

bers present shall constitute a quorum for the transaction of business by the Board, except—

(1) that in the appointment or removal of the Postmaster General, and in setting the compensation of the Postmaster General and Deputy Postmaster General, a favorable vote of an absolute majority of the Governors in office shall be required;

(2) that in the appointment or removal of the Deputy Postmaster General, a favorable vote of an absolute majority of the Governors in office and the member serving as Postmaster General shall be required; and

(3) as otherwise provided in this title.

(d) No officer or employee of the United States may serve concurrently as a Governor. A Governor may hold any other office or employment not inconsistent or in conflict with his duties, responsibilities, and powers as an officer of the Government of the United States in the Postal Service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 721.)

#### EFFECTIVE DATE

Subsecs. (a) and (d) effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors, and subsecs. (b) and (c) effective Aug. 12, 1970. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### § 206. Advisory Council

(a) There shall be a Postal Service Advisory Council of which the Postmaster General shall be the Chairman and the Deputy Postmaster General shall be the Vice Chairman. The Advisory Council shall have 11 additional members appointed by the President. He shall appoint as such members (1) 4 persons from among persons nominated by those labor organizations recognized as collective-bargaining representatives for employees of the Postal Service in one or more collective-bargaining units, (2) 4 persons as representatives of major mail users, and (3) 3 persons as representatives of the public at large. All members shall be appointed for terms of 2 years except that, of those first appointed, 2 of the members representative of labor organizations, 2 of the members representative of major postal users, and 1 member representing the public at large shall be appointed for 1 year. Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall serve for the remainder of such term.

(b) The Postal Service shall consult with and receive the advice of the Advisory Council regarding all aspects of postal operations.

(c) The members of the Council representative of the public at large shall receive for each meeting of the Council an amount equal to the daily rate applicable to level V of the Executive Schedule under section 5316 of title 5. All members of the Council shall be reimbursed for necessary travel and reasonable expenses incurred in attending meetings of the Council.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 722.)

#### EFFECTIVE DATE

Section effective Aug. 12, 1970, see section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### TERMINATION OF ADVISORY COUNCILS

Advisory councils in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 207. Seal

The seal of the Postal Service shall be filed by the Board in the Office of the Secretary of State, judicially noticed, affixed to all commissions of officers of the Postal Service, and used to authenticate records of the Postal Service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 722.)

#### EFFECTIVE DATE

Section effective Jan. 16, 1971, pursuant to Resolution No. 71-5 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### § 208. Reservation of powers

Congress reserves the power to alter, amend, or repeal any or all of the sections of this title, but no such alteration, amendment, or repeal shall impair the obligation of any contract made by the Postal Service under any power conferred by this title.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 722.)

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

### CHAPTER 4—GENERAL AUTHORITY

Sec.	
401.	General powers of the Postal Service.
402.	Delegation of authority.
403.	General duties.
404.	Specific powers.
405.	Printing of illustrations of United States postage stamps.
406.	Postal services at Armed Forces installations.
407.	International postal arrangements.
408.	International money-order exchanges.
409.	Suits by and against the Postal Service.
410.	Application of other laws.
411.	Cooperation with other Government agencies.
412.	Nondisclosure of lists of names and addresses.
413.	Postal services at diplomatic posts.
414.	Special postage stamps.

#### AMENDMENTS

1997—Pub. L. 105-41, §2(c), Aug. 13, 1997, 111 Stat. 1121, added item 414.

1990—Pub. L. 101-524, §5(b), Nov. 6, 1990, 104 Stat. 2303, added item 413.

#### § 401. General powers of the Postal Service

The Postal Service shall have the following general powers:

- (1) to sue and be sued in its official name;
- (2) to adopt, amend, and repeal such rules and regulations as it deems necessary to accomplish the objectives of this title;

(3) to enter into and perform contracts, execute instruments, and determine the character of, and necessity for, its expenditures;

(4) to determine and keep its own system of accounts and the forms and contents of its contracts and other business documents, except as otherwise provided in this title;

(5) to acquire, in any lawful manner, such personal or real property, or any interest therein, as it deems necessary or convenient in the transaction of its business; to hold, maintain, sell, lease, or otherwise dispose of such property or any interest therein; and to provide services in connection therewith and charges therefor;

(6) to construct, operate, lease, and maintain buildings, facilities, equipment, and other improvements on any property owned or controlled by it, including, without limitation, any property or interest therein transferred to it under section 2002 of this title;

(7) to accept gifts or donations of services or property, real or personal, as it deems, necessary or convenient in the transaction of its business;

(8) to settle and compromise claims by or against it;

(9) to exercise, in the name of the United States, the right of eminent domain for the furtherance of its official purposes; and to have the priority of the United States with respect to the payment of debts out of bankrupt, insolvent, and decedents' estates; and

(10) to have all other powers incidental, necessary, or appropriate to the carrying on of its functions or the exercise of its specific powers.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 722.)

#### EFFECTIVE DATE

Cls. (1) and (3) to (10) effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors and cl. (2) effective Aug. 12, 1970. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to the Postmaster General, see Parts 1, 2, and 26 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

### § 402. Delegation of authority

Except for those powers, duties, or obligations specifically vested in the Governors, as distinguished from the Board of Governors, the Board may delegate the authority vested in it to the Postmaster General under such terms, conditions, and limitations, including the power of re-delegation, as it deems desirable. The Board may establish such committees of the Board, and delegate such powers to any committee, as the Board determines appropriate to carry out its functions and duties. Delegations to the Postmaster General or committees shall be consistent with other provisions of this title, shall not relieve the Board of full responsibility for the carrying out of its duties and functions, and shall be revocable by the Governors in their exclusive judgment.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 723.)

