

collected under subsection (c)(1)(C) shall be deposited into the Treasury of the United States. (Added Pub. L. 109-435, title X, §1008(b), Dec. 20, 2006, 120 Stat. 3259.)

## CHAPTER 32—PENALTY AND FRANKED MAIL

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### AMENDMENTS

1985—Pub. L. 99-87, §1(a)(2), Aug. 9, 1985, 99 Stat. 290, added item 3220.

1981—Pub. L. 97-69, §6(c)(2), Oct. 26, 1981, 95 Stat. 1043, substituted “survivors” for “surviving spouses” in item 3218.

1973—Pub. L. 93-191, §§1(b), 4(b), 12(b), Dec. 18, 1973, 87 Stat. 741, 742, 746, substituted “Franked mail transmitted by the Vice President, Members of Congress, and congressional officials” for “Official correspondence of Vice President and Members of Congress” in item 3210, substituted “President, surviving spouse of former President” for “Presidents” in item 3214, and added item 3219.

### § 3201. Definitions

As used in this chapter—

(1) “penalty mail” means official mail, other than franked mail, which is authorized by law to be transmitted in the mail without prepayment of postage;

(2) “penalty cover” means envelopes, wrappers, labels, or cards used to transmit penalty mail;

(3) “frank” means the autographic or facsimile signature of persons authorized by sections 3210-3216 and 3218 of this title to transmit matter through the mail without prepayment of postage or other indicia contemplated by sections 733 and 907 of title 44;

(4) “franked mail” means mail which is transmitted in the mail under a frank;

(5) “Members of Congress” includes Senators, Representatives, Delegates, and Resident Commissioners; and

(6) “missing child” has the meaning provided by section 403(1) of the Juvenile Justice and Delinquency Prevention Act of 1974.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 751; Pub. L. 99-87, §1(b), Aug. 9, 1985, 99 Stat. 291.)

### REFERENCES IN TEXT

Section 403 of the Juvenile Justice and Delinquency Prevention Act of 1974, referred to in par. (6), is section 403 of Pub. L. 93-415, which is classified to section 11292 of Title 34, Crime Control and Law Enforcement.

### AMENDMENTS

1985—Par. (6). Pub. L. 99-87 added par. (6).

### 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.

### § 3202. Penalty mail

(a) Subject to the limitations imposed by sections 3204 and 3207 of this title, there may be transmitted as penalty mail—

(1) official mail of—

(A) officers of the Government of the United States other than Members of Congress;

(B) the Smithsonian Institution;

(C) the Pan American Union;

(D) the Pan American Sanitary Bureau; and

(E) the United States Employment Service and the system of employment offices operated by it in conformity with the provisions of sections 49-49c, 49d, 49e-49k of title 29, and all State employment systems which receive funds appropriated under authority of those sections.

(2) mail relating to naturalization to be sent to the Immigration and Naturalization Service by clerks of courts addressed to the Department of Justice or the Immigration and Naturalization Service, or any official thereof; and

(3) mail relating to a collection of statistics, survey, or census authorized by title 13 and addressed to the Department of Commerce or a bureau or agency thereof.

(b) A department or officer authorized to use penalty covers may enclose them with return address to any person from or through whom official information is desired. The penalty cover may be used only to transmit the official information and endorsements relating thereto.

(c) This section does not apply to officers who receive a fixed allowance as compensation for their services including expenses of postage.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 751; Pub. L. 94-553, §105(e), Oct. 19, 1976, 90 Stat. 2599; Pub. L. 103-123, title VII, §708(b), Oct. 28, 1993, 107 Stat. 1272; Pub. L. 110-234, title VII, §7404(b)(2)(B), May 22, 2008, 122 Stat. 1247; Pub. L. 110-246, §4(a), title VII, §7404(b)(2)(B), June 18, 2008, 122 Stat. 1664, 2008.)

### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

### AMENDMENTS

2008—Subsec. (a)(1)(D) to (F). Pub. L. 110-246, §7404(b)(2)(B)(i), in subpar. (D) inserted “and” at end, in