

Act), by a court of competent jurisdiction, or by operation of law.

“(c)(1) Except as provided in paragraph (2) of this subsection—

“(A) the provisions of this Act [see Short Title note set out under section 101 of this title] shall not affect suits commenced prior to the date this section takes effect; and

“(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act [see Short Title note set out under section 101 of this title] had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act [see Short Title note set out under section 101 of this title] shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the Postal Service or such official of that Service as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

“(2) If before the date on which any provision of this Act [see Short Title note set out under section 101 of this title] takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

“(A) such department or agency is transferred to the Postal Service; or

“(B) any function of such department, agency, or officer is transferred to the Postal Service; such suit shall be continued by the Postal Service.

“(d) The amendment of any statute by this Act [see Short Title note set out under section 101 of this title] shall not release or extinguish any criminal prosecution, penalty, forfeiture, or liability incurred under such statute, unless the amending Act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such prosecution, penalty, forfeiture, or liability.

“(e) With respect to any function, power, or duty transferred by this Act [see Short Title note set out under section 101 of this title] and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, officer, or office so transferred, or functions of which are so transferred, shall be deemed to mean the officer or agency of the Postal Service in which this Act vests such function after such transfer.

“(f) Provisions of title 39, United States Code, in effect immediately prior to the effective date of this section, but not reenacted by this Act [see Short Title note set out under section 101 of this title], shall remain in force as rules or regulations of the Postal Service established by this Act, to the extent the Postal Service is authorized to adopt such provisions as rules or regulations, until they are revoked, amended, or revised by the Postal Service.

“(g) Notwithstanding section 202 of title 39, United States Code, as enacted by section 2 of this Act, Governors of the Board of Governors of the Postal Service may be paid \$300 a day for not more than 60 days of meetings in each of the first 2 years following the effective date of such section 202 [see section 15(b) of Pub. L. 91-375 set out as an Effective Date note above].”

Provisions of section 5 of Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note above.

CORRESPONDING REFERENCES

Pub. L. 91-375, §6(o)-(q), Aug. 12, 1970, 84 Stat. 783, provided that:

“(o) Whenever any reference is made in any provision of law (other than this Act [see Short Title note set out under section 101 of this title] or a provision of law amended by this Act), regulation, rule, record, or document to the Post Office Department, the Postal Service, the postal field service, the field postal service, or the departmental service or departmental headquarters of the Post Office Department, such reference shall be considered a reference to the United States Postal Service. Any reference to any officer or employee of the Post Office Department, the Postal Service, the postal field service, the field postal service, or the departmental service or departmental headquarters of the Post Office Department shall be deemed a reference to the appropriate officer or employee of the United States Postal Service.

“(p) Whenever reference is made in any provision of law (other than this Act [see Short Title note set out under section 101 of this title] or provision of law amended by this Act), regulation, rule, record, or document to a postal inspector or chief postal inspector of the Post Office Department, such reference shall be deemed to be a reference to the appropriate officer or employee of the United States Postal Service who performs duties related to the inspection of postal matters.

“(q) Whenever reference is made in any law to title 39, United States Code, or provision of that title, as such title or provision existed prior to the effective date of this section [see Effective Date note set out above], that reference shall be considered a reference to the appropriate provision of title 39, as amended by section 2 of this Act, unless no such provision is included therein.”

Provisions of section 6(o) to (q) of Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note above.

SEPARABILITY; LEGISLATIVE CONSTRUCTION

Pub. L. 91-375, §11, Aug. 12, 1970, 84 Stat. 785, provided that:

“(a) If a part of title 39, United States Code, as enacted by section 2 of this Act, is held invalid, the remainder of such title shall not be affected thereby; and if any other part of this Act [see Short Title note set out under section 101 of this title] is held to be invalid, the remainder of the Act shall not be affected thereby.

“(b) An inference of a legislative construction is not to be drawn by reason of a chapter in title 39, United States Code, as enacted by section 2 of this Act in which a section is placed nor by reason of the caption or catchline.”

Provisions of section 11 of Pub. L. 91-375 effective Aug. 12, 1970, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note above.

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2006—Pub. L. 109-435, title VI, §601(c), Dec. 20, 2006, 120 Stat. 3239, added item for chapter 5.

