

104TH CONGRESS
2D SESSION

H. R. 3097

To amend title 18, United States Code, to prohibit the mailing of certain mail matter.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 1996

Mrs. JOHNSON of Connecticut (for herself and Mrs. KENNELLY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit the mailing of certain mail matter.

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 “Graphic Postcard Act
5 of 1996”.

6 **SEC. 2. NONMAILABILITY OF CERTAIN MAIL MATTER.**

7 Section 1463 of title 18, United States Code, is
8 amended—

9 (1) in the first paragraph by inserting “(a)(1)”
10 before “All matter”;

1 (2) in the second paragraph by inserting “(2)”
2 before “Whoever” and by striking “section” and in-
3 serting “subsection”; and

4 (3) by adding at the end the following:

5 “(b)(1) All matter otherwise mailable by law, upon
6 the envelope or outside cover or wrapper of which, and
7 all postal cards upon which, any delineations, epithets,
8 terms, photographs, drawings, visual depictions, or lan-
9 guage of a violent or clinically graphic character, or un-
10 suitable for persons under 18 years of age, are written
11 or printed or otherwise impressed or apparent, are non-
12 mailable matter, and shall not be conveyed in the mails
13 nor delivered from any post office nor by any letter carrier,
14 and shall be withdrawn from the mails under such regula-
15 tions as the Postal Service shall prescribe, except as pro-
16 vided in paragraph (2).

17 “(2) Paragraph (1) shall not apply with respect to
18 any mail matter which is enclosed in an envelope or other
19 outside cover or wrapper which—

20 “(A) bears on its face, in conspicuous and leg-
21 ible type in contrast by typography, layout, or color,
22 in accordance with regulations which the Postal
23 Service shall prescribe, such notice as the Postal
24 Service shall by regulation require as to the nature
25 of the contents of the mailing; and

1 “(B) satisfies such other requirements as the
2 Postal Service may by regulation prescribe in order
3 to carry out the purposes of this subsection.

4 “(3) Whoever knowingly deposits for mailing or deliv-
5 ery, anything declared by this subsection to be non-
6 mailable matter, or knowingly takes the same from the
7 mails for the purpose of circulating or disposing of or aid-
8 ing in the circulation or disposition of the same, shall be
9 fined under this title or imprisoned not more than 5 years,
10 or both, for the first such offense, and shall be fined under
11 this title or imprisoned not more than 10 years, or both,
12 for each such offense thereafter.”.

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