#### EFFECTIVE DATE

Section effective Jan. 16, 1971, pursuant to Resolution No. 71-5 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

### § 403. General duties

(a) The Postal Service shall plan, develop, promote, and provide adequate and efficient postal services at fair and reasonable rates and fees. The Postal Service shall receive, transmit, and deliver throughout the United States, its territories and possessions, and, pursuant to arrangements entered into under sections 406 and 411 of this title, throughout the world, written and printed matter, parcels, and like materials and provide such other services incidental thereto as it finds appropriate to its functions and in the public interest. The Postal Service shall serve as nearly as practicable the entire population of the United States.

(b) It shall be the responsibility of the Postal Service—

(1) to maintain an efficient system of collection, sorting, and delivery of the mail nationwide;

(2) to provide types of mail service to meet the needs of different categories of mail and mail users; and

(3) to establish and maintain postal facilities of such character and in such locations, that postal patrons throughout the Nation will, consistent with reasonable economies of postal operations, have ready access to essential postal services.

(c) In providing services and in establishing classifications, rates, and fees under this title, the Postal Service shall not, except as specifically authorized in this title, make any undue or unreasonable discrimination among users of the mails, nor shall it grant any undue or unreasonable preferences to any such user.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 723; Pub. L. 96-70, title I, §1331(e)(1), Sept. 27, 1979, 93 Stat. 482.)

#### AMENDMENTS

1979—Subsec. (a). Pub. L. 96-70 substituted “The Postal Service” for “Except as provided in the Canal Zone Code, the Postal Service”.

#### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-70 effective Oct. 1, 1979, see section 3304 of Pub. L. 96-70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

#### EFFECTIVE DATE

Section effective Jan. 20, 1971, pursuant to Resolution No. 71-10 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### CONTINUATION OF MAIL DELIVERY SERVICES

Provisions requiring continuation of six-day delivery and rural delivery of mail at not less than the 1983 level were contained in the following appropriations acts:

Pub. L. 105-61, title II, Oct. 10, 1997, 111 Stat. 1290.

Pub. L. 104-208, div. A, title I, §101(f) [title II], Sept. 30, 1996, 110 Stat. 3009-314, 3009-326.

Pub. L. 104-52, title II, Nov. 19, 1995, 109 Stat. 476.

Pub. L. 103-329, title II, Sept. 30, 1994, 108 Stat. 2392.

Pub. L. 103-123, title II, Oct. 28, 1993, 107 Stat. 1234.  
 Pub. L. 102-393, title II, Oct. 6, 1992, 106 Stat. 1737.  
 Pub. L. 102-141, title II, Oct. 28, 1991, 105 Stat. 843.  
 Pub. L. 101-509, title II, Nov. 5, 1990, 104 Stat. 1396.  
 Pub. L. 101-136, title II, Nov. 3, 1989, 103 Stat. 790.  
 Pub. L. 100-440, title II, Sept. 22, 1988, 102 Stat. 1727.  
 Pub. L. 100-202, §§101(m) [title II], 102, Dec. 22, 1987,  
 101 Stat. 1329-390, 1329-397, 1329-433.  
 Pub. L. 99-500, §§101(m) [title II], 102, Oct. 18, 1986, 100  
 Stat. 1783-308, 1783-314, 1783-346, and Pub. L. 99-591,  
 §§101(m) [title II], 102, Oct. 30, 1986, 100 Stat. 3341-308,  
 3341-314, 3341-346.  
 Pub. L. 99-190, §§101(h) [H.R. 3036, title II], 102, Dec.  
 19, 1985, 99 Stat. 1291, 1315.  
 Pub. L. 98-473, §§101(j) [H.R. 5798, title II], 102, Oct. 12,  
 1984, 98 Stat. 1963, 1964.  
 Pub. L. 98-151, §§102, 106, Nov. 14, 1983, 97 Stat. 975.  
 Pub. L. 98-107, §§102, 108, Oct. 1, 1983, 97 Stat. 740, 741.  
 Pub. L. 97-377, title I, §111B, Dec. 21, 1982, 96 Stat.  
 1912.  
 Pub. L. 97-35, title XVII, §1722, Aug. 13, 1981, 95 Stat.  
 759, as amended by Pub. L. 98-369, div. B, title II, §2209,  
 July 18, 1984, 98 Stat. 1061.  
 Pub. L. 96-499, title IV, §412, Dec. 5, 1980, 94 Stat. 2607.

#### PROHIBITION OF 9-DIGIT ZIP CODE

Pub. L. 97-35, title XVII, §1726, Aug. 13, 1981, 95 Stat.  
 761, provided that:

“(a) The Postal Service shall not implement any ZIP  
 code system using more than 5 digits before October 1,  
 1983. This subsection shall not be construed as preclud-  
 ing the Postal Service or the Postal Rate Commission  
 from taking such actions as may be required before Oc-  
 tober 1, 1983, to prepare for the implementation of such  
 a ZIP code system.

“(b) During the period beginning on the date of the  
 enactment of this Act [Aug. 13, 1981] and ending Decem-  
 ber 31, 1982, no Executive agency shall take any action  
 to conform its mailing procedures to those appropriate  
 for use under any ZIP code system using more than 5  
 digits. As used in this subsection, the term ‘Executive  
 agency’ has the same meaning given such term by sec-  
 tion 105 of title 5, United States Code.”