CHAPTER 1—POSTAL POLICY AND DEFINITIONS

Editorial Notes

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AMENDMENTS

§ 101. Postal policy

2008—Subsec. (f). Pub. L. 110-405 substituted “mail.” for “mail and shall make a fair and equitable distribution of mail business to carriers providing similar modes of transportation services to the Postal Service.”

(a) The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-405, §2(c), Oct. 13, 2008, 122 Stat. 4290, provided that: “The amendments made by this section [amending this section, sections 3401 and 5402 of this title, and sections 41901 to 41904 and 41910 of Title 49, Transportation, renumbering former sections 41906, 41909, 41910, and 41912 of Title 49 as sections 41905, 41906, 41907, and 41908 of Title 49, respectively, and repealing former sections 41905, 41907, 41908, and 41911 of Title 49] shall take effect on October 1, 2008.”

(b) 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. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities.

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 this section.

(c) As an employer, the Postal Service shall achieve and maintain compensation for its officers and employees comparable to the rates and types of compensation paid in the private sector of the economy of the United States. It shall place particular emphasis upon opportunities for career advancements of all officers and employees and the achievement of worthwhile and satisfying careers in the service of the United States.

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-99, §1, Dec. 11, 2015, 129 Stat. 2201, provided that: “This Act [amending section 414 of this title] may be cited as the ‘Breast Cancer Research Stamp Reauthorization Act of 2015’.”

(d) Postal rates shall be established to apportion the costs of all postal operations to all users of the mail on a fair and equitable basis.

SHORT TITLE OF 2014 AMENDMENT

Pub. L. 113-165, §1, Sept. 19, 2014, 128 Stat. 1878, provided that: “This Act [amending provisions set out as a note under section 416 of this title] may be cited as the ‘Multinational Species Conservation Funds Sempostal Stamp Reauthorization Act of 2013’.”

(e) In determining all policies for postal services, the Postal Service shall give the highest consideration to the requirement for the most expeditious collection, transportation, and delivery of important letter mail.

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-155, §1, Apr. 7, 2010, 124 Stat. 1112, provided that: “This Act [amending section 3001 of this title] may be cited as the ‘Prevent Deceptive Census Look Alike Mailings Act’.”

(f) In selecting modes of transportation, the Postal Service shall give highest consideration to the prompt and economical delivery of all mail. Modern methods of transporting mail by containerization and programs designed to achieve overnight transportation to the destination of important letter mail to all parts of the Nation shall be a primary goal of postal operations.

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-405, §1, Oct. 13, 2008, 122 Stat. 4287, provided that: “This Act [amending this section, sections 3401 and 5402 of this title, and sections 41901 to 41904 and 41910 of Title 49, Transportation, renumbering former sections 41906, 41909, 41910, and 41912 of Title 49 as sections 41905, 41906, 41907, and 41908 of Title 49, respectively, repealing former sections 41905, 41907, 41908, and 41911 of Title 49, and enacting provisions set out as a note under this section] may be cited as the ‘Air Carriage of International Mail Act’.”

(g) In planning and building new postal facilities, the Postal Service shall emphasize the need for facilities and equipment designed to create desirable working conditions for its officers and employees, a maximum degree of convenience for efficient postal services, proper access to existing and future air and surface transportation facilities, and control of costs to the Postal Service.

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-435, §1(a), Dec. 20, 2006, 120 Stat. 3198, provided that: “This Act [see Tables for classification] may be cited as the ‘Postal Accountability and Enhancement Act’.”

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 719; Pub. L. 110-405, §2(b)(9), Oct. 13, 2008, 122 Stat. 4289.)

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-447, div. J, title III, §301(a), Dec. 8, 2004, 118 Stat. 3350, provided that: “This title [amending section 5402 of this title] may be cited as the ‘Rural Air Service Improvement Act of 2004’.”

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-86, §1, Sept. 30, 2003, 117 Stat. 1052, provided that: “This Act [amending section 1004 of this title and enacting provisions set out as notes under section 1004 of this title] may be cited as the ‘Postmasters Equity Act of 2003’.”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-206, title III, §3002(a), Aug. 2, 2002, 116 Stat. 910, provided that: “This title [amending section