

June 16, 1948, ch. 472, title I, 62 Stat. 445.

### § 3203. Endorsements on penalty covers

(a) Except as otherwise provided in this section, penalty covers shall bear, over the words "Official Business" an endorsement showing the name of the department, bureau, or office from which, or officer from whom, it is transmitted. The penalty for the unlawful use of all penalty covers shall be printed thereon.

(b) The Postal Service shall prescribe the endorsement to be placed on covers mailed under clauses (1)(E), (2), and (3) of section 3202(a) of this title.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 752.)

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

### § 3204. Restrictions on use of penalty mail

(a) Except as otherwise provided in this section or section 3220(a) of this title, an officer, executive department, or independent establishment of the Government of the United States may not mail, as penalty mail, any article or document unless—

- (1) a request therefor has been previously received by the department or establishment; or
- (2) its mailings is required by law.

(b) Subsection (a) of this section does not prohibit the mailing, as penalty mail, by an officer, executive department, or independent agency of—

- (1) enclosures reasonably related to the subject matter of official correspondence;
- (2) informational releases relating to the census of the United States and authorized by title 13;
- (3) matter concerning the sale of Government securities;
- (4) forms, blanks, and copies of statutes, rules, regulations, instructions, administrative orders, and interpretations necessary in the administration of the department or establishment;
- (5) agricultural bulletins;
- (6) lists of public documents offered for sale by the Superintendent of Documents;
- (7) announcements of the publication of maps, atlases, and statistical and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16; or
- (8) articles or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 752; Pub. L. 99-87, §1(c)(1), Aug. 9, 1985, 99 Stat. 291.)

#### AMENDMENTS

1985—Subsec. (a). Pub. L. 99-87 substituted "section or section 3220(a) of this title," for "section," in introductory provisions.

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of

Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### TRANSFER OF FUNCTIONS

Federal Power Commission terminated and its functions, personnel, property, funds, etc., transferred to Secretary of Energy (except for certain functions transferred to Federal Energy Regulatory Commission) by sections 7151(b), 7171(a), 7172(a), 7291, and 7293 of Title 42, The Public Health and Welfare.

### § 3205. Accounting for penalty covers

Executive departments and agencies, independent establishments of the Government of the United States, and organizations and persons authorized by law to use penalty mail, shall account for all penalty covers through the Postal Service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 753.)

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

### § 3206. Reimbursement for penalty mail service

(a) Except as provided in subsection (b) of this section, executive departments and agencies, independent establishments of the Government of the United States, and Government corporations concerned, shall transfer to the Postal Service as postal revenue out of any appropriations or funds available to them, as a necessary expense of the appropriations or funds and of the activities concerned, the equivalent amount of postage due, as determined by the Postal Service, for matter sent in the mails by or to them as penalty mail under authority of section 3202 of this title.

(b) The Department of Agriculture shall transfer to the Postal Service as postal revenues out of any appropriations made to it for that purpose the equivalent amount of postage, as determined by the Postal Service, for penalty mailings under clauses (1)(F) and (4) of section 3202(a) of this title.

(c) The Department of State shall transfer to the Postal Service as postal revenues out of any appropriations made to it for that purpose the equivalent amount of postage, as determined by the Postal Service, for penalty mailings under clause (1)(C) and (D) of section 3202(a) of this title.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 753; Pub. L. 93-191, §9, Dec. 18, 1973, 87 Stat. 745; Pub. L. 94-553, §105(e), Oct. 19, 1976, 90 Stat. 2599.)

#### AMENDMENTS

1976—Subsec. (a). Pub. L. 94-553 substituted "subsection (b)" for "subsections (b) and (c)".

Subsecs. (c), (d). Pub. L. 94-553 redesignated subsec. (d) as (c). Former subsec. (c), directing the Library of Congress to transfer to the Postal Service as postal revenues out of any appropriations made to the Library for that purpose the equivalent amount of postage, as determined by the Postal Service, for penalty mailings under clause (5) of section 3202(a) of this title, was struck out.

1973—Subsec. (d). Pub. L. 93-191 added subsec. (d).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-553 effective Jan. 1, 1978, see section 102 of Pub. L. 94-553, set out as an Effective Date note preceding section 101 of Title 17, Copyrights.