#### § 404. Specific powers

(a) Without limitation of the generality of its  
 powers, the Postal Service shall have the follow-  
 ing specific powers, among others:

(1) to provide for the collection, handling,  
 transportation, delivery, forwarding, return-  
 ing, and holding of mail, and for the disposi-  
 tion of undeliverable mail;

(2) to prescribe, in accordance with this  
 title, the amount of postage and the manner in  
 which it is to be paid;

(3) to determine the need for post offices,  
 postal and training facilities and equipment,  
 and to provide such offices, facilities, and  
 equipment as it determines are needed;

(4) to provide and sell postage stamps and  
 other stamped paper, cards, and envelopes and  
 to provide such other evidences of payment of  
 postage and fees as may be necessary or desir-  
 able;

(5) to provide philatelic services;

(6) to provide, establish, change, or abolish  
 special nonpostal or similar services;

(7) to investigate postal offenses and civil  
 matters relating to the Postal Service;

(8) to offer and pay rewards for information  
 and services in connection with violation of  
 the postal laws, and, unless a different dis-  
 posal is expressly prescribed, to pay one-half  
 of all penalties and forfeitures imposed for vio-  
 lations of law affecting the Postal Service, its

revenues, or property, to the person informing  
 for the same, and to pay the other one-half  
 into the Postal Service Fund; and

(9) to authorize the issuance of a substitute  
 check for a lost, stolen, or destroyed check of  
 the Postal Service.

(b)(1) The Postal Service, prior to making a  
 determination under subsection (a)(3) of this  
 section as to the necessity for the closing or  
 consolidation of any post office, shall provide  
 adequate notice of its intention to close or con-  
 solidate such post office at least 60 days prior to  
 the proposed date of such closing or consolida-  
 tion to persons served by such post office to en-  
 sure that such persons will have an opportunity  
 to present their views.

(2) The Postal Service, in making a determina-  
 tion whether or not to close or consolidate a  
 post office, shall consider—

(A) the effect of such closing or consolida-  
 tion on the community served by such post of-  
 fice;

(B) the effect of such closing or consolida-  
 tion on employees of the Postal Service em-  
 ployed at such office;

(C) whether such closing or consolidation is  
 consistent with the policy of the Government,  
 as stated in section 101(b) of this title, that  
 the Postal Service shall provide a maximum  
 degree of effective and regular postal services  
 to rural areas, communities, and small towns  
 where post offices are not self-sustaining;

(D) the economic savings to the Postal Ser-  
 vice resulting from such closing or consolida-  
 tion; and

(E) such other factors as the Postal Service  
 determines are necessary.

(3) Any determination of the Postal Service to  
 close or consolidate a post office shall be in  
 writing and shall include the findings of the  
 Postal Service with respect to the consider-  
 ations required to be made under paragraph (2)  
 of this subsection. Such determination and find-  
 ings shall be made available to persons served  
 by such post office.

(4) The Postal Service shall take no action to  
 close or consolidate a post office until 60 days  
 after its written determination is made avail-  
 able to persons served by such post office.

(5) A determination of the Postal Service to  
 close or consolidate any post office may be ap-  
 pealed by any person served by such office to the  
 Postal Rate Commission within 30 days after  
 such determination is made available to such  
 person under paragraph (3). The Commission  
 shall review such determination on the basis of  
 the record before the Postal Service in the mak-  
 ing of such determination. The Commission  
 shall make a determination based upon such re-  
 view no later than 120 days after receiving any  
 appeal under this paragraph. The Commission  
 shall set aside any determination, findings, and  
 conclusions found to be—

(A) arbitrary, capricious, an abuse of discre-  
 tion, or otherwise not in accordance with the  
 law;

(B) without observance of procedure required  
 by law; or

(C) unsupported by substantial evidence on  
 the record.

The Commission may affirm the determination of the Postal Service or order that the entire matter be returned for further consideration, but the Commission may not modify the determination of the Postal Service. The Commission may suspend the effectiveness of the determination of the Postal Service until the final disposition of the appeal. The provisions of section 556, section 557, and chapter 7 of title 5 shall not apply to any review carried out by the Commission under this paragraph.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 724; Pub. L. 94-421, §9(a), Sept. 24, 1976, 90 Stat. 1310.)

#### AMENDMENTS

1976—Pub. L. 94-421 designated existing provisions as subsec. (a) and added subsec. (b).

#### EFFECTIVE DATE OF 1976 AMENDMENT

Section 9(b) of Pub. L. 94-421 provided that: “The amendments made by subsection (a) of this section [amending this section] shall take effect on the day after the date on which the Commission on Postal Service transmits its final report under section 7(f)(1) of this Act [set out as a note under section 3661 of this title].”

#### EFFECTIVE DATE

Pars. (1), (3) to (9) of subsec. (a) of this section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors and par. (2) of subsec. (a) effective Jan. 20, 1971, pursuant to Resolution No. 71-10 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 10601.

### § 405. Printing of illustrations of United States postage stamps

(a) When requested by the Postal Service, the Public Printer shall print, as a public document for sale by the Superintendent of Documents, illustrations in black and white or in color of postage stamps of the United States, together with such descriptive, historical, and philatelic information with regard to the stamps as the Postal Service deems suitable.

(b) Notwithstanding the provisions of section 505 of title 44, stereotype or electrotype plates, or duplicates thereof, used in the publications authorized to be printed by this section may not be sold or otherwise disposed of.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 724.)

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

### § 406. Postal services at Armed Forces installations

(a) The Postal Service may establish branch post offices at camps, posts, bases, or stations of the Armed Forces and at defense or other strategic installations.

(b) The Secretaries of Defense and Transportation shall make arrangements with the Postal Service to perform postal services through personnel designated by them at or through branch post offices established under subsection (a) of this section.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 724.)

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 403, 413, 3401, 3406 of this title.

