

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3796

To provide that a person may use a private express for the private carriage of certain letters and packets without being penalized by the Postal Service, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1994

Mr. FRANKS of New Jersey (for himself, Mr. UPTON, Mr. DELAY, Mr. ARMEY, Mr. BACHUS of Alabama, Mr. BAKER of California, Mr. BARTLETT of Maryland, Mr. BOEHNER, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CANADY, Mr. DOOLITTLE, Mr. DORNAN, Mr. EWING, Mr. GOSS, Mr. GUNDERSON, Mr. HOBSON, Mr. HUFFINGTON, Mr. KIM, Mr. LEWIS of Florida, and Mr. ROHRABACHER) introduced the following bill; which was referred jointly to the Committees on Post Office and Civil Service and the Judiciary

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## A BILL

To provide that a person may use a private express for the private carriage of certain letters and packets without being penalized by the Postal Service, 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. PRIVATE CARRIAGE OF CERTAIN LETTERS AND**  
2 **PACKETS.**

3 (a) POSTAL SERVICE ADMINISTRATION.—(1) Section  
4 601(a) of title 39, United States Code, is amended by  
5 striking out “A letter” and inserting in lieu thereof “Sub-  
6 ject to the provisions of section 607, a letter”.

7 (2)(A) Chapter 6 of title 39, United States Code, is  
8 amended by adding after section 606 the following new  
9 section:

10 **“§ 607. Administration relating to certain letters and**  
11 **packets**

12 “In the administration of the provisions of this chap-  
13 ter and chapter 4 of this title by the Postal Service or  
14 the Attorney General of the United States and in the ad-  
15 ministration of sections 1693 through 1699 of title 18 by  
16 the Attorney General of the United States, the Postal  
17 Service or the Attorney General of the United States, re-  
18 spectively, may not fine or otherwise penalize any person  
19 who transmits by private express or other unlawful means,  
20 or delivers to any agent thereof, or deposits at any ap-  
21 pointed place, for the purpose of being so transmitted any  
22 letter or packet.”.

23 (B) The table of sections for chapter 6 of title 39,  
24 United States Code, is amended by adding after the item  
25 relating to section 606 the following:

“607. Administration relating to certain letters and packets.”.

1 (b) PRIVATE EXPRESS PROVISIONS.—(1) Chapter 83  
2 of title 18, United States Code, is amended—

3 (A) in section 1696—

4 (i) by striking out subsection (b); and

5 (ii) by redesignating subsection (c) as sub-  
6 section (b); and

7 (B) by inserting after section 1699 the follow-  
8 ing new section:

9 **“§ 1699A. Application of postal service provisions**

10 “The provisions of sections 1693 through 1699 of  
11 this title shall be subject to the provisions of section 607  
12 of title 39.”.

13 (2) The table of sections for chapter 83 of title 18,  
14 United States Code, is amended by inserting after the  
15 item relating to section 1699 the following:

“1699A. Application of Postal Service provisions.”.

16 **SEC. 2. SEARCHES.**

17 Section 603 of title 39, United States Code, is  
18 amended by striking “The Postal Service” and inserting:

19 “(a) Except as provided in subsection (b), the Postal  
20 Service” and by adding at the end the following:

21 “(b) The Postal Service may not authorize any officer  
22 or employee of the Postal Service to make searches of mail  
23 matter listed in subsection (a) in any store or office of  
24 a customer of a common carrier or transportation com-  
25 pany.”.

