the sender is a member, if—

(A) the member is accorded free mailing privileges by his own government;

(B) the foreign nation extends similar free mailing privileges to a member of the Armed Forces of the United States serving with, or in, a unit under the control of a command of that foreign nation;

(C) the member is serving with, or in, a unit under the operational control of a command of the Armed Forces of the United States;

(D) such letter mail or sound- or video-recorded communication is mailed by the member—

(i) at an Armed Forces post office established in an overseas area, as designated by the President, where the Armed Forces of the United States are engaged in action against an enemy of the United States, engaged in military operations involving armed conflict with a hostile foreign force, or serving with a friendly foreign force in an armed conflict in which the United States is not a belligerent; or

(ii) while hospitalized in a facility under the jurisdiction of the Armed Forces of the United States as a result of disease or injury incurred as a result of services in an overseas area designated by the President under clause (D)(i) of this paragraph; and

(E) the nation in whose armed forces the sender is a member has agreed to assume all international postal transportation charges incurred.

(b) There shall be transported by air, between Armed Forces post offices which are located outside the 48 contiguous States of the United States or between any such Armed Forces post office and the point of embarkation or debarkation within the United States, the territories and possessions of the United States in the Pacific area, the Commonwealth of Puerto Rico, or the Virgin Islands, on a space available basis, on certificated United States air carriers or, for carriage of mail in foreign air transportation, other air carriers, air taxi operators or foreign air carriers as permitted by section 5402 of this title, or on military aircraft, the following categories of mail matter:

(1)(A) letter mail or sound- or video-recorded communications having the character of personal correspondence;

¹ See 1990 Amendment note below.