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**APPROVED**  
**DEC 23 1975**

**THE WHITE HOUSE**

**ACTION**

**WASHINGTON**

**December 22, 1975    Last Day: December 27**

*Posted in  
Colorado 12/23  
to Archives  
12/24*

**MEMORANDUM FOR**

**THE PRESIDENT**

**FROM:**

**JIM CANNON**

**SUBJECT:**

**Enrolled Bill H.R. 4865 - Use  
of Franked Mail**

Attached for your consideration is H.R. 4865, sponsored by Representative Myers, which would limit the use of franked mail by former Vice Presidents, Members of Congress and certain other officers of the Congress to materials on official business relating to the closing of their respective offices for a period of 90 days immediately following the date on which they leave office.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

**RECOMMENDATION**

That you sign H.R. 4865 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 19 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4865 - Use of Franked Mail  
Sponsor - Rep. Myers (R) Pennsylvania

Last Day for Action

December 27, 1975 - Saturday

Purpose

To limit the use of mail franking privileges for former Vice Presidents, Members of Congress and certain officers of the Congress.

Agency Recommendations

Office of Management and Budget	Approval
Postal Service	No objection

Discussion

H.R. 4865 would limit the use of franked mail by former Vice Presidents, Members of Congress, and certain other officers of the Congress to materials on official business relating to the closing of their respective offices for a period of 90 days immediately following the date on which they leave office.

Under current law, such officials may use their franking privilege until the first day of April following the expiration of their terms of office. No distinction currently exists as to the types of mail that an incumbent or a former Member may send as franked. This enrolled bill would make such a distinction by limiting former officials' franking use to matters relating to the closing of their offices.



The enrolled bill would also authorize the Select Committee on Standards and Conduct of the Senate and the House Commission on Congressional Mailing Standards to prescribe any rules and regulations required to implement this amendment to the franking laws.

*James M. Troy*  
Assistant Director  
for Legislative Reference

Enclosures



LAW DEPARTMENT  
Washington, DC 20260

December 18, 1975

Mr. James M. Frey  
Office of Management and Budget  
Assistant Director for  
Legislative Reference  
Washington, D. C. 20503

Dear Mr. Frey:

This responds to your request for the views of the Postal Service with respect to the enrolled bill:

H. R. 4865, "To amend title 39, United States Code, to prohibit certain franked mailings by Members of Congress and certain officers of the United States, other than mailings related to the closing of their official business, after such Members or officers have left office."

1. Purpose of Legislation as it  
Pertains to the Postal Service.

The bill would make certain amendments in title 39 U. S. Code, to limit the use of the congressional franking privilege by former Members of Congress, and certain other officers of the Congress authorized by law to use the frank, to mail matter relating to the closing of their office. The bill also provides that the House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate shall issue regulations to carry out the provisions of the proposed new law.

2. Position of the Postal Service

The Postal Service has no objection to enactment of this measure. Since 1968 the Postal Service has not been directly

concerned with overseeing or enforcing the proper use of the frank by those entitled to use it. Such matters are now the province of the respective House and Senate Committees mentioned above. The concern of the Postal Service with franked mail is the same as it is for other mail, namely that (1) the mail is efficiently and expeditiously delivered, and (2) the Postal Service is fully reimbursed for such mail. This bill does not affect either of these concerns.

3. Timing.

We have no recommendation to make as to when the measure should be signed.

4. Cost or Savings.

We have no estimate as to the cost or savings of this measure.

5. Recommendation of Presidential Action.

The Postal Service has no objection to approval of this measure.

Sincerely,



W. Allen Sanders  
Assistant General Counsel  
Legislative Division

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 19 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4865 - Use of Franked Mail  
Sponsor - Rep. Myers (R) Pennsylvania

Last Day for Action

December 27, 1975 - Saturday

Purpose

To limit the use of mail franking privileges for former Vice Presidents, Members of Congress and certain officers of the Congress.

Agency Recommendations

Office of Management and Budget                      Approval

Postal Service    No objection

Discussion

H.R. 4865 would limit the use of franked mail by former Vice Presidents, Members of Congress, and certain other officers of the Congress to materials on official business relating to the closing of their respective offices for a period of 90 days immediately following the date on which they leave office.

Under current law, such officials may use their franking privilege until the first day of April following the expiration of their terms of office. No distinction currently exists as to the types of mail that an incumbent or a former Member may send as franked. This enrolled bill would make such a distinction by limiting former officials' franking use to matters relating to the closing of their offices.



