

114TH CONGRESS  
1ST SESSION

# H. R. 3412

To amend title 18, United States Code, and title 39, United States Code, to provide the United States Postal Service the authority to mail alcoholic beverages, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Ms. SPEIER (for herself, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CARTWRIGHT, Ms. CLARKE of New York, Mr. COSTA, Mr. DEFazio, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GRAYSON, Mr. GRIJALVA, Mr. HINOJOSA, Mr. HUFFMAN, Mr. JOHNSON of Ohio, Mr. JONES, Mrs. KIRKPATRICK, Mr. LAMALFA, Mrs. LAWRENCE, Mrs. LOWEY, Mr. MCKINLEY, Mr. POLIS, Mr. RANGEL, Ms. SLAUGHTER, and Mr. VEASEY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 18, United States Code, and title 39, United States Code, to provide the United States Postal Service the authority to mail alcoholic beverages, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Postal  
3 Service Shipping Equity Act”.

4 **SEC. 2. SHIPPING OF ALCOHOLIC BEVERAGES.**

5 (a) MAILABILITY.—

6 (1) NONMAILABLE ARTICLES.—Section 1716(f)  
7 of title 18, United States Code, is amended by strik-  
8 ing “mails” and inserting “mails, except to the ex-  
9 tent that the mailing is allowable under section  
10 3001(p) of title 39”.

11 (2) ALCOHOLIC BEVERAGES.—Section 1154(a)  
12 of title 18, United States Code, is amended, by in-  
13 serting “or, with respect to the mailing of alcoholic  
14 beverages to the extent allowed under section  
15 3001(p) of title 39” after “mechanical purposes”.

16 (b) REGULATIONS.—Section 3001 of title 39, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing:

19 “(p)(1) Alcoholic beverages shall be considered mail-  
20 able if mailed—

21 “(A) by a covered entity in accordance with ap-  
22 plicable regulations under paragraph (2); and

23 “(B) in accordance with the delivery require-  
24 ments otherwise applicable to a privately carried  
25 shipment of an alcoholic beverage in the State, terri-

1 tory, or district of the United States where the ad-  
2 dressee or duly authorized agent takes delivery.

3 “(2) The Postal Service shall prescribe such regula-  
4 tions as may be necessary to carry out this subsection,  
5 including regulations providing that—

6 “(A) the mailing shall be by a means estab-  
7 lished by the Postal Service to ensure direct delivery  
8 to the addressee or a duly authorized agent at a  
9 postal facility;

10 “(B) the addressee (and any duly authorized  
11 agent) shall be an individual at least 21 years of  
12 age, and shall present a valid, government-issued  
13 photo identification at the time of delivery;

14 “(C) the alcoholic beverage may not be for re-  
15 sale or other commercial purpose; and

16 “(D) the covered entity involved shall—

17 “(i) certify in writing to the satisfaction of  
18 the Postal Service, through a registration proc-  
19 ess administered by the Postal Service, that the  
20 mailing is not in violation of any provision of  
21 this subsection or regulation prescribed under  
22 this subsection; and

23 “(ii) provide any other information or af-  
24 firmation that the Postal Service may require,

1 including with respect to the prepayment of  
2 State alcohol beverage taxes.

3 “(3) For purposes of this subsection—

4 “(A) the term ‘alcoholic beverage’ has the  
5 meaning given such term in section 203 of the Fed-  
6 eral Alcohol Administration Act (27 U.S.C. 214);  
7 and

8 “(B) the term ‘covered entity’ means an entity  
9 (including a winery, brewery, or beverage distilled  
10 spirits plant, or other wholesaler, distributor, or re-  
11 tailer of alcoholic beverages) that has registered  
12 with, obtained a permit from, or obtained approval  
13 of a notice or an application from, the Secretary of  
14 the Treasury pursuant to—

15 “(i) the Federal Alcohol Administration  
16 Act (27 U.S.C. 201 et seq.); or

17 “(ii) Chapter 51 of the Internal Revenue  
18 Code of 1986 (26 U.S.C. 5001 et seq.).”.

19 (c) EFFECTIVE DATE.—The amendments made by  
20 this section shall take effect on the earlier of—

21 (1) the date on which the Postal Service issues  
22 regulations under section 3001(p) of title 39, United  
23 States Code, as amended by this section; or

- 1 (2) 120 days after the date of enactment of this
- 2 Act.

