

ceived but for the enactment of this section; or

(2) affect regular first-class rates of postage or any other regular rates of postage.

(e) Special postage stamps under this section shall be made available to the public beginning on such date as the Postal Service shall by regulation prescribe, but in no event later than 12 months after the date of the enactment of this section.

(f) The Postmaster General shall include in each report rendered under section 2402 with respect to any period during any portion of which this section is in effect information concerning the operation of this section, except that, at a minimum, each shall include—

(1) the total amount described in subsection (c)(2)(A) which was received by the Postal Service during the period covered by such report; and

(2) of the amount under paragraph (1), how much (in the aggregate and by category) was required for the purposes described in subsection (c)(2)(B).

(g) For purposes of section 416 (including any regulation prescribed under subsection (e)(1)(C) of that section), the special postage stamp issued under this section shall not apply to any limitation relating to whether more than 1 semipostal may be offered for sale at the same time.

(h) This section shall cease to be effective after December 31, 2019.

(Added Pub. L. 105-41, §2(a), Aug. 13, 1997, 111 Stat. 1119; amended Pub. L. 106-253, §3(a), July 28, 2000, 114 Stat. 636; Pub. L. 107-67, title VI, §650(b)(1), (c), Nov. 12, 2001, 115 Stat. 556, 557; Pub. L. 108-199, div. F, title V, §541, Jan. 23, 2004, 118 Stat. 346; Pub. L. 109-100, §1, Nov. 11, 2005, 119 Stat. 2170; Pub. L. 110-150, §1, Dec. 21, 2007, 121 Stat. 1820; Pub. L. 112-80, §1, Dec. 23, 2011, 125 Stat. 1297; Pub. L. 114-99, §§2, 3, Dec. 11, 2015, 129 Stat. 2201.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (e), is the date of enactment of Pub. L. 105-41, which was approved Aug. 13, 1997.

AMENDMENTS

2015—Subsec. (c)(1). Pub. L. 114-99, §3, inserted at end of concluding provisions “An agency that receives amounts from the Postal Service under this paragraph shall use the amounts for breast cancer research.”

Subsec. (h). Pub. L. 114-99, §2, substituted “2019” for “2015”.

2011—Subsec. (h). Pub. L. 112-80 substituted “2015” for “2011”.

2007—Subsec. (h). Pub. L. 110-150 substituted “2011” for “2007”.

2005—Subsec. (h). Pub. L. 109-100 substituted “2007” for “2005”.

2004—Subsec. (h). Pub. L. 108-199 substituted “2005” for “2003”.

2001—Subsec. (b). Pub. L. 107-67, §650(c), substituted “of not less than 15 percent” for “of not to exceed 25 percent” in par. (1) and inserted at end of concluding provisions “The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.”

Subsec. (g), (h). Pub. L. 107-67, §650(b)(1), added subsecs. (g) and (h) and struck out former subsec. (g) which

read as follows: “This section shall cease to be effective after July 29, 2002, or the end of the 2-year period beginning on the date of the enactment of the Semipostal Authorization Act, whichever is later.”

2000—Subsec. (g). Pub. L. 106-253 amended subsec. (g) generally. Prior to amendment, subsec. (g) read as follows: “This section shall cease to be effective at the end of the 2-year period beginning on the date on which special postage stamps under this section are first made available to the public.”

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-67, title VI, §650(b)(2), Nov. 12, 2001, 115 Stat. 557, provided that: “The amendment made by this subsection [amending this section] shall take effect on the earlier of—

“(A) the date of enactment of this Act [Nov. 12, 2001]; or

“(B) July 29, 2002.”

REPORTING REQUIREMENTS

Pub. L. 110-150, §2, Dec. 21, 2007, 121 Stat. 1820, provided that: “The National Institutes of Health and the Department of Defense shall each submit to Congress and the Government Accountability Office an annual report concerning the use of any amounts that it received under section 414(c) of title 39, United States Code, including a description of any significant advances or accomplishments, during the year covered by the report, that were funded, in whole or in part, with such amounts.”

REPORT BY COMPTROLLER GENERAL OF UNITED STATES

Pub. L. 106-253, §3(b), July 28, 2000, 114 Stat. 637, provided that: “No later than 3 months and no earlier than 6 months before the date as of which section 414 of title 39, United States Code (as amended by this section) is scheduled to expire, the Comptroller General of the United States shall submit to the Congress a report on the operation of such section. Such report shall be in addition to the report required by section 2(b) of Public Law 105-41 [set out below], and shall address at least the same matters as were required to be included in that earlier report.”

Pub. L. 105-41, §2(b), Aug. 13, 1997, 111 Stat. 1120, provided that: “No later than 3 months (but no earlier than 6 months) before the end of the 2-year period referred to in section 414(g) of title 39, United States Code (as amended by subsection (a)), the Comptroller General of the United States shall submit to the Congress a report on the operation of such section. Such report shall include—

“(1) an evaluation of the effectiveness and the appropriateness of the authority provided by such section as a means of fund-raising; and

“(2) a description of the monetary and other resources required of the Postal Service in carrying out such section.”

