

107TH CONGRESS  
1ST SESSION

# S. 1397

To ensure availability of the mail to transmit shipments of day-old poultry.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 4, 2001

Mr. GRASSLEY (for himself and Mr. FEINGOLD) introduced the following bill;  
which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To ensure availability of the mail to transmit shipments  
of day-old poultry.

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. AMENDMENT TO TITLE 39.**

4       Section 5402(d) of title 39, United States Code, is  
5       amended by—

6               (1) inserting “(1)” after “(d)”; and

7               (2) inserting at the end the following:

8               “(2)(A) In the exercise of its authority under para-

9       graph (1), the Postal Service may require any air carrier

10       to accept as mail shipments of day-old poultry and such

11       other live animals as postal regulations allow to be trans-

1 mitted as mail matter. The authority of the Postal Service  
2 under this subparagraph shall not apply in the case of any  
3 air carrier who commonly and regularly refuses to accept  
4 any live animals as cargo.

5 “(B) Notwithstanding any other provision of law, the  
6 Postal Service is authorized to assess, as postage to be  
7 paid by the mailers of any shipments covered by subpara-  
8 graph (A), a reasonable surcharge that the Postal Service  
9 determines in its discretion to be adequate to compensate  
10 air carriers for any necessary additional expense incurred  
11 in handling such shipments.

12 “(C) The authority of the Postal Service under sub-  
13 paragraph (B) shall apply during the period beginning on  
14 the date of enactment of this paragraph, and ending Sep-  
15 tember 30, 2005.”.

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