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 1418

Date: December 20

Time: 1130am

FOR ACTION: Lynn May *LM*  
Max Friedersdorf *MF*  
Ken Lazarus *KL*

cc (for information): Jack Marsh  
Jim Cavanaugh  
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: December 22

Time: 200pm

SUBJECT:

H.R. 4865 - Use of Franked Mail

ACTION REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> For Necessary Action         | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief     | <input type="checkbox"/> Draft Reply              |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks            |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

Date: December 20

Time: 1130am

FOR ACTION: Lynn May  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: December 22

Time: 200pm

SUBJECT:

H.R. 4865 - Use of Franked Mail

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection.

Ken Lazarus

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

SEARCHED  
SERIALIZED

Date: December 20

Time: 1130am

FOR ACTION: Lynn May ✓  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: December 22

Time: 200pm

SUBJECT:

H.R. 4865 - Use of Franked Mail

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Recommend Approval*

*J-L May*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

*Jim Cavanaugh*  
cc: The Staff Secy

THE WHITE HOUSE

WASHINGTON

December 22, 1975

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *MLF*  
SUBJECT: H. R. 4865 - Use of Franked Mail

The Office of Legislative Affairs concurs with the agencies  
that the subject bill be signed.

Attachments

## MAILING PRIVILEGES OF FORMER MEMBERS OF CONGRESS

AUGUST 1, 1975.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

Mr. CHARLES H. WILSON of California, from the Committee on Post  
Office and Civil Service, submitted the following

### REPORT

[To accompany H.R. 4865]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 4865) To amend title 39, United States Code, to prohibit certain franked mailings by Members of the Congress and certain officers of the United States, other than mailings related to the closing of their official business, after such Members or officers have left office having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

#### AMENDMENT

The amendment strikes out all after the enacting clause and inserts in lieu thereof a substitute text which appears in italic type in the reported bill.

#### EXPLANATION OF AMENDMENT

The amendment proposed by the committee strikes out all after the enacting clause and inserts in lieu thereof the substitute text, which is contained in italic type in the reported bill. The explanation of the provisions of the amendment is contained in the explanation of the bill set forth hereinafter in this report.

#### PURPOSE

H.R. 4865 would limit the use of the congressional franking privilege by former Members of Congress, and certain other officers of the Congress authorized by law to use the frank, to mail matter relating to the closing of their office.

## COMMITTEE ACTION

This legislation was introduced on March 13, 1975, by Representative Myers of Pennsylvania and was ordered reported by the committee by unanimous voice vote on June 5, 1975.

## COMMITTEE AMENDMENT

The committee amendment strikes out all after the enacting clause and inserts an amendment in the nature of a substitute designed to clarify the coverage of the bill.

## EXPLANATION

Section 3210(b)(1), of title 39, United States Code, is the authority for the use of the congressional frank. Under its provisions, the Vice President, each Member of or Member-elect of Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate and each of the elected officers of the House of Representatives (other than a Member) may send, as franked mail, matter relating to their official business, activities, and duties, during their terms of office and until the first day of April following the expiration of their terms of office.

The existing language of section 3210(b)(1) does not distinguish between the authority to send franked mail for an *incumbent* Member or a *former* Member of Congress.

The committee believes that such a distinction should be made. The categories of mail matter which 39 U.S.C. 3210(a)(3) authorizes a Member or Member-elect to mail includes material relating to the current and future concerns of the Government and the Nation. The role of an incumbent Member or soon-to-be-incumbent Member of Congress in the consideration of a wide variety of issues is obvious and important to the legislative function. In the case of former Members of Congress, however, responsibilities as a Representative or Senator have ceased. Although a former Member's interest in public affairs may continue to be active, it is the activity of a private citizen rather than an elected official. Therefore, the public generally should not bear the costs, through appropriations, of paying for the transmission of a former Member's mail except to the extent that such mail relates to the termination of services in Congress for a reasonable period after the termination of such services.

The only category of mail matter which H.R. 4865 would authorize a former Member (or other former eligible individual) to mail is matter on official business relating to the closing of their respective offices.

The committee amendment specifically authorizes and directs the House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate to prescribe rules and regulations to carry out the provisions of the bill. The committee believes that a description of the specific kinds of mail matter eligible to be franked by a former Member should be determined by the Commission and the Select Committee rather than by statutory language in order to permit some latitude and flexibility in considering individual cases.

The committee wishes to make it clear that the House Commission and the Select Committee have unrestricted authority under the new section 3120(b)(3) to issue appropriate rules and regulations and take any other action which they consider necessary and proper to carry out the intent of the Congress in enacting H.R. 4865.

