

115TH CONGRESS  
1ST SESSION

# **S. 1208**

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## **AN ACT**

To direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Strengthening the De-  
5 partment of Homeland Security Secure Mail Initiative  
6 Act”.

7 **SEC. 2. DEFINITIONS.**

8       In this Act—

9           (1) the terms “Hold for Pickup service” and  
10       “Signature Confirmation service” mean the services  
11       described in sections 507.3.0 and 503.8.1.1.a, re-  
12       spectively, of the Domestic Mail Manual (or any suc-  
13       cessor services);

14           (2) the term “Immigration Examinations Fee  
15       Account” means the account established under sec-  
16       tion 286(m) of the Immigration and Nationality Act  
17       (8 U.S.C. 1356(m));

18           (3) the term “Postal Service” means the United  
19       States Postal Service; and

20           (4) the term “Secretary” means the Secretary  
21       of Homeland Security.

1 **SEC. 3. OFFERING HOLD FOR PICKUP AND SIGNATURE**  
2 **CONFIRMATION SERVICES UNDER THE SE-**  
3 **CURE MAIL INITIATIVE.**

4 (a) IN GENERAL.—Beginning not later than 1 year  
5 after the date of enactment of this Act, the Secretary shall  
6 provide for an option under the Secure Mail Initiative (or  
7 any successor program) under which a person to whom  
8 a document is sent under that initiative may elect, except  
9 as provided in subsection (e), to have the Postal Service  
10 use the Hold for Pickup service or the Signature Con-  
11 firmation service in delivering the document.

12 (b) FEE.—

13 (1) IN GENERAL.—The Secretary, in accord-  
14 ance with section 286(m) of the Immigration and  
15 Nationality Act (8 U.S.C. 1356(m)), shall require  
16 the payment of a fee from a person electing a service  
17 under subsection (a), which shall be set at a level  
18 that ensures recovery of—

19 (A) the full costs of providing all such  
20 services; and

21 (B) any additional costs associated with  
22 the administration of the fees collected.

23 (2) ALLOCATION OF FUNDS.—Of the fees col-  
24 lected under paragraph (1), the Secretary shall—

1 (A) deposit as offsetting receipts into the  
2 Immigration Examinations Fee Account the  
3 portion representing—

4 (i) the cost to the Secretary of pro-  
5 viding the services under subsection (a);  
6 and

7 (ii) any additional costs associated  
8 with the administration of the fees col-  
9 lected; and

10 (B) transfer to the Postal Service the por-  
11 tion representing the cost to the Postal Service  
12 of providing the services under subsection (a).

13 (c) REGULATIONS.—The Postal Service may promul-  
14 gate regulations that—

15 (1) subject to paragraph (2), minimize the cost  
16 of providing the services under subsection (a); and

17 (2) do not require the Postal Service to incur  
18 additional expenses that are not recoverable under  
19 subsection (b).

20 (d) NOTICE OF CHANGES.—The Postal Service shall  
21 notify the Secretary of any changes to the Hold for Pickup  
22 service or the Signature Confirmation service.

23 (e) USE OF PRIVATE CARRIER.—

24 (1) IN GENERAL.—If the Secretary determines  
25 that a private carrier that offers substantially simi-

1 lar services to the Hold for Pickup and Signature  
2 Confirmation services would provide better service  
3 and value than the Postal Service provides under  
4 subsection (a), the Secretary may, in accordance  
5 with paragraph (2) of this subsection—

6 (A) discontinue use of the services of the  
7 Postal Service under subsection (a); and

8 (B) enter into a contract with the private  
9 carrier under which a person to whom a docu-  
10 ment is sent under the Secure Mail Initiative  
11 (or any successor program) may elect to have  
12 the private carrier use one of the substantially  
13 similar services in delivering the document.

14 (2) REQUIREMENTS.—The Secretary may not  
15 exercise the authority under paragraph (1) unless  
16 the Secretary—

17 (A) determines, and notifies the Postal  
18 Service, that the private carrier offers services  
19 that are substantially similar to the Hold for  
20 Pickup and Signature Confirmation services;

21 (B) provides for an option under the Se-  
22 cure Mail Initiative (or any successor program)  
23 under which a person to whom a document is  
24 sent under that initiative may elect a service  
25 under paragraph (1)(B);

1 (C) requires the payment of a fee from a  
2 person electing a service under paragraph  
3 (1)(B), which shall be set at a level that en-  
4 sures recovery of—

5 (i) the full cost of contracting with the  
6 private carrier to provide all such services;  
7 and

8 (ii) any additional costs associated  
9 with the administration of the fees col-  
10 lected; and

11 (D) deposits the fees collected under sub-  
12 paragraph (C) as offsetting receipts into the  
13 Immigration Examinations Fees Account.

14 **SEC. 4. REPORT.**

15 Not later than 2 years after the date of enactment  
16 of this Act, the Secretary shall submit to Congress a re-  
17 port that describes—

18 (1) the implementation of the requirements  
19 under section 3;

20 (2) the fee imposed under subsection (b) or  
21 (e)(2)(C), as applicable, of section 3; and

1           (3) the number of times during the previous  
2 year that a person used a service under subsection  
3 (a) or (e)(1)(B) of section 3.

Passed the Senate December 21, 2017.

Attest:

*Secretary.*

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1<sup>ST</sup> SESSION

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