### § 407. International postal arrangements

(a) The Postal Service, with the consent of the President, may negotiate and conclude postal treaties or conventions, and may establish the rates of postage or other charges on mail matter conveyed between the United States and other countries. The decisions of the Postal Service construing or interpreting the provisions of any treaty or convention which has been or may be negotiated and concluded shall, if approved by the President, be conclusive upon all officers of the Government of the United States.

(b) The Postal Service shall transmit a copy of each postal convention concluded with other governments to the Secretary of State, who shall furnish a copy of the same to the Public Printer for publication.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 724.)

#### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### DELEGATION OF AUTHORITY

Memorandum of President of the United States, Dec. 15, 1994, 59 F.R. 65471, provided:

Memorandum for the Governors of the United States Postal Service

I have been advised by the Department of Justice that the United States District Court for the District of Delaware held in *UPS Worldwide Forwarding v. United States Postal Service*, Civil Action No. 93-340, May 16, 1994 [853 F. Supp. 800], that the Postal Service must obtain the approval of the President to establish rates of postage or other charges on mail matter conveyed between the United States and other countries.

On appeal of the decision to the United States Court of Appeals for the Third Circuit, the Government argues that the explicit consent of the President is not required. In the view of the Government, to the extent that 39 U.S.C. 407(a) does require the President to consent, it does not require that consent be given in any particular manner. The Government's position is that the failure of the President to object to the establishment of international postage rates and other charges is consent to the establishment of such rates and other charges. This has been the practice of the Government for the past 120 years.

To the extent that the District Court's decision creates or appears to create an obligation for the President to give his consent to the establishment of rates of postage and other charges on mail matter conveyed between the United States and other countries in a particular manner, by virtue of the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Governors of the United States Postal Service, as defined by section 202(a) of title 39 of the United States Code, any authority vested in me by section 407(a) of title 39 of the United States Code, with respect to the establishment

of rates of postage and other charges on mail matter conveyed between the United States and other countries. This delegation is effective until the date on which the Third Circuit Court of Appeals issues its mandate in the aforementioned appeal. This delegation relates only to the establishment of rates of postage and other charges on mail matter conveyed between the United States and other countries; it does not affect the obligation of the Postal Service to seek the consent of the President to negotiate and conclude postal treaties or conventions.

This memorandum shall be published in the Federal Register.

WILLIAM J. CLINTON.

[*UPS Worldwide Forwarding v. United States Postal Service*, 853 F. Supp. 800, D.C. Del., 1994, reversed 66 F.3d 621 (3rd Cir. 1995), cert. denied, 516 U.S. 1171 (1996)]

#### § 408. International money-order exchanges

The Postal Service may make arrangements with other governments, with which postal conventions are or may be concluded, for the exchange of sums of money by means of postal orders. It shall fix limitations on the amount which may be so exchanged and the rates of exchange.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 725.)

##### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

#### § 409. Suits by and against the Postal Service

(a) Except as provided in section 3628 of this title, the United States district courts shall have original but not exclusive jurisdiction over all actions brought by or against the Postal Service. Any action brought in a State court to which the Postal Service is a party may be removed to the appropriate United States district court under the provisions of chapter 89 of title 28.

(b) Unless otherwise provided in this title, the provisions of title 28 relating to service of process, venue, and limitations of time for bringing action in suits in which the United States, its officers, or employees are parties, and the rules of procedure adopted under title 28 for suits in which the United States, its officers, or employees are parties, shall apply in like manner to suits in which the Postal Service, its officers, or employees are parties.

(c) The provisions of chapter 171 and all other provisions of title 28 relating to tort claims shall apply to tort claims arising out of activities of the Postal Service.

(d) The Department of Justice shall furnish, under section 411 of this title, the Postal Service such legal representation as it may require, but with the prior consent of the Attorney General the Postal Service may employ attorneys by contract or otherwise to conduct litigation brought by or against the Postal Service or its officers or employees in matters affecting the Postal Service.

(e) A judgment against the Government of the United States arising out of activities of the Postal Service shall be paid by the Postal Service out of any funds available to the Postal Service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 725; Pub. L. 97-258, § 2(k), Sept. 13, 1982, 96 Stat. 1062.)

#### HISTORICAL AND REVISION NOTES 1982 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
409(e) .....	31:724a (last sentence).	July 27, 1956, ch. 748, 70 Stat. 678, § 1302 (last sentence); added Aug. 12, 1970, Pub. L. 91-375, § 6(l)(3), 84 Stat. 782.

The words "Notwithstanding the other provisions of this section" are omitted as unnecessary.

##### AMENDMENTS

1982—Subsec. (e). Pub. L. 97-258 added subsec. (e).

##### EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

##### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3012 of this title.

#### § 410. Application of other laws

(a) Except as provided by subsection (b) of this section, and except as otherwise provided in this title or insofar as such laws remain in force as rules or regulations of the Postal Service, no Federal law dealing with public or Federal contracts, property, works, officers, employees, budgets, or funds, including the provisions of chapters 5 and 7 of title 5, shall apply to the exercise of the powers of the Postal Service.