## DATE OF EXPIRATION

Existing law authorizes the use of the frank by a former Member or other eligible individual "until the 1st day of April following the expiration of their respective terms of office." H.R. 4865 changes this provision to be a 90-day period immediately following the date on which such a Member or other individual ceases to serve in a position for which the franking privilege is authorized to be used.

## Cost

There is no estimate of cost which would result from the enactment of H.R. 4865.

The committee anticipates that the enactment of the legislation will result in a slight reduction in the amounts necessary to pay the cost of mailings by former Members of Congress, and others, because of the limitations upon the kinds of matter which may be mailed.

## COMPLIANCE WITH CLAUSE 2(1)(3) OF RULE XI

With respect to the requirement of clause 2(1)(3) of rule XI of the Rules of the House of Representatives—

(A) The Subcommittee on Postal Facilities, Mail and Labor Management is vested under Committee Rules with legislative and oversight jurisdiction and responsibility over the subject matter of H.R. 4865 and made no specific findings and recommendations in connection with its oversight responsibilities on the subject matter in H.R. 4865;

(B) The measure does not provide new budget authority or new or increased tax expenditures and thus a statement required by section 308(a) of the Congressional Budget Act of 1974 is not necessary;

(C) No estimate and comparison of costs has been received by the Committee from the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974; and

(D) The committee has received no report from the Committee on Government Operations of oversight findings and recommendations arrived at pursuant to clause 2(b)(2) of Rule X.

## INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of Rule XI of the Rules of the House of Representatives, the committee has concluded that the enactment of H.R. 4865 will have no inflationary impact.

## HOUSE COMMISSION VIEWS

Following is a letter from the Chairman of the House Commission on Congressional Mailing Standards, which considered H.R. 4865.

HON. DAVID N. HENDERSON,  
*Chairman, Post Office and Civil Service Committee,*  
*U.S. House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: Reference is made to your letter of May 2, 1975, requesting the views of the House Commission on Congressional Mailing Standards on the bill H.R. 4865 which would amend title 39, United States Code, to prohibit certain franked mailings by Members of the Congress and certain officers of the United States, other than mailings related to the closing of their closing business, after such Members or officers have left office.

The Commission agrees with the purpose of this legislation, but suggests certain changes in the text of the bill to make it conform more readily with its intent.

Section 3210(b) (1), of title 39, United States Code, which this legislation amends, is the basic authority in law for the use of the congressional frank. Under its provisions the Vice President, each Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate and each of the elected officers of the House of Representatives (other than a Member of the House) may send, as franked mail, matter relating to their official business, activities, and duties, as intended by Congress to be mailable as franked mail under subsection (a) (2) and (3) of section 3210 of title 39 until the 1st day of April following the expiration of their respective terms of office.

The language of 39 USC 3210(b) (1) was enacted by Public Law 93-191. It is a carry over of similar authority under the former section 3210 which permitted the use of the frank on official business until the 30th day of June following the expiration of terms of office of Members of Congress.

The existing language of section 3210(b) (1) makes no distinction between the authority to send franked mail as an incumbent Member of Congress or as a former Member of Congress, until April 1 following the expiration of a Member's term of office. As a matter of fact, the former section 3210 of title 39 made no such distinction either.

Section 3210(b) (1) also authorizes the use of the frank by the incumbent Legislative Counsels of the House and Senate, but makes no provision for their continued use of the frank after leaving office.

Because the authority to mail as franked mail material described under subsection (a) (2) and (3) of section 3210 is solely contained in subsection (b) of section 3210, the amendments proposed by H.R. 4865 to that subsection are unduly restrictive.

If the legislation were to be enacted as written, it would mean that Members of Congress and the other officials listed in that section would be permitted to frank mail only during the 90-day period immediately following the date on which they leave office. In addition, such franking authority would be restricted to mail matter described under subparagraphs (A), (D) and (E) of subsection (a) (3) of section 3210.

The Commission therefore suggests amendatory language to H.R. 4865, as shown in the attachment.

This proposed language would retain under subsection 3210(b) (1) the same authority to use the frank which currently exists for an incumbent Member and Member-elect of Congress while deleting the phrase "until the 1st day of April following the expiration of their respective term of office."

We would then propose a new paragraph (3) under subsection (b) which would authorize limited use of the frank during the 90-day period immediately following the date on which the Vice President, each Member of Congress, and the authorized officers of the Senate and House leave office. Such use would be restricted to the franking of mail matter on official business relating to the closing of their respective offices.

