

cases of deliberate noncompliance by the Postal Service with the requirements of this title, the Postal Regulatory Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine (in the amount specified by the Commission in its order) for each incidence of noncompliance. Fines resulting from the provision of competitive products shall be paid from the Competitive Products Fund established in section 2011. All receipts from fines imposed under this subsection shall be deposited in the general fund of the Treasury of the United States.

(Added Pub. L. 109-435, title II, §205, Dec. 20, 2006, 120 Stat. 3216.)

PRIOR PROVISIONS

A prior section 3662, Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 764, related to rate and service complaints, prior to repeal by Pub. L. 109-435, title II, §205, Dec. 20, 2006, 120 Stat. 3216.

§ 3663. Appellate review

A person, including the Postal Service, adversely affected or aggrieved by a final order or decision of the Postal Regulatory Commission may, within 30 days after such order or decision becomes final, institute proceedings for review thereof by filing a petition in the United States Court of Appeals for the District of Columbia. The court shall review the order or decision in accordance with section 706 of title 5, and chapter 158 and section 2112 of title 28, on the basis of the record before the Commission.

(Added Pub. L. 109-435, title II, §205, Dec. 20, 2006, 120 Stat. 3217.)

PRIOR PROVISIONS

A prior section 3663, added Pub. L. 105-277, div. A, §101(h) [title VI, §648(a)], Oct. 21, 1998, 112 Stat. 2681-480, 2681-527, related to annual report on international services, prior to repeal by Pub. L. 109-435, title II, §205, Dec. 20, 2006, 120 Stat. 3216.

§ 3664. Enforcement of orders

The several district courts have jurisdiction specifically to enforce, and to enjoin and restrain the Postal Service from violating, any order issued by the Postal Regulatory Commission.

(Added Pub. L. 109-435, title II, §205, Dec. 20, 2006, 120 Stat. 3217.)

SUBCHAPTER VI—GENERAL

AMENDMENTS

2006—Pub. L. 109-435, title II, §204(a)(2), Dec. 20, 2006, 120 Stat. 3210, redesignated subchapter V of this chapter as this subchapter.

§ 3681. Reimbursement

No mailer may be reimbursed for any amount paid under any rate or fee which, after such payment, is determined to have been unlawful after proceedings in accordance with the provisions of sections 3662 through 3664 of this title, or is superseded by a lower rate or fee established under subchapter II of this chapter.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 764; Pub. L. 109-435, title X, §1010(a), Dec. 20, 2006, 120 Stat. 3261.)

AMENDMENTS

2006—Pub. L. 109-435 substituted “sections 3662 through 3664” for “section 3628”.

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.

§ 3682. Size and weight limits

The Postal Service may establish size and weight limitations for mail matter in the market-dominant category of mail consistent with regulations the Postal Regulatory Commission may prescribe under section 3622. The Postal Service may establish size and weight limitations for mail matter in the competitive category of mail consistent with its authority under section 3632.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 765; Pub. L. 96-70, title I, §1331(e)(4), Sept. 27, 1979, 93 Stat. 482; Pub. L. 97-242, §1(a), Aug. 24, 1982, 96 Stat. 300; Pub. L. 109-435, title X, §1010(b), Dec. 20, 2006, 120 Stat. 3261.)

AMENDMENTS

2006—Pub. L. 109-435 amended section generally. Prior to amendment, section read as follows: “The Postal Service may establish size and weight limitations for mail matter in the same manner as prescribed for changes in mail classification under subchapter II of this chapter.”

1982—Pub. L. 97-242 struck out subsecs. (a) and (b) and designation “(c)” before “The Postal Service” and in resulting undesignated paragraph substituted “mail matter” and “mail classification” for “letter mail” and “classification”, respectively. Former subsecs. (a) and (b) had provided that the maximum weight of mail other than letter mail was 40 pounds, that the maximum size was 78 inches in girth and length combined before July 1, 1971, and 84 inches in girth and length combined on and after July 1, 1971, and that the maximum size on mail, other than letter mail, was 100 inches in girth and length combined and the maximum weight was 70 pounds if the mail (1) was mailed at, or addressed for delivery at, other than first-class post offices or on rural or star routes, (2) contained baby fowl, live plants, trees, shrubs, or agricultural commodities but not the manufactured products of those commodities, (3) would have been entitled to be mailed under former section 4554 of this title, (4) was addressed to or mailed at any Armed Forces post office outside the 50 States, or (5) was addressed to or mailed in the Commonwealth of Puerto Rico, the States of Alaska and Hawaii, or a possession of the United States including the Trust Territory of the Pacific Islands.

1979—Subsec. (b)(5). Pub. L. 96-70 struck out “the Canal Zone and” after “United States including”.

EFFECTIVE DATE OF 1982 AMENDMENT

Pub. L. 97-242, §1(b), Aug. 24, 1982, 96 Stat. 300, provided that: “The size and weight limitations for other than letter mail established by subsections (a) and (b) of section 3682 of title 39, United States Code, as in effect on the day prior to the effective date of this section [Aug. 24, 1982], shall remain in effect until changed pursuant to section 3682 of such title, as amended, by subsection (a) of this section.”

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.