(b) The following provisions shall apply to the Postal Service:

(1) section 552 (public information), section 552a (records about individuals), section 552b (open meetings), section 3102 (employment of personal assistants for blind, deaf, or otherwise handicapped employees), section 3110 (restrictions on employment of relatives), section 3333 and chapters 72 (antidiscrimination; right to petition Congress) and 73 (suitability, security, and conduct of employees), section 5520 (withholding city income or employment taxes), and section 5532 (dual pay) of title 5, except that no regulation issued under such chapters or section shall apply to the Postal Service unless expressly made applicable;

(2) all provisions of title 18 dealing with the Postal Service, the mails, and officers or employees of the Government of the United States;

(3) section 107 of title 20 (known as the Randolph-Sheppard Act, relating to vending machines operated by the blind);

(4) the following provisions of title 40:

(A) sections 258a-258e<sup>1</sup> (relating to condemnation proceedings);

(B) sections 270a-270e (known as the Miller Act, relating to performance bonds);

(C) sections 276a-276a-7 (known as the Davis-Bacon Act, relating to prevailing wages);

(D) section 276c (relating to wage payments of certain contractors);

<sup>1</sup> See References in Text note below.

(E) chapter 5 (the Contract Work Hours Standards Act); and

(F) chapter 15 (the Government Losses in Shipment Act);

(5) the following provisions of title 41:

(A) sections 35–45 (known as the Walsh-Healey Act, relating to wages and hours); and

(B) chapter 6 (the Service Contract Act of 1965);

(6) sections 2000d, 2000d–1–2000d–4 of title 42 (title VI, the Civil Rights Act of 1964);

(7) section 19 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668);

(8) the provisions of the Act of August 12, 1968 (42 U.S.C. 4151–4156);

(9) chapter 39 of title 31;

(10) the Inspector General Act of 1978; and

(11) section 5520a of title 5.

(c) Subsection (b)(1) of this section shall not require the disclosure of—

(1) the name or address, past or present, of any postal patron;

(2) information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good business practice would not be publicly disclosed;

(3) information prepared for use in connection with the negotiation of collective-bargaining agreements under chapter 12 of this title or minutes of, or notes kept during, negotiating sessions conducted under such chapter;

(4) information prepared for use in connection with proceedings under chapter 36 of this title;

(5) the reports and memoranda of consultants or independent contractors except to the extent that they would be required to be disclosed if prepared within the Postal Service; and

(6) investigatory files, whether or not considered closed, compiled for law enforcement purposes except to the extent available by law to a party other than the Postal Service.

(d)(1) A lease agreement by the Postal Service for rent of net interior space in excess of 6,500 square feet in any building or facility, or part of a building or facility, to be occupied for purposes of the Postal Service shall include a provision that all laborers and mechanics employed in the construction, modification, alteration, repair, painting, decoration, or other improvement of the building or space covered by the agreement, or improvement at the site of such building or facility, shall be paid wages at not less than those prevailing for similar work in the locality as determined by the Secretary of Labor under section 276a of title 40.

(2) The authority and functions of the Secretary of Labor with respect to labor standards enforcement under Reorganization Plan numbered 14 of 1950 (title 5, appendix), and regulations for contractors and subcontractors under section 276c of title 40, shall apply to the work under paragraph (1) of this subsection.

(3) Paragraph (2) of this subsection shall not be construed to give the Secretary of Labor authority to direct the cancellation of the lease

agreement referred to in paragraph (1) of this subsection.

(Pub. L. 91–375, Aug. 12, 1970, 84 Stat. 725; Pub. L. 91–656, §8(a), Jan. 8, 1971, 84 Stat. 1955; Pub. L. 93–340, §2, July 10, 1974, 88 Stat. 294; Pub. L. 94–82, title I, §101, Aug. 9, 1975, 89 Stat. 419; Pub. L. 94–409, §5(a), Sept. 13, 1976, 90 Stat. 1247; Pub. L. 94–541, title II, §203, Oct. 18, 1976, 90 Stat. 2508; Pub. L. 95–454, title III, §302(c), title VII, §703(c)(4), Oct. 13, 1978, 92 Stat. 1146, 1217; Pub. L. 96–523, §1(c)(2), Dec. 12, 1980, 94 Stat. 3040; Pub. L. 100–496, §2(c)(2), Oct. 17, 1988, 102 Stat. 2456; Pub. L. 100–504, title I, §104(b), Oct. 18, 1988, 102 Stat. 2525; Pub. L. 103–82, title II, §202(g)(6), Sept. 21, 1993, 107 Stat. 890; Pub. L. 103–94, §9(b)(2), Oct. 6, 1993, 107 Stat. 1010; Pub. L. 103–123, title VII, §708(a), Oct. 28, 1993, 107 Stat. 1272; Pub. L. 104–208, div. A, title I, §101(f) [title VI, §662(f)(1)], Sept. 30, 1996, 110 Stat. 3009–314, 3009–382.)

#### REFERENCES IN TEXT

Section 107 of title 20, known as the Randolph-Sheppard Act, referred to in subsec. (b)(3), is section 1 of act June 20, 1936, ch. 638, 49 Stat. 1559, as amended. The act of June 20, 1936, popularly known as the Randolph-Sheppard Act and also as the Randolph-Sheppard Vending Stand Act, is classified generally to chapter 6A (§107 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 107 of Title 20 and Tables.

Sections 258a–258e of title 40, referred to in subsec. (b)(4)(A), are based on act Feb. 26, 1931, ch. 307, 46 Stat. 1421, as amended, known as the “Declaration of Taking Act”, which is classified to section 258a et seq. of Title 40, Public Buildings, Property, and Works. Pub. L. 99–656, §1(2), Nov. 14, 1986, 100 Stat. 3668, amended act Feb. 26, 1931 by adding section 6, which is classified to section 258e–1 of Title 40.

Sections 270a–270e, known as the Miller Act, referred to in subsec. (b)(4)(B), is act Aug. 24, 1935, ch. 642, 49 Stat. 793, as amended, known as the Miller Act, which is classified generally to sections 270a to 270d–1 of Title 40. For complete classification of this Act to the Code, see Short Title note set out under section 270a of Title 40 and Tables.