We also propose language which authorizes the House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate to prescribe rules and regulations for their respective Houses and to take such other action as they consider necessary and proper to carry out the provisions of the new paragraph (3).

The Commission fully agrees with the sponsors of H.R. 4865 and other identical bills that a Member of Congress upon leaving office should have limited franking privileges and that these privileges should not be as broad as those of an incumbent Member.

Therefore, we recommend the enactment of H.R. 4865 with the amendment submitted with this report.

Sincerely,

MORRIS K. UDALL,  
*Chairman.*

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

### TITLE 39, UNITED STATES CODE

#### CHAPTER 32.—PENALTY AND FRANKED MAIL

#### § 3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials

(b) (1) The Vice President, each Member of or Member-elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, [and] each of the elected officers of the House of Representatives (other than a Member of the House), [until the 1st day of April following the expiration of their respective terms of office,] and the Legislative Counsels of the House of Representatives and the Senate, may send, as franked mail, matter relating to their official business,

activities, and duties, as intended by Congress to be mailed as franked mail under subsection (a) (2) and (3) of this section.

(2) If a vacancy occurs in the Office of 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), or the Legislative Counsel of the House of Representatives or the Senate, any authorized person may exercise the franking privilege in the officer's name during the period of the vacancy.

(3) *The Vice President, each Member of Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, and each of the elected officers of the House (other than a Member of the House), during the 90-day period immediately following the date on which they leave office, may send, as franked mail, matter on official business relating to the closing of their respective offices. The House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate shall prescribe for their respective Houses such rules and regulations, and shall take such other action as the Commission or Committee considers necessary and proper, to carry out the provisions of this paragraph.*



## MAILING PRIVILEGES OF FORMER MEMBERS OF CONGRESS

DECEMBER 11, 1975.—Ordered to be printed

Mr. MCGEE, from the Committee on Post Office and Civil Service,  
submitted the following

### REPORT

[To accompany H.R. 4865]

The Committee on Post Office and Civil Service, to which was referred the bill (H.R. 4865) to amend title 39, United States Code, to prohibit certain franked mailings by Members of the Congress and certain officers of the United States, other than mailings related to the closing of their official business, after such Members or officers have left office having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE

H.R. 4865 would limit the use of the congressional franking privilege by former Members of Congress, and certain other officers of the Congress authorized by law to use the frank, to mail matter relating to the closing of their office.

#### SUMMARY

The existing language of section 3210(b) (1) does not distinguish between the authority to send franked mail for an incumbent member in contradistinction to a former Member of Congress. The Committee believes that such a distinction should be made. Clearly, an incumbent Member or a Member-elect is required to play an active role concerning a wide variety of issues if he is to fulfill his legislative function.

On the other hand, former Members of Congress no longer have a legislative function, even though their interests may continue to be active. In the case of a former Member, the public generally should not bear the costs, through appropriations, of paying for the transmission of a former Member's mail except to the extent that such mail

relates to the termination of services in the Congress for a reasonable period after the termination of such services.

Existing law authorizes the use of the frank by a former Member or other eligible individual "until the 1st day of April following the expiration of their respective terms of office." H.R. 4865 changes this provision to be a 90-day period immediately following the date on which such a Member or other individual ceases to serve in a position for which the franking privilege is authorized to be used.

#### ACTION BY COMMITTEE

The full Committee ordered H.R. 4865 reported on December 11, 1975 by a unanimous vote.

#### STATEMENT

Section 3210(b) (1), of title 39, United States Code, is the authority for the use of the congressional frank. Under its provisions, the Vice President, each Member of or Member-elect of Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate and each of the elected officers of the House of Representatives (other than a Member) may send, as franked mail, matter relating to their official business, activities, and duties, during their terms of office and until the first day of April following the expiration of their terms of office.

The existing language of section 3210(b) (1) does not distinguish between the authority to send franked mail for an incumbent or a former Member of Congress.

The committee believes that such a distinction should be made. The categories of mail matter which 39 U.S.C. 3210(a) (3) authorizes a Member or Member-elect to mail includes material relating to the current and future concerns of the Government and the Nation. The role of an incumbent Member or soon-to-be-incumbent Member of Congress in the consideration of a wide variety of issues is obvious and important to the legislative function. In the case of former Members of Congress, however, responsibilities as a Representative or Senator have ceased. Although a former Member's interest in public affairs may continue to be active, it is the activity of a private citizen rather than an elected official. Therefore, the public generally should not bear the costs, through appropriations, of paying for the transmission of a former Member's mail except to the extent that such mail relates to the termination of services in Congress for a reasonable period after the termination of such services.

