

General Provisions, and sections 2703 and 3203 of Title 19] (including the amendments made by this title) shall take effect on the date of enactment of this Act [Aug. 2, 2002].

“(2) SELECTION OF CARRIERS.—The amendment made by subsection (c)(5) [amending this section] shall take effect 15 months after the date of enactment of this Act.”

#### EFFECTIVE DATE OF 1995 AMENDMENT

Pub. L. 104-52, title VI, §631(b), Nov. 19, 1995, 109 Stat. 505, provided that:

“(1) Subject to paragraph (2), the amendment made by subsection (a) [amending this section] shall be effective on and after August 1, 1995.

“(2) Subparagraph (D) of section 5402(g)(1) title 39, United States Code (as in effect before the amendment made under subsection (a)), shall apply to a carrier, if such carrier—

“(A) has an application pending before the Department of Transportation for approval under section 41102 or 41110(e) of title 39, [probably should be “49,”] United States Code, before August 1, 1995; and

“(B) would meet the requirements of such subparagraph if such application were approved and such certificate were purchased.”

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-443 effective Jan. 1, 1985, see section 9(v) of Pub. L. 98-443, set out as a note under section 5314 of Title 5, Government Organization and Employees.

#### 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.

#### FINDINGS

Pub. L. 107-206, title III, §3002(b), Aug. 2, 2002, 116 Stat. 910, provided that: “Congress makes the following findings:

“(1) The State of Alaska is the largest State in the Union and has a very limited system of roads connecting communities.

“(2) Alaska has more pilots per capita than any other State in the Union.

“(3) Pilots flying in Alaska are often the most skilled and best-prepared pilots in the world.

“(4) Air travel within the State of Alaska is often hampered by severe weather conditions and treacherous terrain.

“(5) The United States Government owns nearly ⅔ of Alaska’s landmass, including large tracts of land separating isolated communities within the State.

“(6) Such Federal ownership has inhibited the ability of Alaskans to build roads connecting isolated communities.

“(7) Most communities and a large portion of the population within the State can only be reached by air.

“(8) The vast majority of food items and everyday necessities destined for these isolated communities and populations can only be transported through the air.

“(9) The Intra-Alaska Bypass Mail system, created by Congress and operated by the United States Postal Service under section 5402 of title 39, United States Code, with input from the Department of Transportation, connecting hundreds of rural and isolated communities within the State, is a critical piece of the Alaska and the national transportation system. The system is like a 4-legged stool, designed to—

“(A) provide the most affordable means of delivering food and everyday necessities to these rural and isolated communities;

“(B) establish a system whereby the Postal Service can meet its obligations to deliver mail to every house and business in the United States;

“(C) support affordable and reliable passenger service; and

“(D) support affordable and reliable nonmail freight service.

“(10) Without the Intra-Alaska Bypass Mail system—

“(A) it would be difficult and more expensive for the Postal Service to meet its obligation of delivering mail to every house and business in the United States; and

“(B) food, medicine, freight, and everyday necessities and passenger service for these rural and isolated communities would cost several times the current level.

“(11) Attempts by Congress to support passenger and nonmail freight service in Alaska using the Intra-Alaska Bypass Mail system have yielded some positive results, but some carriers have been manipulating the system by carrying few, if any, passengers and little nonmail freight while earning most of their revenues from the carriage of nonpriority bypass mail.

“(12) As long as the Federal Government continues to own large tracts of land within the State of Alaska which impede access to isolated communities, it is in the best interest of the Postal Service, the residents of Alaska and the United States—

“(A) to ensure that the Intra-Alaska Bypass Mail system remains strong, viable, and affordable for the Postal Service;

“(B) to ensure that residents of rural and isolated communities in Alaska continue to have affordable, reliable, and safe passenger service;

“(C) to ensure that residents of rural and isolated communities in Alaska continue to have affordable, reliable, and safe nonmail freight service;

“(D) to encourage that intra-Alaska air carriers move toward safer, more secure, and more reliable air transportation under the Federal Aviation Administration’s guidelines and in accordance with part 121 of title 14, Code of Federal Regulations, where such operations are supported by the needs of the community; and

“(E) that Congress, pursuant to the authority granted under Article I, section 8 of the United States Constitution to establish Post Offices and post roads, make changes to ensure that the Intra-Alaska Bypass Mail system continues to be used to support substantial passenger and nonmail freight service and to reduce costs for the Postal Service.”

#### ACTIONS OF AIR CARRIERS TO QUALIFY AS BUSH PASSENGERS OR NONMAIL FREIGHT CARRIERS

Pub. L. 107-206, title III, §3002(d), Aug. 2, 2002, 116 Stat. 923, provided that: “Beginning 6 months after the date of enactment of this Act [Aug. 2, 2002], if the Secretary determines, based on the Secretary’s findings and recommendations of the Postal Service, that an air carrier being tendered nonpriority bush bypass mail is not taking actions to attempt to qualify as a bush passenger or nonmail freight carrier under section 5402 of title 39, United States Code (as amended by this title), the Postal Service shall immediately cease tender of all nonpriority bypass mail to such carrier.”

#### REPORTS TO CONGRESS

Pub. L. 107-206, title III, §3002(f), Aug. 2, 2002, 116 Stat. 924, provided that, not later than 18 months after Aug. 2, 2002, the Postal Service and the Secretary of Transportation were to submit a report to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate on the progress of implementing title III of Pub. L. 107-206.

#### § 5403. Fines

The Postal Service may impose or remit fines on carriers transporting mail by air on routes

extending beyond the borders of the United States for—

- (1) unreasonable or unnecessary delay to mail; and
- (2) other delinquencies in the transportation of the mail.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

#### Statutory Notes and Related Subsidiaries

##### 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 56—TRANSPORTATION OF MAIL BY VESSEL

Sec.

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#### § 5601. Sea post service

The Postal Service may maintain sea post service on ocean vessels conveying mail to and from the United States.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 5602. Termination of contracts for foreign transportation

Contracts for the transportation of mail by vessel between the United States and a foreign port shall be made subject to cancellation by the Postal Service or the Congress.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 5603. Transportation of mail by vessel as freight or express

The Postal Service may require that mail be transported by freight or express when—

(1) there is no competition on a water route and the rate or compensation asked is excessive; or

(2) no proposal is received.

A common carrier by water that fails or refuses to transport the mail when required to do so under this section shall be fined not more than \$500 for each day of refusal.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 5604. Fines on ocean carriers

The Postal Service may impose or remit fines on carriers transporting mail by vessel on routes extending beyond the borders of the United States for—

(1) unreasonable or unnecessary delay to the mails; and

(2) other delinquencies in the transportation of mail.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 5605. Contracts for transportation of mail by vessel

The Postal Service may contract for the transportation of mail by vessel without advertising for bids.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 773; Pub. L. 109-435, title X, § 1002(b)(3), Dec. 20, 2006, 120 Stat. 3255.)

#### Editorial Notes

##### AMENDMENTS

2006—Pub. L. 109-438 struck out “for periods of not in excess of 4 years” before period at end.

#### Statutory Notes and Related Subsidiaries

##### 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.