

Sec.
416. Authority to issue semipostals.

Editorial Notes

AMENDMENTS

2012—Pub. L. 112-234, §2(e)(2), Dec. 28, 2012, 126 Stat. 1625, renumbered Pub. L. 106-253, §2(d). See 2000 Amendment note below.

2006—Pub. L. 109-435, title IV, §403(c), Dec. 20, 2006, 120 Stat. 3227, added item 404a.

2000—Pub. L. 106-253, §2(c), formerly §2(d), July 28, 2000, 114 Stat. 636, as renumbered §2(c) by Pub. L. 112-234, §2(e)(2), Dec. 28, 2012, 126 Stat. 1625, added item 416.

1998—Pub. L. 105-241, §4(b), Sept. 28, 1998, 112 Stat. 1573, added item 415.

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

Subject to the provisions of section 404a, 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, not inconsistent with this title, as may be necessary in the execution of its functions under this title and such other functions as may be assigned to the Postal Service under any provisions of law outside 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; Pub. L. 109-435, title IV, §403(b)(1), title V, §504, Dec. 20, 2006, 120 Stat. 3227, 3235.)

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-435, §403(b)(1), substituted “Subject to the provisions of section 404a, the” for “The” in introductory provisions.

Par. (2). Pub. L. 109-435, §504, amended par. (2) generally. Prior to amendment, par. (2) read as follows: “to adopt, amend, and repeal such rules and regulations as it deems necessary to accomplish the objectives of this title;”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pars. (1) and (3) to (10) effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors and par. (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.

Executive Documents

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.)

Statutory Notes and Related Subsidiaries

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.)

Editorial Notes

AMENDMENTS

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

Statutory Notes and Related Subsidiaries

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 Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006, Pub. L. 109-115, div. A, title VI, Nov. 30, 2005, 119 Stat. 2490, and were repeated in provisions of subsequent appropriations acts which are not set out in the Code. Similar provisions were also contained in the following prior appropriations acts:

Pub. L. 108-447, div. H, title IV, Dec. 8, 2004, 118 Stat. 3264.

Pub. L. 108-199, div. F, title IV, Jan. 23, 2004, 118 Stat. 340.

Pub. L. 108-7, div. J, title II, Feb. 20, 2003, 117 Stat. 442.

Pub. L. 107-67, title II, Nov. 12, 2001, 115 Stat. 525.

Pub. L. 106-554, §1(a)(3) [title II], Dec. 21, 2000, 114 Stat. 2763, 2763A-135.

Pub. L. 106-58, title II, Sept. 29, 1999, 113 Stat. 444.

Pub. L. 105-277, div. A, §101(h) [title II], Oct. 21, 1998, 112 Stat. 2681-480, 2681-492.

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, prohibited Postal Service from implementing ZIP code system using more than 5 digits before Oct. 1, 1983, and prohibited executive agencies from taking action to conform mailing procedures to ZIP code system using more than 5 digits during the period from Aug. 13, 1981 to Dec. 31, 1982.

§ 404. Specific powers

(a) Subject to the provisions of section 404a, but otherwise without limitation of the generality of its powers, the Postal Service shall have the following specific powers, among others:

(1) to provide for the collection, handling, transportation, delivery, forwarding, returning, and holding of mail, and for the disposition 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 desirable;

(5) to provide philatelic services;

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

(7) to offer and pay rewards for information and services in connection with violation of the postal laws, and, unless a different disposal is expressly prescribed, to pay one-half of all penalties and forfeitures imposed for violations 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

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

(b) Except as otherwise provided, the Governors are authorized to establish reasonable and equitable classes of mail and reasonable and