Sections 276a–276a–7, known as the Davis-Bacon Act, referred to in subsec. (b)(4)(C), is act Mar. 3, 1931, ch. 411, 46 Stat. 1494, as amended, popularly known as the Davis-Bacon Act, which is classified generally to sections 276a to 276a–5 of Title 40. For complete classification of this Act to the Code, see Short Title note set out under section 276a of Title 40 and Tables.

Chapter 5 (the Contract Work Hours Standards Act), referred to in subsec. (b)(4)(E), probably means title I of Pub. L. 87–581, Aug. 13, 1962, 76 Stat. 357, as amended, which is classified generally to subchapter II (§327 et seq.) of chapter 5 of Title 40, and was redesignated the Contract Work Hours and Safety Standards Act by section 2 of Pub. L. 91–54, Aug. 9, 1969, 83 Stat. 98. For complete classification of this Act to the Code, see Short Title note set out under section 327 of Title 40 and Tables.

Chapter 15 (the Government Losses in Shipment Act), referred to in subsec. (b)(4)(F), probably means act July 8, 1937, ch. 444, 50 Stat. 479, as amended, known as the Government Losses in Shipment Act, which is classified principally to chapter 15 (§721 et seq.) of Title 40. For complete classification of this Act to the Code, see Short Title note set out under section 721 of Title 40 and Tables.

The Walsh-Healey Act, referred to in subsec. (b)(5)(A), is act June 30, 1936, ch. 881, 49 Stat. 2036, as amended, which is classified generally to sections 35 to 45 of Title 41, Public Contracts. For complete classification of this Act to the Code, see Short Title note set out under section 35 of Title 41 and Tables. See also section 262 of Title 29, Labor.

The Service Contract Act of 1965, referred to in subsec. (b)(5)(B), is Pub. L. 89-286, Oct. 22, 1965, 79 Stat. 1034, as amended, which is classified generally to chapter 6 (§351 et seq.) of Title 41. For complete classification of this Act to the Code, see Short Title note set out under section 351 of Title 41 and Tables.

The Civil Rights Act of 1964, referred to in subsec. (b)(6), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to subchapter V (§2000d et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

Section 19 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668), referred to in subsec. (b)(7), is section 19 of Pub. L. 91-596, Dec. 29, 1970, 84 Stat. 1609, which enacted section 668 of Title 29, Labor, and amended section 7902 of Title 5, Government Organization and Employees.

The provisions of the Act of August 12, 1968 (42 U.S.C. 4151-4156), referred to in subsec. (b)(8), probably means Pub. L. 90-480, Aug. 12, 1968, 82 Stat. 718, as amended, popularly known as the Architectural Barriers Act of 1968, which is classified generally to chapter 51 (§4151 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4151 of Title 42 and Tables.

The Inspector General Act of 1978, referred to in subsec. (b)(10), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

Reorganization Plan numbered 14 of 1950 (title 5, appendix), referred to in subsec. (d)(2), is Reorg. Plan No. 14 of 1950, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, which is set out in the Appendix to Title 5.

#### AMENDMENTS

1996—Subsec. (b)(9). Pub. L. 104-208, §101(f) [title VI, §662(f)(1)(A)], struck out “and” at end.

Subsec. (b)(10). Pub. L. 104-208, §101(f) [title VI, §662(f)(1)(B)], substituted “(10) the Inspector General Act of 1978; and” for “the provisions of section 8F of the Inspector General Act of 1978.”

1993—Subsec. (b)(8). Pub. L. 103-82, §202(g)(6)(A), and Pub. L. 103-123, §708(a)(1), amended par. (8) identically, striking out “and” at end.

Subsec. (b)(9). Pub. L. 103-123, §708(a)(2), substituted “chapter” for “Chapter” in par. (9) relating to title 31.

Pub. L. 103-82, §202(g)(6)(B), and Pub. L. 103-123, §708(a)(2), amended par. (9), relating to title 31, identically, substituting “; and” for period at end.

Pub. L. 103-94, §9(b)(2)(A), and Pub. L. 103-123, §708(a)(3), which directed the identical amendment of subsec. (b) by redesignating par. (9), providing for applicability to Postal Service of provisions of section 8E of Inspector General Act of 1978, as (10), could not be executed because Pub. L. 103-82, §202(g)(6)(C), struck out such par. See below.

Pub. L. 103-82, §202(g)(6)(C), struck out second par. (9) which provided for applicability to Postal Service of the provisions of section 8E of Inspector General Act of 1978.

Subsec. (b)(10). Pub. L. 103-94, §9(b)(2)(A), and Pub. L. 103-123, §708(a)(3), which directed the identical amendment of subsec. (b) by redesignating par. (9), providing for applicability to Postal Service of provisions of section 8E of Inspector General Act of 1978, as (10), could not be executed because Pub. L. 103-82, §202(g)(6)(C), struck out such par. See above.

Pub. L. 103-82, §202(g)(6)(C), added par. (10).

Subsec. (b)(11). Pub. L. 103-94, §9(b)(2)(B), added par. (11).

1988—Subsec. (b)(6) to (8). Pub. L. 100-504, §104(b)(1)-(4), struck out “and” after semicolon in par. (6), substituted semicolon for period in par. (7), and substituted “the provisions” for “The provisions” and “; and” for period in par. (8).

Subsec. (b)(9). Pub. L. 100-504, §104(b)(5), added par. (9) relating to section 8E of Inspector General Act.

Pub. L. 100-496 added par. (9) relating to chapter 39 of title 31.

