

(e) All penalties collected under authority of this section shall be paid into the Treasury of the United States.

(f) In any proceeding at any time under this section, the defendant shall be entitled as a defense or counterclaim to seek judicial review, if not already had, pursuant to chapter 7 of title 5, of the order issued under section 3005 of this title. However, nothing in this section shall be construed to preclude independent judicial review otherwise available pursuant to chapter 7 of title 5 of an order issued under section 3005 of this title.

(Added Pub. L. 98-186, §3(a), Nov. 30, 1983, 97 Stat. 1316; amended Pub. L. 106-168, title I, §106, Dec. 12, 1999, 113 Stat. 1811.)

AMENDMENTS

1999—Subsec. (a). Pub. L. 106-168, §106(1), in concluding provisions, substituted “\$50,000 for each mailing of less than 50,000 pieces; \$100,000 for each mailing of 50,000 to 100,000 pieces; with an additional \$10,000 for each additional 10,000 pieces above 100,000, not to exceed \$2,000,000” for “\$10,000 for each day that such person engages in conduct described by paragraph (1), (2), or (3) of this subsection”.

Subsec. (b)(1), (2). Pub. L. 106-168, §106(2), inserted “, (c), or (d)” after “of subsection (a)”.

Subsecs. (c) to (f). Pub. L. 106-168, §106(3), (4), added subsecs. (c) and (d) and redesignated former subsecs. (c) and (d) as (e) and (f), respectively.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-168 effective 120 days after Dec. 12, 1999, see section 111 of Pub. L. 106-168, set out as a note under section 3001 of this title.

EFFECTIVE DATE

Pub. L. 98-186, §3(b), Nov. 30, 1983, 97 Stat. 1317, provided that: “Section 3012 of title 39, United States Code (as added by subsection (a) of this section) shall apply with respect to conduct which occurs on or after the date of the enactment of this Act [Nov. 30, 1983].”

§ 3013. Semiannual reports on investigative activities of the Postal Service

The Postmaster General shall submit semiannual reports to the Inspector General summarizing the investigative activities of the Postal Service. One semiannual report shall be submitted for the reporting period beginning on October 1 and ending on March 31, and the other semiannual report shall be submitted for the reporting period beginning on April 1 and ending on September 30. Each such report shall be submitted within 1 month (or such shorter length of time as the Inspector General may specify) after the close of the reporting period involved and shall include with respect to such reporting period—

(1) a summary of any proceedings instituted under section 3005 of this title, and the results of those and of any other such proceedings decided, settled, or otherwise concluded during such period;

(2) the number of cases in which the authority described in section 3005(e) of this title was used;

(3) the number of applications for temporary restraining orders or preliminary injunctions submitted under section 3007 of this title and, of those applications, the number granted;

(4) the total amount of expenditures and obligations incurred in carrying out the investigative activities of the Postal Service;

(5) the number of cases in which the authority described in section 3016 was used, and a comprehensive statement describing how that authority was used in each of those cases; and

(6) such other information relating to the investigative activities of the Postal Service as the Inspector General may require.

The information in a report submitted under this section to the Inspector General with respect to a reporting period shall be included as part of the semiannual report prepared by the Inspector General under section 5 of the Inspector General Act of 1978 for the same reporting period. Nothing in this section shall be considered to permit or require that any report by the Postmaster General under this section include any information relating to activities of the Inspector General.

(Added Pub. L. 98-186, §3(a), Nov. 30, 1983, 97 Stat. 1317; amended Pub. L. 104-66, title II, §221(b), Dec. 21, 1995, 109 Stat. 733; Pub. L. 106-168, title I, §§107(c), 110(b)(1), Dec. 12, 1999, 113 Stat. 1813, 1817.)

REFERENCES IN TEXT

Section 5 of the Inspector General Act of 1978, referred to in text, is section 5 of Pub. L. 95-452, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1999—Pub. L. 106-168, §110(b)(1), in introductory provisions, substituted “Inspector General” for “Board” and “1 month (or such shorter length of time as the Inspector General may specify)” for “sixty days” and substituted concluding provisions for former concluding provisions which read as follows: “Upon approval of a report submitted under the first sentence of this section, the information in such report shall be included in the next semiannual report required under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.).”

Par. (5). Pub. L. 106-168, §107(c), added par. (5). Former par. (5) redesignated (6).

Par. (6). Pub. L. 106-168, §110(b)(1)(A), substituted “Inspector General” for “Board”.

Pub. L. 106-168, §107(c), redesignated par. (5) as (6).

1995—Pub. L. 104-66 substituted at end “the information in such report shall be included in the next semiannual report required under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.)” for “the Board shall transmit such report to the Congress”.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by section 107(c) of Pub. L. 106-168 effective 120 days after Dec. 12, 1999, see section 111 of Pub. L. 106-168, set out as a note under section 3001 of this title.

Pub. L. 106-168, title I, §110(b)(2), (3), Dec. 12, 1999, 113 Stat. 1817, provided that:

“(2) EFFECTIVE DATE.—This subsection [amending this section] shall take effect on the date of the enactment of this Act [Dec. 12, 1999], and the amendments made by this subsection shall apply with respect to semiannual reporting periods beginning on or after such date of enactment.

“(3) SAVINGS PROVISION.—For purposes of any semiannual reporting period preceding the first semiannual reporting period referred to in paragraph (2), the provisions of title 39, United States Code, shall continue to apply as if the amendments made by this subsection had not been enacted.”

§ 3014. Nonmailable plants

(a)(1) Whenever the Secretary of Agriculture establishes a quarantine under section 8 of the