§ 415. Prohibition on restriction or elimination of services

The Postal Service may not restrict, eliminate, or adversely affect any service provided by the Postal Service as a result of the payment of any penalty imposed under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(Added Pub. L. 105-241, §4(a), Sept. 28, 1998, 112 Stat. 1573.)

REFERENCES IN TEXT

The Occupational Safety and Health Act of 1970, referred to in text, is Pub. L. 91-596, Dec. 29, 1970, 84 Stat. 1590, as amended, which is classified principally to chapter 15 (§651 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 651 of Title 29 and Tables.

§ 416. Authority to issue semipostals

(a) DEFINITIONS.—For purposes of this section—

(1) the term “semipostal” means a postage stamp which is issued and sold by the Postal Service, at a premium, in order to help provide funding for a cause described in subsection (b); and

(2) the term “agency” means an Executive agency within the meaning of section 105 of title 5.

(b) DISCRETIONARY AUTHORITY.—The Postal Service is hereby authorized to issue and sell semipostals under this section in order to advance such causes as the Postal Service considers to be in the national public interest and appropriate.

(c) RATE OF POSTAGE.—The rate of postage on a semipostal issued under this section shall be established by the Governors, in accordance with such procedures as they shall by regulation prescribe (in lieu of the procedures under chapter 36), except that—

(1) the rate established for a semipostal under this section shall be equal to the rate of postage that would otherwise regularly apply, plus a differential of not less than 15 percent; and

(2) no regular rates of postage or fees for postal services under chapter 36 shall be any different from what they otherwise would have been if this section had not been enacted.

The use of any semipostal issued under this section shall be voluntary on the part of postal patrons. The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.

(d) AMOUNTS BECOMING AVAILABLE.—

(1) IN GENERAL.—The amounts becoming available from the sale of a semipostal under this section shall be transferred to the appropriate agency or agencies under such arrangements as the Postal Service shall by mutual agreement with each such agency establish.

(2) IDENTIFICATION OF APPROPRIATE CAUSES AND AGENCIES.—Decisions concerning the identification of appropriate causes and agencies to receive amounts becoming available from the sale of a semipostal under this section shall be made in accordance with applicable regulations under subsection (e).

(3) DETERMINATION OF AMOUNTS.—

(A) IN GENERAL.—The amounts becoming available from the sale of a semipostal under this section shall be determined in a manner similar to that provided for under section 414(c)(2) (as in effect on July 1, 2000).

(B) ADMINISTRATIVE COSTS.—Regulations under subsection (e) shall specifically address how the costs incurred by the Postal Service in carrying out this section shall be computed, recovered, and kept to a minimum.

(4) OTHER FUNDING NOT TO BE AFFECTED.—Amounts which have or may become available from the sale of a semipostal under this section shall not be taken into account in any decision relating to the level of appropriations or other Federal funding to be furnished to an agency in any year.

(5) RECOVERY OF COSTS.—Before transferring to an agency in accordance with paragraph (1) any amounts becoming available from the sale of a semipostal over any period, the Postal Service shall ensure that it has recovered the full costs incurred by the Postal Service in connection with such semipostal through the end of such period.

(e) REGULATIONS.—

(1) IN GENERAL.—Except as provided in subsection (c), the Postal Service shall prescribe any regulations necessary to carry out this section, including provisions relating to—

(A) which office or other authority within the Postal Service shall be responsible for making the decisions described in subsection (d)(2);

(B) what criteria and procedures shall be applied in making those decisions; and

(C) what limitations shall apply, if any, relating to the issuance of semipostals (such as whether more than one semipostal may be offered for sale at the same time).

(2) NOTICE AND COMMENT.—Before any regulation is issued under this section, a copy of the proposed regulation shall be published in the Federal Register, and an opportunity shall be provided for interested parties to present written and, where practicable, oral comment. All regulations necessary to carry out this section shall be issued not later than 30 days before the date on which semipostals are first made available to the public under this section.

(f) ANNUAL REPORTS.—

(1) IN GENERAL.—The Postmaster General shall include in each report rendered under section 2402, with respect to any period during any portion of which this section is in effect, information concerning the operation of any program established under this section.

(2) SPECIFIC REQUIREMENT.—If any semipostal ceases to be offered during the period covered by such a report, the information contained in that report shall also include—

(A) the commencement and termination dates for the sale of such semipostal;

(B) the total amount that became available from the sale of such semipostal; and

(C) of that total amount, how much was applied toward administrative costs.

For each year before the year in which a semipostal ceases to be offered, any report under this subsection shall include, with respect to that semipostal (for the year covered by such report), the information described in subparagraphs (B) and (C).

(g) TERMINATION.—This section shall cease to be effective at the end of the 10-year period beginning on the date on which semipostals are first made available to the public under this section.

(Added Pub. L. 106-253, §2(a), July 28, 2000, 114 Stat. 634; amended Pub. L. 107-67, title VI, §652(c)(1), Nov. 12, 2001, 115 Stat. 557; Pub. L. 107-117, div. B, §1201, Jan. 10, 2002, 115 Stat. 2335.)

AMENDMENTS

2002—Subsec. (c). Pub. L. 107-117 amended Pub. L. 107-67. See 2001 Amendment note below.