1980—Subsec. (b)(1). Pub. L. 96-523 substituted “section 3102 (employment of personal assistants for blind, deaf, or otherwise handicapped” for “3102 (employment of reading assistants for blind employees and interpreting assistants for deaf”.

1978—Subsec. (b)(1). Pub. L. 95-454 inserted provisions relating to reading and interpreting assistants, and substituted provisions respecting applicability of chapter 72 of title 5, for provisions respecting applicability of chapter 71 of title 5.

1976—Subsec. (b)(1). Pub. L. 94-409 inserted references to sections 552a and 552b of title 5.

Subsec. (b)(8). Pub. L. 94-541 added par. (8).

1975—Subsec. (b)(7). Pub. L. 94-82 added par. (7).

1974—Subsec. (b)(1). Pub. L. 93-340 inserted “section 5520 (withholding city income or employment taxes),” before “and section 5532 (dual pay)”.

1971—Subsec. (b)(1). Pub. L. 91-656 inserted “section 3110 (restrictions on employment of relatives),” before “section 3333” and substituted “no regulation” for “not regulation”.

#### EFFECTIVE DATE OF 1993 AMENDMENTS; SAVINGS PROVISION

Amendment by Pub. L. 103-94 effective 120 days after Oct. 6, 1993, but not to release or extinguish any penalty, forfeiture, or liability incurred under amended provision, which is to be treated as remaining in force for purpose of sustaining any proper proceeding or action for enforcement of that penalty, forfeiture, or liability, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as an Effective Date; Savings Provision note under section 7321 of Title 5, Government Organization and Employees.

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 202(i) of Pub. L. 103-82, set out as an Effective Date note under section 12651 of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-504 effective 180 days after Oct. 18, 1988, see section 113 of Pub. L. 100-504, set out as a note under section 5 of Pub. L. 95-452 (Inspector General Act of 1978) in the Appendix to Title 5, Government Organization and Employees.

Amendment by Pub. L. 100-496 applicable with respect to all obligations incurred on or after Jan. 1, 1989, see section 14(c) of Pub. L. 100-496, set out as a note under section 3902 of Title 31, Money and Finance.

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-523 effective sixty days after Dec. 12, 1980, see section 3 of Pub. L. 96-523, set out as a note under section 3102 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-409 effective 180 days after Sept. 13, 1976, see section 6 of Pub. L. 94-409, set out as an Effective Date note under section 552b of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-340 effective on 90th day following July 10, 1974, see section 3 of Pub. L. 93-340, set out as an Effective Date note under section 5520 of Title 5, Government Organization and Employees.

## EFFECTIVE DATE OF 1971 AMENDMENT

Section 8(b) of Pub. L. 91-656 provided that: "The provisions of this section [amending this section] shall become effective on the effective date prescribed under section 15(a) of the Postal Reorganization Act [set out as an Effective Date note preceding section 101 of this title] for section 410 of title 39, United States Code, as enacted by that Act."

## EFFECTIVE DATE

Subsecs. (a), (b)(2) to (6), and (c)(1) to (3), (5), (6) of this section effective Apr. 13, 1971, pursuant to Resolution No. 71-14 of the Board of Governors, subsecs. (b)(1), relating to section 552 of Title 5, Government Organization and Employees, and (c)(4) effective Jan. 20, 1971 pursuant to Resolution No. 71-10 of the Board of Governors, and subsec. (d) effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

## APPLICABILITY OF HATCH ACT REFORM AMENDMENTS OF 1993 TO POSTAL EMPLOYEES

Section 7 of Pub. L. 103-94 provided that: "The amendments made by this Act [enacting sections 5520a and 7321 to 7326 of Title 5, Government Organization and Employees, and section 610 of Title 18, Crimes and Criminal Procedure, amending this section, sections 1216, 2302, 3302, and 3303 of Title 5, sections 602 and 603 of Title 18, and sections 1973d and 9904 of Title 42, The Public Health and Welfare, and omitting former sections 7321 to 7328 of Title 5] (except for the amendments made by section 8 [amending sections 2302 and 3303 of Title 5]), and any regulations thereunder, shall apply with respect to employees of the United States Postal Service and the Postal Rate Commission, pursuant to sections 410(b) and 3604(e) of title 39, United States Code."

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2803, 3604 of this title; title 31 section 1344.

**§ 411. Cooperation with other Government agencies**

Executive agencies within the meaning of section 105 of title 5 and the Government Printing Office are authorized to furnish property, both real and personal, and personal and nonpersonal services to the Postal Service, and the Postal Service is authorized to furnish property and services to them. The furnishing of property and services under this section shall be under such terms and conditions, including reimbursability, as the Postal Service and the head of the agency concerned shall deem appropriate.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 726.)

## EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 403, 409 of this title.

**§ 412. Nondisclosure of lists of names and addresses**

(a) Except as specifically provided by subsection (b) or other law, no officer or employee of the Postal Service shall make available to the public by any means or for any purpose any

mailing or other list of names or addresses (past or present) of postal patrons or other persons.

(b) The Postal Service shall provide to the Secretary of Commerce for use by the Bureau of the Census such address information, address-related information, and point of postal delivery information, including postal delivery codes, as may be determined by the Secretary to be appropriate for any census or survey being conducted by the Bureau of the Census. The provision of such information under this subsection shall be in accordance with such mutually agreeable terms and conditions, including reimbursability, as the Postal Service and the Secretary of Commerce shall deem appropriate.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 727; Pub. L. 103-430, § 4, Oct. 31, 1994, 108 Stat. 4394.)

## AMENDMENTS

1994—Pub. L. 103-430 substituted "(a) Except as specifically provided by subsection (b) or other law," for "Except as specifically provided by law," and added subsec. (b).