The only category of mail matter which H.R. 4865 would authorize a former Member (or other former eligible individual) to mail is matter on official business relating to the closing of their respective offices. H.R. 4865 specifically authorizes and directs the House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate to prescribe rules and regulations to carry out the provisions of the bill. The Committee believes that a description of the specific kinds of mail matter eligible to be franked by a former Member should be determined by the Commission and the Select Committee rather than by statutory language in order to permit some latitude and flexibility in considering individual cases.

The Committee wishes to make it clear that the House Commission and the Select Committee have unrestricted authority under the new section 3120(b) (3) to issue appropriate rules and regulations and take any other action which they consider necessary and proper to carry out the intent of the Congress in enacting H.R. 4865.

#### ESTIMATED COST

There is no estimate of cost which would result from the enactment of H.R. 4865.

The Committee anticipates that the enactment of the legislation will result in a slight reduction in the amounts necessary to pay the cost of mailings by former Members of Congress and others, because of the limitations upon the kinds of matter which may be mailed.

#### REPORTS

The views of the Select Committee on Standards and Conduct, Howard W. Cannon, Chairman, are set forth below:

U.S. SENATE,  
SELECT COMMITTEE ON STANDARDS AND CONDUCT,  
Washington, D.C., November 4, 1975.

HON. GALE MCGEE,  
Chairman, Committee on Post Office and Civil Service,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your letter of October 13, 1975 requesting my views and comments on H.R. 4865, the Committee on Standards and Conduct has no objection to the proposed legislation.

With best personal wishes.

Sincerely yours,

HOWARD W. CANNON,  
Chairman.

#### CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law in which no change is proposed is shown in roman; existing law proposed to be omitted is enclosed in black brackets; new matter is shown in italic):

#### TITLE 39, UNITED STATES CODE

#### Chapter 32.—Penalty and Franked Mail

#### § 3210. Franked mail transmitted by the Vice President, Members of Congress, and congressional officials

\* \* \* \* \*

(b) (1) The Vice President, each Member of or Member-Elect to Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, [and] each of the elected officers of the House of Representatives (other than a Member of the House), [until the 1st day of April

following the expiration of their respective terms of office,] and the Legislative Counsels of the House of Representatives and the Senate, may send, as franked mail, matter relating to their official business, activities, and duties, as intended by Congress to be mailed as franked mail under subsection (a) (2) and (3) of this section.

(2) If a vacancy occurs in the Office of 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), or the Legislative Counsel of the House of Representatives or the Senate, any authorized person may exercise the franking privilege in the officer's name during the period of the vacancy.

(3) *The Vice President, each Member of Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, and each of the elected officers of the House (other than a Member of the House), during the 90-day period immediately following the date on which they leave office, may send, as franked mail, matter on official business relating to the closing of their respective offices. The House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate shall prescribe for their respective Houses such rules and regulations, and shall take such other action as the Commission or Committee considers necessary and proper, to carry out the provisions of this paragraph.*

\* \* \* \* \*



# Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,  
one thousand nine hundred and seventy-five*

## An Act

To amend title 39, United States Code, to prohibit certain franked mailings by Members of the Congress and certain officers of the United States, other than mailings related to the closing of their official business, after such Members or officers have left office.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 3210(b) (1) of title 39, United States Code, is amended—

(1) by striking out “and” immediately before “each”; and

(2) by striking out “until the 1st day of April following the expiration of their respective terms of office.”.

(b) Section 3210(b) of title 39, United States Code, is amended by adding at the end thereof the following new paragraph:

“(3) The Vice President, each Member of Congress, the Secretary of the Senate, the Sergeant at Arms of the Senate, and each of the elected officers of the House (other than a Member of the House), during the 90-day period immediately following the date on which they leave office, may send, as franked mail, matter on official business relating to the closing of their respective offices. The House Commission on Congressional Mailing Standards and the Select Committee on Standards and Conduct of the Senate shall prescribe for their respective Houses such rules and regulations, and shall take such other action as the Commission or Committee considers necessary and proper, to carry out the provisions of this paragraph.”.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

10

December 16, 1975

Dear Mr. Director:

The following bills were received at the White House on December 16th:

✓ S. 2757 ✓  
✓ H.R. 1753 ✓  
✓ H.R. 2110 ✓  
✓ H.R. 4865 ✓  
✓ H.R. 6642 ✓  
✓ H.R. 7976 ✓  
✓ H.R. 10647 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D. C.