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.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2019

Ms. Speier (for herself, Mr. Biggs, Ms. Bonamici, Mr. Cohen, Mrs. Davis of California, Mr. DeFazio, Ms. Eshoo, Mr. Garamendi, Mr. Grijalva, Mr. LaMalfa, Ms. Lee of California, Ms. Norton, and Mr. Pocan) introduced the following bill; which was referred to the Committee on Oversight and 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.

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.

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

SECTION 1. SHORT TITLE.

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

116TH CONGRESS
1ST SESSION

H. R. 2517
SEC. 2. SHIPPING OF ALCOHOLIC BEVERAGES.

(a) Mailability.—

(1) Nonmailable articles.—Section 1716(f) of title 18, United States Code, is amended by striking “mails” and inserting “mails, except to the extent that the mailing is allowable under section 3001(p) of title 39”.

(2) Alcoholic beverages.—Section 1154(a) of title 18, United States Code, is amended, by inserting “or, with respect to the mailing of alcoholic beverages to the extent allowed under section 3001(p) of title 39” after “mechanical purposes”.

(b) Regulations.—Section 3001 of title 39, United States Code, is amended by adding at the end the following:

“(p)(1) Alcoholic beverages shall be considered mailable if mailed—

“(A) by a covered entity in accordance with applicable regulations under paragraph (2); and

“(B) in accordance with the delivery requirements otherwise applicable to a privately carried shipment of an alcoholic beverage in the State, territory, or district of the United States where the addressee or duly authorized agent takes delivery.
“(2) The Postal Service shall prescribe such regulations as may be necessary to carry out this subsection, including regulations providing that—

“(A) the mailing shall be by a means established by the Postal Service to ensure direct delivery to the addressee or a duly authorized agent at a postal facility;

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

“(C) the alcoholic beverage may not be for resale or other commercial purpose; and

“(D) the covered entity involved shall—

“(i) certify in writing to the satisfaction of the Postal Service, through a registration process administered by the Postal Service, that the mailing is not in violation of any provision of this subsection or regulation prescribed under this subsection; and

“(ii) provide any other information or affirmation that the Postal Service may require, including with respect to the prepayment of State alcohol beverage taxes.

“(3) For purposes of this subsection—
“(A) the term ‘alcoholic beverage’ has the
meaning given such term in section 203 of the Fed-
eral Alcohol Administration Act (27 U.S.C. 214);
and
“(B) the term ‘covered entity’ means an entity
(including a winery, brewery, or beverage distilled
spirits plant, or other wholesaler, distributor, or re-
tailer of alcoholic beverages) that has registered
with, obtained a permit from, or obtained approval
of a notice or an application from, the Secretary of
the Treasury pursuant to—
“(i) the Federal Alcohol Administration
Act (27 U.S.C. 201 et seq.); or
“(ii) Chapter 51 of the Internal Revenue
Code of 1986 (26 U.S.C. 5001 et seq.).”.
(e) EFFECTIVE DATE.—The amendments made by
this section shall take effect on the earlier of—
(1) the date on which the Postal Service issues
regulations under section 3001(p) of title 39, United
States Code, as amended by this section; or
(2) 120 days after the date of enactment of this
Act.

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