## EFFECTIVE DATE

Section effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.

**§ 413. Postal services at diplomatic posts**

(a) The Postal Service and the Department of State may enter into 1 or more agreements for field testing to ascertain the feasibility of providing postal services through personnel provided by the Department of State at branch post offices established by the Postal Service in United States diplomatic missions at locations abroad for which branch post offices are not established under section 406.

(b) To the extent that the Postal Service and the Department of State conclude it to be feasible and in the public interest, the Postal Service may establish branch post offices at United States diplomatic missions in locations abroad for which branch post offices are not established under section 406, and the Department of State may enter into an agreement with the Postal Service to perform postal services at such branch post offices through personnel designated by the Department of State.

(c) The Department of State shall reimburse the Postal Service for any amounts, determined by the Postal Service, equal to the additional costs incurred by the Postal Service, including transportation costs, incurred by the Postal Service in the performance of its obligations under any agreement entered into under this section.

(d) Each agreement entered into under this section shall include—

(1) provisions under which the Department of State shall make any reimbursements required under subsection (c);

(2) provisions authorizing the Postal Service to terminate the agreement, and the services provided thereunder, in the event that the Department of State does not comply with the provisions under paragraph (1); and

(3) any other provisions which may be necessary, including provisions relating to the

closing of a post office under this section if necessary because a post office under section 406 is established in the same location.

(Added Pub. L. 101-524, §5(a), Nov. 6, 1990, 104 Stat. 2303.)

#### § 414. Special postage stamps

(a) In order to afford the public a convenient way to contribute to funding for breast cancer research, the Postal Service shall establish a special rate of postage for first-class mail under this section.

(b) The rate of postage established under this section—

(1) shall be equal to the regular first-class rate of postage, plus a differential of not to exceed 25 percent;

(2) shall be set by the Governors in accordance with such procedures as the Governors shall by regulation prescribe (in lieu of the procedures under chapter 36); and

(3) shall be offered as an alternative to the regular first-class rate of postage.

The use of the special rate of postage established under this section shall be voluntary on the part of postal patrons.

(c)(1) Of the amounts becoming available for breast cancer research pursuant to this section, the Postal Service shall pay—

(A) 70 percent to the National Institutes of Health; and

(B) the remainder to the Department of Defense.

Payments under this paragraph to an agency shall be made under such arrangements as the Postal Service shall by mutual agreement with such agency establish in order to carry out the purposes of this section, except that, under those arrangements, payments to such agency shall be made at least twice a year.

(2) For purposes of this section, the term “amounts becoming available for breast cancer research pursuant to this section” means—

(A) the total amounts received by the Postal Service that it would not have received but for the enactment of this section, reduced by

(B) an amount sufficient to cover reasonable costs incurred by the Postal Service in carrying out this section, including those attributable to the printing, sale, and distribution of stamps under this section,

as determined by the Postal Service under regulations that it shall prescribe.

(d) It is the sense of the Congress that nothing in this section should—

(1) directly or indirectly cause a net decrease in total funds received by the National Institutes of Health, the Department of Defense, or any other agency of the Government (or any component or program thereof) below the level that would otherwise have been received but for the enactment of this section; or

(2) affect regular first-class rates of postage or any other regular rates of postage.

(e) Special postage stamps under this section shall be made available to the public beginning on such date as the Postal Service shall by regu-

lation prescribe, but in no event later than 12 months after the date of the enactment of this section.

(f) The Postmaster General shall include in each report rendered under section 2402 with respect to any period during any portion of which this section is in effect information concerning the operation of this section, except that, at a minimum, each shall include—

(1) the total amount described in subsection (c)(2)(A) which was received by the Postal Service during the period covered by such report; and

(2) of the amount under paragraph (1), how much (in the aggregate and by category) was required for the purposes described in subsection (c)(2)(B).

(g) This section shall cease to be effective at the end of the 2-year period beginning on the date on which special postage stamps under this section are first made available to the public.

(Added Pub. L. 105-41, §2(a), Aug. 13, 1997, 111 Stat. 1119.)

#### REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (e), is the date of enactment of Pub. L. 105-41, which was approved Aug. 13, 1997.

#### REPORT BY COMPTROLLER GENERAL OF UNITED STATES

Section 2(b) of Pub. L. 105-41 provided that: “No later than 3 months (but no earlier than 6 months) before the end of the 2-year period referred to in section 414(g) of title 39, United States Code (as amended by subsection (a)), the Comptroller General of the United States shall submit to the Congress a report on the operation of such section. Such report shall include—

“(1) an evaluation of the effectiveness and the appropriateness of the authority provided by such section as a means of fund-raising; and

“(2) a description of the monetary and other resources required of the Postal Service in carrying out such section.”

#### CHAPTER 6—PRIVATE CARRIAGE OF LETTERS

Sec. 601.	Letters carried out of the mail.
602.	Foreign letters out of the mails.
603.	Searches authorized.
604.	Seizing and detaining letters.
605.	Searching vessels for letters.
606.	Disposition of seized mail.

#### § 601. Letters carried out of the mail

(a) A letter may be carried out of the mails when—

(1) it is enclosed in an envelope;

(2) the amount of postage which would have been charged on the letter if it had been sent by mail is paid by stamps, or postage meter stamps, on the envelope;

(3) the envelope is properly addressed;

(4) the envelope is so sealed that the letter cannot be taken from it without defacing the envelope;

(5) any stamps on the envelope are canceled in ink by the sender; and

(6) the date of the letter, of its transmission or receipt by the carrier is endorsed on the envelope in ink.

(b) The Postal Service may suspend the operation of any part of this section upon any mail